

Washington State Register

October 6, 2004

OLYMPIA, WASHINGTON

ISSUE 04-19



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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 in the basement of the Pritchard 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 (360) 786-6697.

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

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

The maximum allowable interest rate applicable for the month of October 2004 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%) per annum.

The interest rate required by RCW 4.56.110(3) and 4.56.115 for the month of October 2004 is 3.903%.

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

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

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following eight sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **EXPEDITED RULE MAKING**-includes the full text of the rule being proposed using the expedited rule-making process. Expedited rule makings are not consistently filed and may not appear in every issue of the register.
- (d) **PERMANENT**-includes the full text of permanently adopted rules.
- (e) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (f) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (g) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (h) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

Documents are arranged within each section of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. Each filing is listed under the agency name and then describes the subject matter, type of filing and the WSR number. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence with a section's material.

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

4. EFFECTIVE DATE OF RULES

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

5. EDITORIAL CORRECTIONS

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

2004-2005

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Rule Making ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS	Count 20 days from -	For hearing on or after	First Agency Adoption Date
For Inclusion in -	File no later than 12:00 noon -					
04 - 15	Jun 23, 04	Jul 7, 04	Jul 21, 04	Aug 4, 04	Aug 24, 04	Sep 21, 04
04 - 16	Jul 7, 04	Jul 21, 04	Aug 4, 04	Aug 18, 04	Sep 7, 04	Oct 5, 04
04 - 17	Jul 21, 04	Aug 4, 04	Aug 18, 04	Sep 1, 04	Sep 21, 04	Oct 19, 04
04 - 18	Aug 4, 04	Aug 18, 04	Sep 1, 04	Sep 15, 04	Oct 5, 04	Nov 2, 04
04 - 19	Aug 25, 04	Sep 8, 04	Sep 22, 04	Oct 6, 04	Oct 26, 04	Nov 23, 04
04 - 20	Sep 8, 04	Sep 22, 04	Oct 6, 04	Oct 20, 04	Nov 9, 04	Dec 7, 04
04 - 21	Sep 22, 04	Oct 6, 04	Oct 20, 04	Nov 3, 04	Nov 23, 04	Dec 21, 04
04 - 22	Oct 6, 04	Oct 20, 04	Nov 3, 04	Nov 17, 04	Dec 7, 04	Jan 4, 05
04 - 23	Oct 20, 04	Nov 3, 04	Nov 17, 04	Dec 1, 04	Dec 21, 04	Jan 19, 05
04 - 24	Nov 3, 04	Nov 17, 04	Dec 1, 04	Dec 15, 04	Jan 4, 05	Feb 1, 05
05 - 01	Nov 24, 04	Dec 8, 04	Dec 22, 04	Jan 5, 05	Jan 25, 05	Feb 23, 05
05 - 02	Dec 8, 04	Dec 22, 04	Jan 5, 05	Jan 19, 05	Feb 8, 05	Mar 8, 05
05 - 03	Dec 22, 04	Jan 5, 05	Jan 19, 05	Feb 2, 05	Feb 22, 05	Mar 22, 05
05 - 04	Jan 5, 05	Jan 19, 05	Feb 2, 05	Feb 16, 05	Mar 8, 05	Apr 5, 05
05 - 05	Jan 19, 05	Feb 2, 05	Feb 16, 05	Mar 2, 05	Mar 22, 05	Apr 19, 05
05 - 06	Feb 2, 05	Feb 16, 05	Mar 2, 05	Mar 16, 05	Apr 5, 05	May 3, 05
05 - 07	Feb 23, 05	Mar 9, 05	Mar 23, 05	Apr 6, 05	Apr 26, 05	May 24, 05
05 - 08	Mar 9, 05	Mar 23, 05	Apr 6, 05	Apr 20, 05	May 10, 05	Jun 7, 05
05 - 09	Mar 23, 05	Apr 6, 05	Apr 20, 05	May 4, 05	May 24, 05	Jun 21, 05
05 - 10	Apr 6, 05	Apr 20, 05	May 4, 05	May 18, 05	Jun 7, 05	Jul 6, 05
05 - 11	Apr 20, 05	May 4, 05	May 18, 05	Jun 1, 05	Jun 21, 05	Jul 19, 05
05 - 12	May 4, 05	May 18, 05	Jun 1, 05	Jun 15, 05	Jul 5, 05	Aug 2, 05
05 - 13	May 25, 05	Jun 8, 05	Jun 22, 05	Jul 6, 05	Jul 26, 05	Aug 23, 05
05 - 14	Jun 8, 05	Jun 22, 05	Jul 6, 05	Jul 20, 05	Aug 9, 05	Sep 7, 05
05 - 15	Jun 22, 05	Jul 6, 05	Jul 20, 05	Aug 3, 05	Aug 23, 05	Sep 20, 05
05 - 16	Jul 6, 05	Jul 20, 05	Aug 3, 05	Aug 17, 05	Sep 6, 05	Oct 4, 05
05 - 17	Jul 27, 05	Aug 10, 05	Aug 24, 05	Sep 7, 05	Sep 27, 05	Oct 25, 05
05 - 18	Aug 10, 05	Aug 24, 05	Sep 7, 05	Sep 21, 05	Oct 11, 05	Nov 8, 05
05 - 19	Aug 24, 05	Sep 7, 05	Sep 21, 05	Oct 5, 05	Oct 25, 05	Nov 22, 05
05 - 20	Sep 7, 05	Sep 21, 05	Oct 5, 05	Oct 19, 05	Nov 8, 05	Dec 6, 05
05 - 21	Sep 21, 05	Oct 5, 05	Oct 19, 05	Nov 2, 05	Nov 22, 05	Dec 20, 05
05 - 22	Oct 5, 05	Oct 19, 05	Nov 2, 05	Nov 16, 05	Dec 6, 05	Jan 3, 06
05 - 23	Oct 26, 05	Nov 9, 05	Nov 23, 05	Dec 7, 05	Dec 27, 05	Jan 24, 06
05 - 24	Nov 9, 05	Nov 23, 05	Dec 7, 05	Dec 21, 05	Jan 10, 06	Feb 7, 06

¹ All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

⁴ A minimum of forty-five days is required between the distribution date of the Register giving notice of the expedited rule making and the agency adoption date. No hearing is required, but the public may file written objections. See RCW 34.05.230 and 1.12.040.

REGULATORY FAIRNESS ACT

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

Small Business Economic Impact Statements (SBEIS)

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

Mitigation

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

When is an SBEIS Required?

When:

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

When is an SBEIS Not Required?

When:

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

There is less than minor economic impact on business;

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

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

The rule is pure restatement of state statute.

WSR 04-19-001**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL**

[Filed September 1, 2004, 2:51 p.m.]

Subject of Possible Rule Making: Amendment to WAC 446-20-630 Department of social and health services—Child care licensing—Fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.43.830 - 43.43.845.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This amendment will change the fees for background checks to coincide with our amendment proposal for WAC 446-20-600 Fees. The amendment to WAC 446-20-630 will also reduce the number of fingerprint cards being submitted to the Washington State Patrol (WSP) from two to one. Currently only one fingerprint card is required for processing. WSP sends the fingerprints electronically to the FBI.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mr. Benjamin Carruth, Washington State Patrol, P.O. Box 42633, Olympia, WA 98504-2633, phone (360) 570-5230, fax (360) 570-5274, benjamin.carruth@wsp.wa.gov.

August 30, 2004
Lowell Porter
Chief

WSR 04-19-002**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL**

[Filed September 1, 2004, 2:51 p.m.]

Subject of Possible Rule Making: WAC 446-65-010 Transportation requirements.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.32.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To more clearly identify the adoption of specific Codes of Federal Regulations used for enforcement of commercial motor vehicles, and all amendments thereto.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of Licensing, Department of Transportation, and the Utilities and Transportation Commission - we work with these agencies when adopting rules regulating the commercial vehicle industry (licenses required, size, weight, load, permits, and enforcement).

Process for Developing New Rule: Regulatory improvement in accordance with Governor Gary Locke's Executive Order 97-02.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Washington State Patrol, Equipment and Standards Review Unit, P.O. Box 42614, Olympia, WA

98504-2614, christine.fox@wsp.wa.gov, (360) 753-3697 or fax (360) 586-8233.

August 30, 2004
Lowell Porter
Chief

WSR 04-19-003**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL**

[Filed September 1, 2004, 2:51 p.m.]

Subject of Possible Rule Making: Amendment to WAC 446-20-610 Superintendent of public instruction—Prospective educational employees—Fees.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.43.830 - 43.43.845.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Propose to increase the background check fees charged to school district employees, certifications, and contractual employees to coincide with an amendment proposal for WAC 446-20-600 Fees. This amendment will also increase the amount reimbursed to the Office of the Superintendent of Public Instruction from \$10.00 to \$11.00.

Process for Developing New Rule: Agency study, (Office of the Superintendent of Public Instruction).

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contracting Mr. Benjamin Carruth, Washington State Patrol, P.O. Box 42633, Olympia, WA 98504-2633, phone (360) 570-5230, fax (360) 570-5274, benjamin.carruth@wsp.wa.gov.

August 30, 2004
Lowell Porter
Chief

WSR 04-19-005**PREPROPOSAL STATEMENT OF INQUIRY
PROFESSIONAL EDUCATOR
STANDARDS BOARD**

[Filed September 2, 2004, 11:24 a.m.]

Subject of Possible Rule Making: RCW 28A.410.220(3) allows the Professional Educator Standards Board (PESB) to permit exceptions from the assessment requirements under subsections (1) and (2) of this section on a case-by-case basis.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.410.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: At this time, the PESB can not foresee any conditions for which exceptions from the assessment requirements would be extended and conclude that this language should be stated in WAC.

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

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jennifer Wallace, Executive Director, PESB, (360) 725-6276, fax (360) 586-4548, jwallace@ospi.wednet.edu; Esther Baker, Program Director, Teacher Assessments, PESB, (360) 725-6277, fax (360) 586-4548, ebaker@ospi.wednet.edu; Board Meetings: September 14-15, 2004, November 16-17, 2004, and January 2005.

September 2, 2004

Esther Baker

Program Director

Teacher Assessments

WSR 04-19-031

PREPROPOSAL STATEMENT OF INQUIRY GAMBLING COMMISSION

[Filed September 9, 2004, 11:53 a.m.]

Subject of Possible Rule Making: Raffle tickets.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received two petitions for rule change from Mr. James Williams requesting the commission change pricing restrictions for discounted raffle tickets.

Process for Developing New Rule: Petition for rule change.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Neal Nunamaker, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

[Meeting Locations:] October 15, 2004, at 505 Highway 2, Leavenworth, WA 98826, (509) 548-7000; and on November 19, 2004, at the Red Lion Hotel, Yakima Center, 607 East Yakima Avenue, Yakima, WA 98901, (509) 248-5900.

September 8, 2004

Susan Arland

Rules Coordinator

WSR 04-19-060

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed September 15, 2004, 11:49 a.m.]

Subject of Possible Rule Making: (1) Requiring phytosanitary certification for all crucifer seed to be use for veg-

etable seed, cover, or oilseed crops in western Washington; and (2) adding wild radish and black mustard to the "restricted noxious weed seeds."

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 15.49 RCW, Seeds.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Department of Agriculture received a petition for rule making to address the two issues outlined above, as well as to address modification of rapeseed rules to include all cruciferous genera and species that could be grown for vegetable seed, cover, or oilseed crops. Also requested is the development of additional guidelines for crucifer vegetable, cover and oilseed crops.

At the present time, it appears that the department does not have the statutory authority required to pursue rule making relative to rapeseed, but the subject should be thoroughly discuss with affected industry representatives.

Process for Developing New Rule: The department is establishing a work group made up of members of the seed, rapeseed industry and research community to begin examining the request for rules and to advise the department of the future direction of the request.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting George Huffman, Rules Coordinator, Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1802, fax (360) 902-2092, e-mail ghuffman@agr.wa.gov; or Fawad Shah, Manager, WSDA Seed Program, 21 North First Avenue, Suite 203, Yakima, WA 98902, phone (509) 225-2630, fax (509) 454-4395, e-mail fshah@agr.wa.gov.

September 15, 2004

William E. Brookreson

Deputy Director

WSR 04-19-085

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed September 20, 2004, 8:58 a.m.]

Subject of Possible Rule Making: WAC 388-515-1505 Community options program entry system (COPEs).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.575.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This proposed amendment will clarify income and resource allocations for the COPEs waiver services program and will include court-ordered guardianship and attorney fees in those allocations.

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

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and informa-

tion about how to participate may be obtained from the department representative listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary Beth Ingram, P.O. Box 45534, Olympia, WA 98504-5534, phone (360) 725-1327, fax (360) 664-0910, TTY 1-800-848-5429, e-mail Ingramb@dshs.wa.gov.

September 17, 2004
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 04-19-099

**PREPROPOSAL STATEMENT OF INQUIRY
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 (Division of Child Support)
 [Filed September 20, 2004, 3:51 p.m.]**

Subject of Possible Rule Making: WAC 388-14A-6300 Duty of the administrative law judge in a hearing to determine the amount of a support obligation, revisions to this section and related sections, and adoption of new sections as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 26.23.050, 34.05.220, 74.20A-055, 74.20A.056, 45 C.F.R. 303.11, 45 C.F.R. 303.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Division of Child Support (DCS) seeks to clarify the rules regarding the contents of administrative child support orders, especially to reenact a prior requirement that each administrative support order set a noncustodial parent's support obligation as a sum certain amount, with an amount per month for each child covered by the order.

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

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at www.wa.gov/dshs/dcs, or on the DSHS Economic Services Administration's policy review website, which can be found at <http://www1.dshs.wa.gov/esa/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making, and will send the proposal to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, e-

mail nkoptur@dshs.wa.gov, toll-free 1-800-457-6202, fax (360) 664-5055, TTY/TDD (360) 664-5011.

September 20, 2004
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 04-19-100

**PREPROPOSAL STATEMENT OF INQUIRY
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES
 (Aging and Disability Services Administration)
 [Filed September 20, 2004, 3:52 p.m.]**

Subject of Possible Rule Making: Adopting new chapters within Title 388 WAC. Amending and repealing sections in chapters 388-72A and 388-71 WAC. Other WAC chapters may be opened, as needed.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: New WAC chapters and rules are required to phase out rules that no longer apply, due to the implementation of CARE (comprehensive assessment reporting and evaluation). In addition, ADSA will be reorganizing, amending, and streamlining rules to ensure that all rules are current and clear. Policy changes that arise during this time will be incorporated into this rule making.

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

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Draft material and information about how to participate may be obtained from the department representative listed below. At a later date, DSHS will file the proposed rule with the Office of Code Reviser with a notice of proposed rule making, and send the proposal to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brooke Buckingham, Home and Community Services, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 725-3213, fax (360) 438-8633, e-mail buckibe@dshs.wa.gov.

September 20, 2004
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

PREPROPOSAL

WSR 04-19-101
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Assistance Administration)
[Filed September 20, 2004, 3:54 p.m.]

Subject of Possible Rule Making: WAC 388-450A-0010 Can my subsidized income be garnished? (new section and chapter).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.04.050, 74.08A.340.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, parents are having TANF subsidized wages garnished. This WAC would prevent garnishment except when done by the Division of Child Support. The purpose is to encourage participation in TANF parents in working TANF subsidized jobs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agencies regulate this rule.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff persons identified below. At a later date, DSHS will file the proposed rule with the Office of Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ian Horlor, Program Manager, Division of Employment and Assistance Programs, P.O. Box 45480, Olympia, WA 98504-5480, phone (360) 725-4634, fax (360) 413-3495, e-mail Horloit@DSHS.WA.GOV.

September 20, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 04-19-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed September 20, 2004, 3:55 p.m.]

Subject of Possible Rule Making: The Division of Child Care and Early Learning is revising the working connections child care, WAC 388-290-0200 and 388-290-0205. The revision is a result of a legislative budget proviso to increase Spokane County rates for licensed providers. The rate change is only effective July 1, 2004, through June 30, 2005. The filing of this CR-101 initiates the regular rule-making process for adopting as permanent the emergency filing of WSR 04-14-014 on June 25, 2004.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.13.085, and 74.12.340, and section 207(9), chapter 276, Laws of 2004.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The legislature approved an

increase in Spokane County rates for licensed providers from July 1, 2004, through June 30, 2005.

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

Process for Developing New Rule: All interested parties are invited to review and provide input on draft language. Obtain draft material by contacting the identified representative below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Lisa Lind, Program Manager, Division of Child Care and Early Learning, P.O. Box 45480, Olympia, WA 98505-5480, Street Address 1009 College Street S.E., Lacey, WA 98503, phone (360) 725-4691, fax (360) 413-3482, e-mail lindlm@dshs.wa.gov. The draft rules will also be posted on the ESA policy proposal comment internet site at <http://www1.dshs.wa.gov/esa/extpolicy>.

September 20, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 04-19-121
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE
[Filed September 21, 2004, 2:05 p.m.]

Subject of Possible Rule Making: Chapter 16-218 WAC, Hops—Certification analyses—Fees, the department is reviewing its fees related to hop certification, analysis, and certificate issuance services and may propose to change them. In addition, the department may amend the existing language to increase its clarity and readability and update the language and provisions to conform to current industry and regulatory standards and practices.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 22.09 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Changes in hop industry practices may have made the existing fee structure and other provisions of this rule outdated. The current fee schedule reflects an era in hop production and marketing that has significantly changed. RCW 22.09.790 (1) and (3) specifically requires the department to maintain a fee schedule that is sufficient to cover the cost of providing services.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary A. Martin Toohey, Assistant Director, Plant Protection Division, Washington State

Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail mtoohy@agr.wa.gov.

September 21, 2004
Mary A. Martin Toohey
Assistant Director

WSR 04-19-123

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF AGRICULTURE

[Filed September 21, 2004, 2:07 p.m.]

Subject of Possible Rule Making: Chapter 16-350 WAC, Registration and certification of fruit tree planting stock, the department is reviewing its rules regarding fruit tree planting stock and may propose to change them to meet current industry and regulatory needs. In addition, the department may amend the existing language to increase its clarity and readability.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 15.14 and 34.05 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 16-350 WAC establishes rules for the certification of fruit trees and related ornamentals. This is a voluntary program that allows growers to propagate planting stock that is certified as tested for harmful viruses, which affect the quality and yields of tree fruit production. A revision of this rule is necessary to meet the phytosanitary requirements of our trading partners and to assure that certified rootstock from other states used to propagate certified apple trees is equivalent to Washington certified stock.

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

Process for Developing New Rule: Department staff will discuss any proposed amendments with affected stakeholders. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mary A. Martin Toohey, Assistant Director, Plant Protection Division, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, fax (360) 902-2094, e-mail mtoohy@agr.wa.gov.

September 21, 2004
Mary A. Martin Toohey
Assistant Director

WSR 04-19-129

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES (Economic Services Administration)

[Filed September 21, 2004, 4:12 p.m.]

Subject of Possible Rule Making: New rules in chapter 388-14A WAC requiring the Division of Child Support (DCS) to send a national medical support notice (NMSN) to an employer within two days of entry of the noncustodial parent into the state directory of new hires (SDNH). Possible amendment of existing rules as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.20A.310, 45 C.F.R. 303.32, 45 C.F.R. 303.30, 45 C.F.R. 303.31.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: 45 C.F.R. 303.32(a) lists the required state laws for a valid state plan under Title IV-D of the Social Security Act; 45 C.F.R. 303.32 (c)(2) provides that the state must have a procedure requiring the IV-D agency to send a national medical support notice to an employer within two days of entry of the noncustodial parent into the state directory of new hires. 45 C.F.R. 303.30 lists the requirements for DCS to provide information regarding child support orders with medical support obligations, and health insurance coverage information, to the Title XIX agency, which is the DSHS Medical Assistance Administration. Additionally, 45 C.F.R. 303.31 requires the IV-D agency to communicate with the Title XIX agency.

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

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS Division of Child Support (DCS) Headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at www.wa.gov/dshs/dcs, or on the DSHS Economic Services Administration's policy review website, which can be found at <http://www1.dshs.wa.gov/esa/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making, and will send the proposal to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, e-mail nkoptur@dshs.wa.gov, toll-free 1-800-457-6202, fax (360) 664-5055, TTY/TDD (360) 664-5011.

September 21, 2004
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

PREPROPOSAL

WSR 04-19-130
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed September 21, 2004, 4:13 p.m.]

Subject of Possible Rule Making: The Division of Child Support (DCS) is amending WAC 388-14A-3350 and other related rules dealing with how far back in time a nonassistance claim for child support can go. Current rule states that DCS starts the claim as of the date that DCS receives the application for nonassistance services, but DCS is considering changing this for cases referred by other child support agencies (another state or an Indian tribe) so that the start date is the date the custodial parent applied to the other agency. DCS may adopt other new rules as required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090 and 74.20A.055.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Traditionally, DCS has started a claim for child support as of the date DCS received the nonassistance application for services. This approach works fine for a case where the custodial parent (CP) applies directly to DCS for child support services. However, DCS believes that this rule works a hardship on the CP where the CP applies to another child support agency (another state, country or Indian tribe), and the CP must wait for the other agency to refer the case to DCS for support establishment. DCS believes it is appropriate to start the nonassistance claim as of the date the CP applied for services, not as of the date DCS receives an application filed with another agency.

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

Process for Developing New Rule: DCS engages in modified collaborative rule making. Those persons wishing to participate in developing the new rules are encouraged to contact Nancy Koptur at the DSHS Division of Child Support (DCS) Headquarters as soon as possible. DCS will post information regarding this rule development project and others on its website, which can be found at www.wa.gov/dshs/dcs, or on the DSHS Economic Services Administration's policy review website, which can be found at <http://www1.dshs.wa.gov/esa/extpolicy/>. DSHS/DCS encourages the public to take part in developing the rules. At a later date, DSHS will file proposed rules with the Office of the Code Reviser with a notice of proposed rule making, and will send the proposal to everyone currently on the mailing list and to anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Nancy Koptur, DCS Rules Coordinator, Division of Child Support, P.O. Box 9162, Mailstop 45860, Olympia, WA 98507-9162, phone (360) 664-5065, e-mail nkoptur@dshs.wa.gov, toll-free 1-800-457-6202, fax (360) 664-5055, TTY/TDD (360) 664-5011.

September 21, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 04-19-146
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
NATURAL RESOURCES
[Filed September 22, 2004, 9:34 a.m.]

Subject of Possible Rule Making: The department is considering revision and/or additions to chapter 332-52 WAC regarding recreation and public access on Department of Natural Resources (DNR) managed lands.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 79.10.120 directs DNR to allow multiple use of the trust lands it manages - including recreation areas and trails, education and scientific studies, special events, hunting and fishing, and maintenance of scenic areas and historic sites - when such uses are compatible with trust land management. RCW 43.12.065 (in accordance with chapter 34.05 RCW) gives DNR authority to adopt and enforce rules that pertain to the promotion of public safety and the protection of public property on DNR-managed lands.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Written in 1970, chapter 332-52 WAC is outdated. Since then, there have been a number of technological advances in relationship to recreation vehicles, such as off-road vehicles (i.e., motorcycles, all terrain vehicles), mountain bicycles and four-wheel drive vehicles. Additional recreational uses present on DNR-managed land include hunting, horseback riding, scenic driving, hiking, picnicking, berry picking and mushroom gathering. The department is faced with how best to manage the varying types of recreational uses and users, as the number of recreation enthusiasts accessing DNR-managed lands is estimated to be over nine million visitors each year.

It is the intention of the department in revising chapter 332-52 WAC to provide a safer, more enjoyable experience for the public as the recreate and access DNR lands.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: State: Washington State Parks and Recreation Commission, Washington Department of Fish and Wildlife, Inter-agency Committee for Outdoor Recreation.

Federal: Bureau of Land Management, United States Forest Service, Army Corps of Engineers, National Park Service.

The department will provide the same opportunities for involvement by the before mentioned agencies, as it will for the public's participation as outlined below. It is the intent of the department, when appropriate, to propose rules consistent with statutes guiding or rules adopted by the before mentioned agencies.

Process for Developing New Rule: In addition to providing the outlined level of public involvement required by the Administrative Procedure Act, the department plans to follow a community relations approach to revising chapter 332-52 WAC. Opportunities for public participation are offered during October and November 2004, in advance of filing a CR-102 Notice of proposed rule-making. Opportunities for public involvement will also occur as part of the State Environmental Policy Act (SEPA) review process. Public meetings across the state provide opportunities for department officials to present the purpose/context for the rule revision.

sion, pose key questions, and gather citizen input related to possible rule addition and/or revision.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. The schedule for the public meetings is as follows: On October 19, 2004, at 6-8 p.m., at the Lacey Community Center at Woodland Creek Community Park, 6729 Pacific Avenue S.E., Lacey, WA 98509-3400; on October 20, 2004, at 6-8 p.m., at the Best Western Cotton Tree Inn and Convention Center, Orcas Room, 2401 Riverside Drive, Mount Vernon, WA 98362; on October 21, 2004, at 6-8 p.m., at Peninsula College, A-12, 1502 East Lauridsen Boulevard, Port Angeles, WA 98362; on October 26, 2004, at 6-8 p.m., at the Red Lion, 100 Columbia Street, Vancouver, WA 98660; on October 27, 2004, at 6-8 p.m., at the Hilton Garden Inn, Spokane Airport, Granite Room, 9015 West Highway 2, Spokane, WA 99224; on October 28, 2004, at 6-8 p.m., at The Mountaineers, Tahoma 2 Room, 300 Third Avenue West, Seattle, WA 98119; on November 3, 2004, at 6-8 p.m., at the Okanogan Inn, 1 Apple Way, Okanogan, WA 98840; and on November 4, 2004, at 6-8 p.m., at Central Washington University, Black Hall, 400 East 8th Avenue, Ellensburg, WA 98926.

The Department of Natural Resources encourages your active participation in the rule-making process. Anyone interested in more information or on how to participate should contact Mary Coacher, Asset Management and Protection, Department of Natural Resources, P.O. Box 47027, Olympia, WA 98504-7027, e-mail mary.coacher@wadnr.gov, voice message (360) 902-1430, fax (360) 902-1789.

September 21, 2004

Bonnie B. Bunning

Executive Director of
Policy and Administration

WSR 04-19-152

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed September 22, 2004, 10:46 a.m.]

Subject of Possible Rule Making: Following rules regarding beer and wine label approval and guidelines: WAC 314-20-020, 314-20-030, 314-20-130, 314-24-003, 314-24-006, 314-24-040, 314-24-050, 314-24-060, 314-24-080, 314-24-090.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.08.060, 66.24.203, 66.24.261, 66.28.110, 66.28.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of its ongoing regulatory improvement process, the Liquor Control Board is reviewing its existing rules regarding beer and wine labels.

Process for Developing New Rule: Input from retail licensees, local governments, and other interested parties will be obtained through series of notices and at least one public hearing.

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

lication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648, fax (360) 704-4921, e-mail teb@liq.wa.gov.

September 22, 2004

Merritt D. Long

Chairman

WSR 04-19-153

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed September 22, 2004, 10:47 a.m.]

Subject of Possible Rule Making: Rules in chapters 314-20 and 314-24 WAC regarding standards and requirements for nonretail liquor licensees, such as manufacturers, importers, and distributors.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.28.010, 66.24.140, 66.24.150, 66.24.160, 66.24.170, 66.24.185, 66.24.200, 66.24.203, 66.24.206 [66.24.206], 66.24.240, 66.24.244, 66.24.250, 66.24.261, 66.24.24.580 [66.24.580].

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of its ongoing regulatory improvement process, the Liquor Control Board is reviewing its existing rules regarding standards and requirements for nonretail liquor licensees, such as manufacturers, importers, and distributors.

Process for Developing New Rule: Input from retail licensees, local governments, and other interested parties will be obtained through series of notices and at least one public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648, fax (360) 704-4921, e-mail teb@liq.wa.gov.

September 22, 2004

Merritt D. Long

Chairman

WSR 04-19-154

PREPROPOSAL STATEMENT OF INQUIRY LIQUOR CONTROL BOARD

[Filed September 22, 2004, 10:48 a.m.]

Subject of Possible Rule Making: Chapter 314-52 WAC, regarding alcohol advertising and promotions.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 66.08.060, 66.28.010, 66.28.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of its ongoing regulatory improvement process, the Liquor Control Board is reviewing its existing rules regarding alcohol advertising and promotions.

Process for Developing New Rule: Input from retail licensees, local governments, and other interested parties will

be obtained through series of notices and at least one public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648, fax (360) 704-4921, e-mail teb@liq.wa.gov.

September 22, 2004

Merritt D. Long

Chairman

WSR 04-18-045
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Children's Administration)
 [Filed August 26, 2004, 3:54 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-22-061.

Title of Rule and Other Identifying Information: Chapter 388-147 WAC, Licensing requirements for pregnant and parenting teen programs and facilities, Children's Administration is proposing minimum licensing requirements for specific type of independent-living programs/facilities for pregnant and parenting teens. The current maternity home-group home minimum licensing requirements do not meet the need or fully describe this type of licensed facility.

Hearing Location(s): Blake Office Park East, Rose Room, 4500 10th Avenue S.E. (behind Goodyear Courtesy Tire), Lacey, WA, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: Not earlier than October 27, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail femaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., October 26, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by October 22, 2004, TTY (360) 664-6178 or (360) 664-6097.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Chapter 388-147 WAC, Licensing requirements for pregnant and parenting teen programs and facilities, is a new WAC chapter and was developed to provide the appropriate minimum licensing requirements for independent living facilities where teen families live in apartment-like settings. The anticipated effect is that the department will have a set of minimum licensing requirements that properly address the needs of several programs that are either licensed as a maternity group home or are unlicensed.

Reasons Supporting Proposal: The proposed WAC chapter provides licensing requirements for facilities that are currently not adequately covered in Children's Administration's current licensing chapters.

Statutory Authority for Adoption: RCW 74.15.030.

Statute Being Implemented: Chapter 74.15 RCW.

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

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

Name of Agency Personnel Responsible for Drafting and Implementation: Jean L. Croisant, P.O. Box 45710, Olympia, WA 98504-5710, (360) 902-7992; and Enforcement: Division of Licensed Resources, P.O. Box 45700, Olympia, WA 98604-5700 [98504-5700].

No small business economic impact statement has been prepared under chapter 19.85 RCW. Children's Administration conducted a survey of all group care providers, child-placing agencies, staffed residential homes, forty-four member workgroup outlining the proposed changes. It was deter-

mined from the survey results that fewer than half a dozen agencies would be affected and that any costs would be minor. The preparation of a comprehensive small business economic impact statement is not required.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Jean L. Croisant, CA Rules Coordinator and Licensing Standards Program Manager, P.O. Box 45710, Olympia, WA 98504-5710, phone (360) 902-7992, fax (360) 902-7903, e-mail loje300@dshs.wa.gov.

August 23, 2004

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

Chapter 388-147 WAC

LICENSING REQUIREMENTS FOR PREGNANT OR PARENTING TEEN PROGRAMS AND FACILITIES

AUTHORITY

NEW SECTION

WAC 388-147-0010 What authority does the department of social and health services have to license residential programs for pregnant and parenting teens and their children? (1) The rules are adopted under authority of chapter 74.15 RCW.

(2) The rules in this chapter are the minimum licensing requirements for residential programs for pregnant and parenting teens, age sixteen and seventeen and their children.

(3) The department issues or denies a license on the basis of compliance with the minimum licensing requirements contained in this chapter.

(4) Nothing in this chapter is intended to deny any individual access to services or the rights afforded him or her under other Revised Codes of Washington (RCW).

PURPOSE AND DEFINITIONS

NEW SECTION

WAC 388-147-0020 What is the purpose of this chapter? This chapter defines general and specific minimum licensing requirements for independent-living pregnant and parenting teen facilities. A program approved for licensing or re-licensing under this chapter requires housing and services, as described in sections of the chapter. The licensing requirements in this chapter are intended to be for programs for teens age sixteen or older that are pregnant or parenting. A program for pregnant or parenting teens younger than age sixteen would require consultation with and approval from the department's licensing agent to be licensed under this chapter.

The department is committed to ensuring that the pregnant and parenting teens and their children who receive residential care experience health, safety, and well-being. Our licensing requirements reflect our commitment to children and youth.

NEW SECTION

WAC 388-147-0030 What definitions do I need to know to understand this chapter? The following definitions are important to understand these rules:

"**Abuse or neglect**" means the injury, sexual abuse, sexual exploitation, negligent treatment or mistreatment of a child/youth where the child/youth's health, welfare and safety are harmed.

"**Agency**" as defined in RCW 74.15.020 (1)(a) through (k).

"**Assessment**" means the appraisal or evaluation of a child's physical, mental, social and/or emotional condition.

"**Capacity**" means the maximum number of children that a home or facility is licensed to care for at a given time.

"**Care provider**" means any licensed or certified person or organization, or staff member of a licensed organization that provides twenty-four hour residential services to children and youth.

"**Case manager**" means an agency employee who coordinates and links the youth to appropriate services.

"**Children**" mean individuals who are under eighteen years old and are the children of the teen resident.

"**Compliance agreement**" means a written licensing improvement plan to address deficiencies in specific skills, abilities or other issues of a fully licensed facility in order to maintain and/or increase the safety and well-being of children in care.

"**Department**" means the department of social and health services (DSHS).

"**DLR**" means the division of licensed resources.

"**DOH**" means the department of health.

"**Firearms**" means guns or weapons, including but not limited to the following: BB guns, pellet guns, air rifles, stun guns, antique guns, bows and arrows, handguns, rifles, and shotguns.

"**Full licensure**" means an entity meets the requirements established by the state for licensing or approved as meeting state minimum licensing requirements.

"**Hearing**" means the administrative review process.

"**I**" refers to anyone who is licensed, operates, or owns a facility for pregnant and parenting teens and their children.

"**Infant**" means a child less than one year of age.

"**License**" means a permit issued by the department affirming that a program/facility meets the minimum licensing requirements.

"**Licensee**" means the individual or agency that is responsible for the operation of the program and health and safety of the facility.

"**Licensors**" means a division of licensed resources (DLR) employee, children's administration of DSHS who:

- (1) Approves licenses for pregnant and parenting teen programs/facilities; and
- (2) Monitors facilities to ensure that they continue to meet minimum licensing requirements.

"**Maternity service**" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement, as defined in RCW 74.15.020. Maternity services, in this chapter refer to services to youth who are less than eighteen years.

"**Nonambulatory**" means not able to walk or traverse a normal path to safety without the physical assistance of another individual.

"**Premises**" means a facility's buildings and adjoining grounds that are managed by a person or agency in charge.

"**Probationary license**" means a license issued as part of a disciplinary action to an individual or agency that has previously been issued a full license but is out of compliance with the minimum licensing requirements.

"**Provide care**" to youth means the agency makes available residential services including case management to a client.

"**Relative**" means a person who is related to the child as defined in RCW 74.15.020 (4)(a)(i), (ii), (iii), and (iv) only.

"**Resident**" means the pregnant or parenting teen and her child or children.

"**Service plan**" means a description of the services to be provided or performed and who has responsibility to provide or perform the activities for a teen and the teen's child or children.

"**Social service staff**" means a clinician, program manager, case manager, consultant, contractor, or other staff person who is an employee of the agency or hired to develop and implement the child's individual service plans.

"**Staff**" means employees, interns, volunteers, or any individual operating under the auspices of the agency providing services to pregnant and parenting teens and their children.

"**Standard precautions**" is a term relating to procedures designed to prevent transmission of blood borne pathogens in health care and other settings. Under standard precautions, blood or other potentially infectious materials of all people should always be considered potentially infectious for HIV and other pathogens. Individuals should take appropriate precautions using personal protective equipment like gloves to prevent contact with blood or other bodily fluids.

"**Washington state patrol fire protection bureau**" or "**WSP/FPB**" is the name for the agency popularly known as the state fire marshal.

"**We**" or "**our**" refers to the department of social and health services, including division of licensed resources (DLR) licensors.

"**You**" refers to the licensee or anyone who owns or operates a program/facility for pregnant and parenting teens and their children.

"**Youth**" means the pregnant or parenting teen resident, age sixteen or seventeen.

APPLICATION PROCESSNEW SECTION

WAC 388-147-0040 Is a license required to provide care to pregnant and parenting teens and their children? If you regularly provide residential care to a child or youth less than age eighteen who is not related to you, you must be licensed.

Note: See definition of relatives exempt from licensing RCW 74.15.030(2).

NEW SECTION

WAC 388-147-0050 How old do I have to be to apply for a license? You must be at least twenty-one years old to apply for a license to provide residential and case management services to pregnant and parenting teens and their children.

NEW SECTION

WAC 388-147-0060 What personal characteristics are needed to be licensed? Individuals requesting a license or a position as an employee, volunteer, intern, or contractor must have the following specific personal characteristics:

(1) Able to demonstrate an understanding, ability, physical health, emotional stability and personality suited to meet the physical, mental, emotional, and social needs of the children and youth in care.

(2) Must not have been disqualified by the department's background check (chapter 388-06 WAC) prior to having unsupervised access to children.

(3) Have not had a license denied or revoked from an agency that regulates the care of children or vulnerable adults, unless the department determines that the individual does not pose a risk to a child's safety, well being, and long-term stability.

(4) Must not have been found to have committed abuse or neglect of a child or a vulnerable adult, unless the department determines that the individual does not pose a risk to a child's safety, well being, and long-term stability.

(5) The department may require additional information from the applicant, employee, intern, or contractor. This information may be requested at any time and may include, but is not limited to:

(a) Substance and alcohol abuse evaluations and/or documentation of treatment;

(b) Psychiatric and psychological evaluations;

(c) Psycho-sexual evaluations; and

(d) Medical evaluations and/or medical records.

(6) Any evaluation requested under subsection (5) of this section will be at the applicant/licensees expense.

(7) The licensor must be given permission to speak with the evaluator/provider prior to and after the evaluation.

NEW SECTION

WAC 388-147-0070 What is required when completing an application for licensing? License applications are available from the division of licensed resources, children's administration.

(1) To apply for a license, the person or legal entity responsible for the facility must include with the application the following:

(a) Written verification for all applicant(s), staff, interns, volunteers and individuals who may have unsupervised access to children and youth in care of the following information:

(i) A tuberculosis (TB) test or an x-ray, unless the individual can demonstrate a religious or a medical reason prohibiting the test;

Note: Written documentation from your physician that indicates you are free of the signs and symptoms of tuberculosis may be accepted for individuals with a religious or a medical prohibition to the TB test.

(ii) First-aid and cardio-pulmonary resuscitation (CPR) training appropriate to the age of the residents in care; and

(iii) HIV/AIDS and blood borne pathogens training including infection control standards.

(2) The completed background check forms on anyone on the premises having unsupervised access to children who is at least sixteen years old or older who is not a resident must be sent to the licensor. Note: See chapter 388-06 WAC.

(3) A completed FBI fingerprint form must be completed on a licensee, staff, employee, and any individual having unsupervised access to residents, who has lived outside Washington state within the last three years.

(4) Certificates of compliance from the department of health (DOH) and Washington state patrol fire protection bureau (WSPFPB) demonstrating the facility has met the requirements for health, fire and life safety are required prior to licensing. Both agencies perform inspections of the facility, including apartments, at licensing and re-licensing of the facility. Proper notice to apartment residents is required.

NEW SECTION

WAC 388-147-0080 How long does an applicant have to complete the licensing application packet? (1) An applicant must complete the licensing application with supporting documents, such as training certificates and certificates of compliance from the department of health and Washington state patrol fire protection bureau within ninety days of first applying for the license. If the applicant fails to meet this deadline and has not contacted the licensor, the application may be considered withdrawn.

(2) If a licensee is applying for a license renewal, the application forms must be sent to the licensor at least ninety days prior to the expiration of the current license.

NEW SECTION

WAC 388-147-0090 Will the department license or continue to license a facility if the facility does not meet the licensing requirements? (1) At its discretion, the department may make exceptions and license or continue to license a facility that does not meet the minimum licensing requirements.

(2) Exceptions are approved for nonsafety requirements only.

(3) The safety and well-being of the children and youth receiving care must not be compromised.

(4) The request for an exception to the licensing requirements must be in writing.

(5) The applicant or licensee must keep a copy of the approved exception to the licensing requirements for their files.

(6) Along with an exception to the licensing requirements, the department may limit or restrict a license issued and/or require the licensee to enter into a compliance agreement to ensure the safety and well-being of the children and youth in care.

(7) The applicant or licensee does not have appeal rights if the department denies your request for an exception to our requirements.

CORRECTIVE ACTION

NEW SECTION

WAC 388-147-0100 Does the department issue a probationary license? (1) The department may, at its discretion, issue a probationary license as part of a corrective action plan with a licensed provider.

(2) The department will base its decision as to whether a probationary license will be issued on a consideration of the following:

- (a) Intentional or negligent noncompliance with the licensing rules;
 - (b) A history of noncompliance with the rules;
 - (c) Current noncompliance with the rules;
 - (d) Evidence of a good faith effort to comply; and
 - (e) Any other factors relevant to the specific situation.
- (3) A probationary license may be issued for up to six months. At its discretion, the department may extend the probationary license for an additional six months. A decision not to issue a probationary license is not subject to appeal.

NEW SECTION

WAC 388-147-0110 When is a license denied, suspended or revoked? (1) A license must be denied, suspended or revoked if the department decides that the applicant or licensee cannot provide care for residents in a way that ensures their safety, health and well-being.

(2) The department must, also, disqualify an applicant or licensee for any of the reasons that follow. The applicant or licensee:

- (a) Has been disqualified by the background check (see chapter 388-06 WAC).
- (b) Has been found to have committed child abuse or neglect or treated, permitted or assisted in treating children or vulnerable adults in care with cruelty, indifference, abuse, neglect, or exploitation, unless the department determines that the applicant or licensee does not pose a risk to a child or youth's safety, well-being, and long-term stability.
- (c) Tries to get a license by deceitful means, such as making false statements or omitting critical information on the application.
- (d) Commits, permits, or assists in an illegal act on the premises of a facility providing care to children and youth.
- (e) Uses illegal drugs, or excessively uses alcohol and/or prescription drugs.
- (f) Knowingly allows employees or volunteers who made false statements or omit critical information on their applications to work at the agency or facility.
- (g) Knowingly allows employees or volunteers who use illegal drugs, alcohol, or prescription drugs that affect their ability to perform their job duties to work at the agency or be on the premises of the facility when children/youth are present.

(h) Repeatedly lacks qualified or an adequate number of staff to care for the number and types of children and youth under care.

(i) Has refused to allow the department's authorized staff and inspectors to have requested information or access to the facility, youth or child, program files, and/or your staff. Any inspection requires appropriate tenant notice. Immediate access to client residence is in emergency situations only.

(j) Are unable to manage the property, fiscal responsibilities, or staff of the agency.

NEW SECTION

WAC 388-147-0120 Are there any other reasons that might cause me to lose my license? The department may suspend or revoke a license if the licensee:

- (1) Exceeds the conditions of the facility license by:
 - (a) Having more youth or children residing at the facility than the license allows;
 - (b) Having youth or children residents with ages different than the license allows;
 - (c) Failing to provide a safe and healthy environment for youth and children under care; or
 - (d) Failing to comply with any of the other minimum licensing requirements.
- (2) Fails to meet the health and safety requirements to receive a certificate of compliance as required by the department of health or the Washington state patrol fire protection bureau.

NEW SECTION

WAC 388-147-0130 When is an employee or volunteer disqualified from having unsupervised access to a child or youth in a licensed facility? The department must disqualify an employee or volunteer of a licensed facility from having unsupervised access to a child or youth when he or she:

- (1) Has a disqualifying background check result (see chapter 388-06 WAC);
- (2) Has been found to have committed child abuse or neglect or have treated, permitted, or assisted in treating children, youth, or vulnerable adult with cruelty, indifference, abuse, neglect, or exploitation, unless the department determines that he or she does not pose a risk to a child or youth's safety, well being, and long-term stability;
- (3) Attempted to become employed, volunteer, or otherwise have unsupervised access to children or youth by deceitful means, such as making false statements or omitting critical information on an application to work or volunteer at a licensed home, facility, or agency; or
- (4) Used illegal drugs, alcohol, or prescription drugs that affected his or her ability to perform his or her job duties while on the premises when children or youth are present.

NEW SECTION

WAC 388-147-0140 How is the applicant or licensee notified if the department decides to modify, deny, suspend, or revoke a license? The department sends the applicant or licensee a certified letter informing him or her of the

decision to modify, deny, suspend or revoke their license. In the letter, the department also tells the applicant or licensee what he or she needs to do if they disagree with the decision.

NEW SECTION

WAC 388-147-0150 What may an applicant or licensee do if he or she disagrees with the department's decision to modify, deny, suspend or revoke the license? The applicant or licensee has the right to appeal any decision the department makes to deny, modify, suspend, or revoke his or her license.

(1) The applicant or licensee may request an administrative hearing to disagree with the department's decision to modify, suspend, revoke or deny your license.

(2) The applicant or licensee must request an administrative hearing within twenty-eight days of receiving a certified letter with the department's decision (see chapter 34.05 RCW).

(3) The applicant or licensee must send a letter to the office of administrative hearings requesting an administrative hearing. The letter must have the following attachments:

(a) A specific statement of the applicant or licensee's reasons for disagreeing with the department decision and any laws that relate to the reasons; and

(b) A copy of the certified letter from the department that the applicant or licensee is disputing.

(4) The administrative hearing will take place before an administrative law judge who is an employee of the office of administrative hearings.

PROGRAM SERVICES

NEW SECTION

WAC 388-147-0160 Does the department need to approve the program offered for pregnant and parenting teens? The department must approve pregnant and parenting teen programs offered to youth prior to licensing.

NEW SECTION

WAC 388-147-0170 Is a program description required as part of the license application? As part of the application, the applicant/licensee must send to the licensing agency (DLR) a written statement that includes the program mission, goals, and a detailed written program description outlining case management and other services the program will provide or offer to pregnant and parent teens and their children.

NEW SECTION

WAC 388-147-0180 What must be included in a pregnant and parenting teen program? An agency licensed to provide a program for pregnant and parenting teens and their children must include:

- (1) Safe and stable housing;
- (2) An assessment of the family's need(s);
- (3) Referral to an authorized medical care provider for prenatal and postnatal medical care;

(4) Case management services; and

(5) The provision of direct services or referrals to services, as assessed and to the extent those services are available.

NEW SECTION

WAC 388-147-0190 What independent living skills may be offered? (1) The types of assistance, service, and support the pregnant and parenting teen program offers will vary based on the chronological age, the developmental stage, family resources, and the supervision needs of the individual youth.

(2) Assistance may be offered in the broad categories of:

(a) Parenting skills development and support (including instruction that includes the prohibition of spanking or the use of cruel or frightening discipline of her child by the teen parent);

(b) Skills for independence (budgeting, comparative shopping, cooking, cleaning, etc.);

(c) Basic educational competencies (including assisting in developing or arranging for an educational plan for each youth in care who has not completed high school or the GED, support for regular school attendance, homework completion, and tutoring);

(d) Employment preparation (including volunteer experiences, job interview skills, resume development, appropriate work environment behavior, vocational training etc.);

(e) Interpersonal skills and health care (including education in nutrition, pregnancy prevention, sexually transmitted infections, substance abuse, health insurance, etc.);

(f) Housing (including skills needed to be a good roommate, options for housing, rental agreements, landlord/tenant relationships, etc.); and

(g) Developing significant support systems (identifying adults who can be a positive example and support in the future).

NEW SECTION

WAC 388-147-0200 Is a residential facility for pregnant and parenting teens required to provide childcare?

(1) If the residential facility serves parents with children, the licensee or staff must assist the teen parent in arranging licensed childcare, when appropriate. An example is when teen parents are working or are in school and needs childcare.

(2) The childcare home or center used by teen parents must be licensed, when licensing is a legal requirement, as outlined in chapter 74.15 RCW.

NEW SECTION

WAC 388-147-0210 What are the requirements about nondiscrimination? Any licensed programs for pregnant or parenting teens must follow all state and federal laws regarding nondiscrimination while providing services to children and youth.

NEW SECTION

WAC 388-147-0220 Is participation in the program conditional on a teen's decision about keeping or relinquishing her child? Services to pregnant and parenting teens must not be contingent upon a teen's decision to keep or relinquish her child.

NEW SECTION

WAC 388-147-0230 What are your requirements for keeping client records? (1) Any identifying and personal information about a child/youth and the child/youth's family must be kept confidential.

(2) You must keep records about children/youth and their families in a secure place.

(3) If the information is available, your records must contain, at a minimum, the following:

(a) The child and youth parent's name and birth date;

(b) Information on the child's biological father;

(c) Name and telephone number of the social worker for each child/youth in care, if the child or youth is in the custody of the department of social and health services;

(d) Name, address, and telephone number of the teen's parent or person to be contacted in case of emergency;

(e) Appropriate medical history including any current medical problems, type of medical coverage and provider(s);

(f) Other pertinent information related to the child and youth's physical health, current mental and emotional health, and dental records.

(4) The youth's records must contain a copy of the parent or legal guardian's consent to place or a court order that gives the licensed agency approval to house the youth.

STAFF AND STAFF QUALIFICATIONSNEW SECTION

WAC 388-147-0240 What personnel policies must a program have? (1) As an employer, you are responsible for complying with federal and state anti-discrimination laws related to employee personnel policies and procedures.

(2) You must keep a log with background check information, containing dates of request and completion of the checks on all staff, interns, volunteers, and contractors.

(3) If the program has five or more staff, volunteers, or interns you must have written policies covering qualifications, training, and duties for employees, interns, and volunteers.

NEW SECTION

WAC 388-147-0250 Must the facility license be posted? The licensee must post the agency license where the public can easily view it.

NEW SECTION

WAC 388-147-0260 What are the qualifications for an executive director? An executive director or person responsible for the agency administration, agency oversight,

and fiscal operation of a program for pregnant and parenting teens must meet, at a minimum, the following requirements:

(1) Be able to communicate to the department the roles, expectations, and purpose of the program; and

(2) Have relevant education or four years of successful experience with similar duties and responsibilities for the administration, oversight, and fiscal management of a program or an agency.

NEW SECTION

WAC 388-147-0270 Is a supervisor or case consultant needed? The licensee must provide or arrange for social services by qualified persons who meet the education and training requirements that follow:

(1) One person who provides supervision or case consultation must have a master's degree in social work or a closely related field from an accredited school.

(2) The individual with the master's degree must have:

(a) The training, experience, knowledge and demonstrated skills in each area he or she will be supervising or advising; and

(b) The ability to ensure that staff develop the skills and understanding needed to effectively manage their cases.

(3) The person with a master's degree must consult, with any social service or case management staff having a bachelor's degree or less of formal education, one hour for every eighty hours the staff person works.

(4) Consultants may be hired as staff or operate under a contract.

(5) When case management is provided by another agency, the licensee must have a written agreement with the agency describing the scope of service they provide.

NEW SECTION

WAC 388-147-0280 What are the qualifications of a case manager? A social service or case manager for a pregnant or parenting teen program must have, at a minimum, the following:

(1) A bachelor's degree in social services or closely related field from an accredited school; or

(2) Five years of successful full-time experience in a relevant field.

NEW SECTION

WAC 388-147-0290 What are the responsibilities of the case manager? Case management services for pregnant and parenting teen programs must include the following:

(1) An assessment of the teen's circumstances and needs;

(2) Assist in the development of an individual or family services plan with attainable goals;

(3) Assisting with independent living skills development;

(4) The coordination of services;

(5) Monitoring of the progress of service plan;

(6) Appropriate recordkeeping; and

(7) Client advocacy.

NEW SECTION

WAC 388-147-0300 What are the required ratios of case management staff to youth? The minimum ratio of case management staff to youth for pregnant and parenting teen programs is one staff person to fifteen teens.

NEW SECTION

WAC 388-147-0310 Is an on-site facilities manager required? All residential facilities for pregnant or parenting teens must have an on-site facility manager.

NEW SECTION

WAC 388-147-0320 What are the qualifications for an on-site facilities manager? The department requires that the on-site facilities manager for a pregnant and parenting teen program:

- (1) Be at least twenty-one years old;
- (2) Have the skills and abilities to work successfully with teens; and
- (3) Have effective communication and problem solving skills.

NEW SECTION

WAC 388-147-0330 What are the responsibilities of the on-site facilities manager? The responsibility of the on-site facility manager for a pregnant or parenting teen housing program includes:

- (1) Ensuring lease compliance by the residents; and
- (2) Responding to emergency situations, such as medical and fire emergencies when he or she is present at the facility.

NEW SECTION

WAC 388-147-0340 What clerical, accounting and administrative services are needed? The licensee must have sufficient clerical, accounting and administrative services to maintain proper records and carry out the pregnant and parenting teen program.

NEW SECTION

WAC 388-147-0350 What support and maintenance staff are needed? The licensee must have sufficient support and maintenance services to maintain and repair your facility.

STAFF TRAININGNEW SECTION

WAC 388-147-0360 What first aid and cardiopulmonary resuscitation (CPR) training is required? (1) If you have a facility that provides licensed care, you, your staff, interns, volunteers, and any individual who may at any time have unsupervised access, must have basic standard first-aid and age-appropriate cardiopulmonary resuscitation (CPR) training.

(2) The approved first aid and CPR training must be provided by a certified instructor in accordance with a nationally recognized standard.

(3) Records must be kept at the facility or readily available to the licensor showing who has completed current first aid and CPR training.

NEW SECTION

WAC 388-147-0370 What HIV/AIDS and blood borne pathogens training is required? (1) Licensees, staff, and any individual who may have unsupervised contact with residents must have training on the transmission and prevention of HIV/AIDS and blood-borne pathogens. Such training must include infection control standards.

(2) The infection control requirements and educational material must be consistent with the current approved curriculum *Know-HIV/AIDS Prevention Education for Health Care Facility Employees*, published by the department of health, office on HIV/AIDS.

NEW SECTION

WAC 388-147-0380 What steps must be taken to prevent the spread of infections and communicable diseases?

(1) The licensee must take precautions to guard against infections and communicable diseases infecting the children and youth residing at the facility by following the department of health regulations.

(2) Applicants for a license or adults authorized to have unsupervised access to residents at the facility must have a tuberculin (TB) skin test by the Mantoux method of testing. They must have this skin test upon being employed, volunteering, or licensed unless:

- (a) The person has evidence of testing within the previous twelve months;
- (b) The person has evidence that they have a negative chest x-ray since a previously positive skin test; or
- (c) The person has evidence of having completed adequate preventive therapy or adequate therapy for active tuberculosis.

(3) The department does not require a tuberculin skin test if:

- (a) A person has a tuberculosis skin test that has been documented as negative within the past twelve months; or
- (b) A physician indicates that the test is medically unadvisable.

(4) Persons whose tuberculosis skin test is positive must have a chest x-ray within thirty days following the skin test.

(5) The department does not require retesting for license renewals unless a person believes he or she has been exposed to someone with tuberculosis or if testing is recommended by his or her health care provider.

(6) The licensee must keep the results of the TB test results in the personnel files available for review by DLR.

NEW SECTION

WAC 388-147-0390 Is in-service training required? (1) The licensee must offer in-service training for developing and upgrading staff skills.

(2) If the pregnant and parenting teen program has five or more employees or volunteers, a training plan must be in writing.

(3) The licensee must discuss with staff the licensed agency's policies and procedures, mandatory reporting of suspected child abuse or neglect; as well as the rules contained in this chapter.

(4) The licensee must provide or arrange for staff to have training for the services that are provided to children and youth in the program.

(5) Training on behavioral management must be approved by DLR and must include nonphysical age-appropriate methods of redirecting and controlling behavior.

(6) The licensee must record the amount of time and type of training provided to staff.

(7) This information must be kept in each employee's file or in a separate training file.

NEW SECTION

WAC 388-147-0400 What types of disciplinary practices are forbidden at a facility? (1) This section applies to the discipline of teens at the facility and the children of the teens.

(2) The licensee or staff must not use cruel, unusual, frightening, unsafe or humiliating discipline practices, including but not limited to:

- (a) Spanking children with a hand or object;
- (b) Biting, jerking, kicking, hitting, or shaking the child;
- (c) Pulling the child or youth's hair;
- (d) Throwing the child or youth;
- (e) Purposely inflicting pain as a punishment;
- (f) Name calling, using derogatory comments;
- (g) Threatening the child or youth with physical harm;
- (h) Threatening or intimidating the child or youth; or
- (i) Depriving the child or youth of sleep;
- (j) Restricting a child or youth's breathing; or
- (k) Interfering with a child or youth's ability to take care of his or her own hygiene and toilet needs.

REPORTING REQUIREMENTS

NEW SECTION

WAC 388-147-0410 What are the reporting requirements? (1) The licensee and staff of a licensed program for pregnant and parenting teens are mandatory reporters and must report any suspected child abuse or neglect to children's administration intake staff or law enforcement. (See RCW 26.44.020(12) and chapter 388-15 WAC for more details.)

(2) The licensee or staff must report the following incidents as soon as possible, and in not instance later than forty-eight hours, to children's administration intake staff:

- (a) Death of a child or youth;
- (b) Any violations of the licensing requirements where the health and safety of a child or youth is at risk and the violations are not corrected immediately or may compromise the continuing health and safety of children or youth;
- (c) Any child or youth's suicide attempt that results in injury requiring medical attention or hospitalization;

(d) Any use of physical restraint that is alleged improperly applied or excessive;

(e) Sexual contact between two or more children that is not considered typical play between preschool age children;

(f) Any disclosures of sexual or physical abuse by a child or youth resident;

(g) Any physical assaults between two or more children or youth that result in injury requiring off-site medical attention or hospitalization;

(h) Any assaults of staff by children or youth that result in injury requiring off-site medical attention or hospitalization; or

(i) Any medication that is given incorrectly and requires off-site medical attention or hospitalization.

NEW SECTION

WAC 388-147-0420 What changes to a facility must the licensee report to the licensor? (1) A license is valid only for the person, organization, or agency named on the license and only for the specific address listed on the license.

(2) The licensee must report to the licensor immediately any changes in the original licensing application. Changes include any of the following:

- (a) Changes in the location or designated space, including address;
- (b) Changes in facility phone number;
- (c) Changes in the maximum number, age ranges, and sex of children the licensee wishes to serve; and
- (d) Changes in the structure of the facility or premises from events causing damage, such as a fire, or from remodeling.
- (e) A change of the organization or agency's executive director or any staff changes;
- (f) The death, retirement, or incapacity of the person who holds the license;
- (g) A change in the name of a licensed corporation, or the name by which the facility is commonly known; or
- (h) Changes in an agency's articles of incorporation and bylaws.

HEALTH AND SAFETY

NEW SECTION

WAC 388-147-0430 How is the capacity determined for a facility? (1) The department licenses a facility for the number of youth and children based on the certification of occupancy from the Washington state patrol fire protection bureau;

(2) The department may issue a license to an applicant or licensee for the care of fewer youth and children than normally would reside at a facility based on an evaluation of the following factors:

- (a) The number of staff and volunteers available for providing services;
- (b) The skills of the staff and experience with the population of a pregnant and parenting teen program; and
- (c) The ages and characteristics of the youth and children to be served.

NEW SECTION

WAC 388-147-0440 Are there general food service requirements? (1) The program must be in compliance with the department of health standards in chapter 246-215 WAC on food service sanitation when common food preparation areas are used.

(2) When a staff person is preparing or assisting in preparing food he or she must have a food handler's permit.

NEW SECTION

WAC 388-147-0450 What are the requirements for managing medications? (1) All medications must be inaccessible to children, including pet medications, vitamins and herbal remedies.

(2) Pet and human medications must be stored in separate places.

(3) Internal and external medications must be stored in separate places.

(4) Only the child's parent or another authorized care provider (example: respite provider) is allowed to have access to medications for a child.

(5) The child's parent or another authorized care provider must give prescription and nonprescription medications:

(a) Only as specified on the prescription label; or

(b) As otherwise approved by a physician or another person legally authorized to prescribe medication.

NEW SECTION

WAC 388-147-0460 What are the requirements for transporting children and youth? When the licensee or staff transport children or youth, they must follow these requirements.

(1) The vehicle must be kept in a safe operating condition.

(2) The driver must have a valid driver's license.

(3) There must be at least one adult other than the driver in a vehicle when:

(a) There are more than five preschool-aged children traveling without their parent in the vehicle; or

(b) The child's specific needs require a second adult person.

(4) The driver or owner of the vehicle must be covered under an automobile liability insurance policy.

(5) The vehicles must be equipped with, seat belts, car seats and booster seats, and/or other appropriate safety devices for all passengers as required by law.

(6) The number of passengers must not exceed the vehicle's seat belts.

(7) All persons in the vehicle must use seat belts or approved child passenger restraint systems, as appropriate for age, whenever the vehicle is in motion.

(8) Buses approved by the state patrol are not required to have seat belts.

BEDS, CRIBS, AND EQUIPMENTNEW SECTION

WAC 388-147-0470 What are the requirements for beds? (1) Each resident must have his or her own bed that is at least twenty-seven inches wide with a clean and comfortable mattress in good condition, pillow, sheets, blankets, and pillowcases. Each resident's pillow must be covered with waterproof material or be washable.

(2) Bedding must be clean.

(3) Infants must have a crib that ensures the safety of the infant and complies with chapter 70.11 RCW, Infant Crib Safety Act.

(4) Cribs must have no more than two and three-eighths inches space between vertical slats when used for infants less than six months of age.

(5) Cribs, infant beds, bassinets, and playpens must:

(a) Have clean, firm, snug fitting mattresses covered with waterproof material that is easily sanitized; and

(b) Be made of wood, metal, or approved plastic with secure latching devices.

(6) Crib bumpers, stuffed toys and pillows must not be used in cribs, infant beds, bassinets, or playpens with an infant unless advised differently by the child's physician.

(7) The teen mother must follow the recommendation of the American Academy of Pediatrics, 1-800-505-CRIB, placing infants on their backs each time for sleep, unless advised differently by the child's physician.

(8) The teen mother may use toddler beds with a standard crib mattress that is sufficient in length and width for the comfort of children under six years of age.

(9) Children may not use the loft style beds or upper bunks of double-deck beds if using them due to age, development, or condition could hurt them. Examples: preschool children, expectant mothers, and children with a disability.

NEW SECTION

WAC 388-147-0480 May wheeled baby walkers be used? The department prohibits the use of wheeled baby walkers in licensed facilities.

RESIDENTIAL FACILITYNEW SECTION

WAC 388-147-0490 What health and safety requirements are there? A residential facility for pregnant and parenting teens and their children is required to meet the health and fire safety requirements to receive a certificate of compliance from the department of health and the Washington state patrol fire protection bureau prior to licensing.

NEW SECTION

WAC 388-147-0500 Are local ordinances part of the licensing requirements? (1) The applicant or licensee is responsible for complying with local ordinances (laws), such as zoning regulations and local building codes.

(2) The department may require the applicant or licensee provide proof that the facility complies with local ordinances.

NEW SECTION

WAC 388-147-0510 What are the requirements regarding the location of a facility? (1) The address must be clearly visible on the facility or mailbox so that firefighters or mechanics can easily find your location.

(2) The facility must be:

- (a) Accessible to emergency vehicles; and
- (b) Located on a well-drained site, free from hazardous conditions.

NEW SECTION

WAC 388-147-0520 What physical structure safety requirements must a facility meet? The licensee must keep the equipment and the physical structures in the facility safe and clean for the children/youth served. The licensee must:

(1) Maintain buildings, premises, and equipment in a clean and sanitary condition, free of hazards, and in good repair;

(2) Provide handrails for steps, stairways, and ramps; if required by the department of health or Washington state patrol fire protection bureau;

(3) Have emergency lighting devices, such as flashlights, available and in operational condition;

(4) Furnish the facility appropriately, based on the age and activities of the children and youth residing at the facility;

(5) Have washable, water-resistant floors in the apartments and facility bathrooms, kitchens, and any other rooms exposed to moisture. The department may approve washable, short-pile carpeting that is kept clean and sanitary for apartment and facility's kitchens;

(6) Provide tamper proof or tamper resistant electrical outlets or blank covers installed in areas accessible to children under the age of six or other persons with limited mental capacity or who might be endangered by access to them; and

(7) Have easy access to rooms occupied by children or youth in case an emergency arises. Some examples are bedrooms, toilet rooms, shower rooms, and bathrooms.

NEW SECTION

WAC 388-147-0530 What measures are required for pest control? The licensee must make reasonable attempts to keep the premises free from pests, such as rodents, flies, cockroaches, fleas, and other insects using the least toxic methods.

NEW SECTION

WAC 388-147-0540 What are the requirements regarding pets and animals in a facility? (1) Youth must not have any common household pets, exotic pets, animals, birds, insects, reptiles, or fish that are dangerous to children/youth on the premises.

(2) The department, at its discretion, may limit the type and number of common household pets, exotic pets, animals,

birds, insects, reptiles or fish accessible to children if the department determines there are risks to the children/youth in care.

(3) The licensee must ensure that common household pets, exotic pets, animals, birds, insects, reptiles, and fish are free from disease and cared for in a safe and sanitary manner.

(4) Common household pets, exotic pets, animals, birds, insects, reptiles, and fish must be cared for in compliance with state regulations and local ordinances.

NEW SECTION

WAC 388-147-0550 Are alcoholic beverages or illegal drugs allowed at a facility? The facility must not have alcohol or illegal drugs on the premises. The staff of these facilities may not consume alcohol or illegal drugs on the premises or during breaks.

NEW SECTION

WAC 388-147-0560 Is smoking permitted around children or youth? (1) The licensee and staff must prohibit smoking in the living space of any facility caring for children/youth and in motor vehicles while transporting children/youth.

(2) The licensee may permit adults to smoke outdoors away from children/youth.

(3) Nothing in this section is meant to interfere with traditional or spiritual Native American or other religious ceremonies involving the use of tobacco.

NEW SECTION

WAC 388-147-0570 Are firearms allowed at a facility? The licensee must not permit firearms, ammunition, and other weapons on the premises of the facilities where children or youth reside.

NEW SECTION

WAC 388-147-0580 What are the requirements for storing dangerous chemicals or other substances? (1) The licensee must ensure that residents store the following items in a place that is not accessible to children or other persons with limited mental capacity or who might be endangered by access to these products:

- (a) Cleaning supplies;
- (b) Toxic or poisonous substances;
- (c) Aerosols; and
- (d) Items with warning labels.

(2) When containers are filled with toxic substances from a stock supply, the containers must be labeled.

(3) Toxic substances must be stored separately from food items.

NEW SECTION

WAC 388-147-0590 What first-aid supplies are needed? (1) The licensee must keep on hand for immediate use the following first aid supplies:

- (a) Barrier gloves and a one-way resuscitation mask;

- (b) Bandages and gauze;
- (c) Ace bandage;
- (d) Scissors and tweezers; and
- (e) A thermometer.

(2) The Poison Control Center's 1-800 number must be readily accessible to facility staff and teen parents.

NEW SECTION

WAC 388-147-0600 Is a telephone required at the facility? (1) The facility must have at least one telephone on the premises for incoming and outgoing calls. The telephone must be accessible for emergency use at all times.

(2) Emergency telephone numbers must be posted next to the telephone or in a specified location with easy access.

NEW SECTION

WAC 388-147-0610 What are the lighting requirements for the facility? The licensee must locate light fixtures and provide lighting that promotes good visibility and comfort for the children and youth residing at the facility.

NEW SECTION

WAC 388-147-0620 What are the requirements for laundry facilities? The department has specific requirements for on-site laundry facilities.

(1) The licensee must have separate and adequate facilities for storing soiled and clean linen.

(2) The licensee must locate laundry equipment in an area separate from the kitchen and childcare areas.

NEW SECTION

WAC 388-147-0630 What are the requirements for toilets, sinks, and bathing facilities? The licensee must meet certain requirements for toilets, sinks, and bathing facilities.

(1) The licensee must provide at least one indoor flush-type toilet, one nearby hand-washing sink with hot and cold running water, and a bathing facility.

(2) Toilet and bathing facilities must allow privacy for children who are five years of age or older and opposite genders.

(3) Hand-washing and bathing facilities must be provided with hot running water that does not exceed one hundred twenty degrees.

NEW SECTION

WAC 388-147-0640 What are the requirements about drinking water? The licensee must provide a public water supply or a private water supply approved by the local health authority at the time of licensing or re-licensing.

NEW SECTION

WAC 388-147-0650 What are the requirements for sewage and liquid wastes? The licensee must ensure that sewage and liquid wastes are discharge into:

- (1) A public sewer system;
- (2) A functioning septic system; or
- (3) A department of health approved alternative system.

NEW SECTION

WAC 388-147-0660 Is a disaster plan required? (1) The licensee must ensure the facility has a disaster plan that addresses internal and external emergencies, such as a violent or threatening person on the premises, fire, earthquake, and power failure.

(2) Residents must be educated and familiar with the plan.

(3) The licensee must post a written disaster plan for easy access to staff and residents.

FIRE SAFETY

NEW SECTION

WAC 388-147-0670 What fire safety procedures do case management and facility staff need to know? (1) Case managers and facility staff must be familiar with safety procedures related to fire prevention.

(2) The staff must be familiar with all aspects of the fire drill.

(3) The staff must be able to:

(a) Operate all fire extinguishers installed on the premises;

(b) Test smoke detectors (single station types); and

(c) Conduct frequent inspections of the facility to identify fire hazards and take action to correct any hazards noted during the inspection.

(4) If the facility has individual apartments for residents inspections of the apartments must be conducted with proper notice to apartment residents.

NEW SECTION

WAC 388-147-0680 What fire safety requirements must the licensee follow? A residential facility for pregnant or parenting teens and their children must comply with the regulations developed by the chief of the Washington state patrol through the director of the fire protection bureau (WSP/FPB). The regulations are the minimum requirements for protecting life and property against fire. Contact the WSP/FPB for specific requirements.

NEW SECTION

WAC 388-147-0690 What other requirements must I follow for smoke detectors? Facilities must have smoke detectors that are UL or Factory mutual approved and comply with any other smoke detector requires of the Washington state patrol fire protection bureau.

NEW SECTION

WAC 388-147-0700 What fire safety instruction is required for children and youth residing in a facility? (1) The licensee or staff must:

(a) Conduct a fire drill at least once each month or as required under WAC 212-12-044 by WSPFPB, at varying times of the day and night so that staff on all shifts practice the procedures.

(b) Instruct children and youth who are capable of understanding and following emergency evacuation procedures how to exit the building in case of fire.

(c) Maintain a written record of such testing on the premises that indicates the date and time the test was completed.

(2) Any simulated fire drills for medically fragile or non-ambulatory children must meet WAC 212-12-005 as required by the WSP/FPB.

(3) If the use of a fire ladder is part of an evacuation plan it must be inspected annually to ensure it is in working order.

NEW SECTION

WAC 388-147-0710 What are the requirements for a fire or other emergency evacuation plan? (1) The licensee must develop a written emergency evacuation plan for the facility.

(2) The evacuation plan must include a floor plan, identifying exit doors and windows.

(3) The plan must be posted at each exit door.

(4) The licensee must ensure that the plan includes:

(a) Action to take by the person discovering a fire or other situation requiring emergency evacuation;

(b) Methods for sounding an alarm on the premises;

(c) Action to take for evacuating the building that ensures responsibility for the children;

(d) Action to take while waiting for the fire department or other emergency personnel; and

(e) If the use of a fire ladder is part of the evacuation plan it must be inspected at least annually to ensure it is in working order.

NEW SECTION

WAC 388-147-0720 Are there different construction and fire safety requirements for facilities that have multiple licenses in the same building? (1) A facility with multiple Washington state licenses or certifications for the care of children or youth in the same building must comply with the most stringent construction and fire safety requirements for the physical structure, if children and youth share the same space.

(2) If the same facility has multiple Washington state licenses the licensee must notify the following of this:

(a) The Washington state patrol fire protection bureau inspector; and

(b) All of the licensing and certification agents.

WSR 04-19-021

PROPOSED RULES

GAMBLING COMMISSION

[Filed September 7, 2004, 2:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-15-098.

Title of Rule and Other Identifying Information: Amending WAC 230-40-825 Closed circuit television system—House-banking.

Hearing Location(s): Red Lion Hotel - Yakima Center, 607 East Yakima Avenue, Yakima, WA 98901, (509) 248-5900, on November 19, 2004, at 9:30 a.m.

Date of Intended Adoption: November 19, 2004.

Submit Written Comments to: Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2004.

Assistance for Persons with Disabilities: Contact Shirley Corbett by November 1, 2004, TTY (360) 486-3637 or (360) 486-3447.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Currently, this rule requires winning hands in excess of \$500 to be verified by surveillance. Mr. Dayton submitted a petition for rule change to raise the winning amount to be verified from \$500 to \$1,000. He says that "on busy days, so many winning hands are verified that it is exhausting for floor supervisors and surveillance observers, and prohibits them from sufficiently protecting the assets of the card room and upholding other rules."

Reasons Supporting Proposal: The agency rules team has taken an initial look at the petition and is not concerned that the change would reduce player protection or increase cheating. However, the team is collecting comments from staff and will provide a recommendation, regarding the petition, at the September commission meeting.

Statutory Authority for Adoption: RCW 9.46.070 and 9.46.0282.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington State Gambling Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Neal Nunamaker, Deputy Director, Lacey, (360) 486-3452.

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

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

Susan Arland

Rules Coordinator

AMENDATORY SECTION [(Amending Order 422, filed 8/15/03)]

WAC 230-40-825 Closed circuit television system—House-banking. Critical activities related to the operation of house-banked card games shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. Each house-banked card room licensee shall install and maintain a CCTV system that meets the following requirements.

Camera coverage.

(1) The following areas are required to be viewed by the CCTV system:

(a) All gaming at each table including, but not limited to, the following:

- (i) Cards;
- (ii) Wagers;
- (iii) Chip tray;
- (iv) Drop box openings;
- (v) Card shoe;
- (vi) Shuffling devices; and
- (vii) Players and dealers.

(b) All activity in the pits.

(c) All activity in the cashier's cage including, but not limited to, the:

- (i) Outside entrance;
- (ii) Fill/credit dispenser;
- (iii) Customer transactions;
- (iv) Cash and chip drawers;
- (v) Vault/safe;
- (vi) Storage cabinets;
- (vii) Fill or credit transactions; and
- (viii) Floor.

(d) All activity in the count room including, but not limited to, the:

- (i) Count table;
- (ii) Floor;
- (iii) Counting devices;
- (iv) Trolley;
- (v) Drop boxes;
- (vi) Storage shelves/cabinets; and
- (vii) Entrance and exits.

(e) The movement of cash, gaming chips, and drop boxes.

(f) Entrances and exits to the card room.

Camera requirements.

(2) The CCTV system shall consist of light sensitive cameras including those with pan, tilt, and zoom (PTZ) capabilities having the ability to determine card and chip values and the configuration of wagers at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. PTZ cameras shall be placed behind a smoked dome, one-way mirror or similar materials that conceal the camera from view. Installed cameras shall cover the areas required by this rule and shall include at a minimum:

(a) At least one fixed camera focused over each gaming table covering the entire layout;

(b) A sufficient number of fixed and/or PTZ cameras permanently programmed for the purposes of monitoring players and dealers at each gaming table. The PTZ cameras must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;

(c) A sufficient number of PTZ cameras for the purpose of determining the configuration of wagers and card values at each gaming table. Any time a winning wager, including jackpot or bonus payouts in excess of (~~five hundred~~) one

thousand dollars are won, surveillance shall utilize this camera to verify the winning hand, the amount of the wager, and the player who won the prize. Each licensee shall have documented procedures in their internal controls stipulating the manner in which this will be carried out;

(d) A sufficient number of fixed and/or PTZ cameras in the cage(s);

(e) A sufficient number of fixed and/or PTZ cameras in the count room; and

(f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

(3) Video recording equipment shall meet the following requirements:

(a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:

(i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and

(ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a hard drive storage system, shall comply with the following requirements:

(i) All images shall be recorded on a hard drive;

(ii) Recording systems shall be locked by the manufacturer to disable the erase and reformat functions to prevent access to system data files;

(iii) The system must provide uninterrupted recording of surveillance, this shall include during playback or copying;

(iv) Recording systems shall be capable of copying original images maintaining the original native format;

(v) Images shall be stored at a rate of not less than twenty-five images per second;

(vi) Resolution shall be 640 x 480 or higher;

(vii) Images shall be stored in a format that is readable by commission computer equipment;

(viii) Images shall be stored in a format that contains a method to verify the authenticity of the original recording and copies;

(ix) Recorded images shall include the accurate time and date the video was originally recorded;

(x) Previously recorded material may be overwritten after seven continuous days of gaming; and

(xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

Use of multiplexing and quad recording devices.

(4) Multiplexing/quad recording devices may only be used for external surveillance, movement of drop boxes between tables and the count room, and on entrances and exits: Provided, That split screen devices may be utilized for areas not required to have surveillance coverage.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commis-

sion staff, pursuant to WAC 230-40-815 (3)(a)(v) through (vi). Additionally, licensees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

(6) Video signals from all cameras shall be recorded when:

- (a) Gaming tables are in operation;
- (b) Drop boxes or chip trays are stored on the gaming tables;
- (c) Drop boxes are being transported; or
- (d) Drop box contents are being counted.

Video monitors.

(7) The CCTV system shall include a sufficient number of video monitors to simultaneously view multiple gaming tables, the cashier's cage, and count room activities.

Surveillance room.

(8) The licensee shall maintain one or more surveillance rooms with the following minimum requirements:

(a) The surveillance room shall have controlled access and be used solely by the employees of the surveillance department assigned to monitor activities: Provided, That this restriction does not apply to owners or approved supervisory or management personnel.

(b) Commission agents and law enforcement personnel shall be provided immediate access to the surveillance room upon request.

(c) Entrances to surveillance rooms shall not be readily observable from the gaming operation area.

(d) The licensee shall ensure a surveillance employee is present in the surveillance room and monitoring the activities of the operation, via the surveillance room equipment, any time the card room is open to conduct gaming and during the count process: Provided, That the licensee may allow the surveillance room to operate without staff for a period not to exceed thirty minutes per shift for the purpose of routine breaks.

Surveillance activity log.

(9) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:

- (a) Date and time of surveillance;
- (b) Person initiating surveillance;
- (c) Time of termination of surveillance;
- (d) Summary of the results of the surveillance; and
- (e) A record of any equipment or camera malfunctions.

Employee sign-in log.

(10) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available

for inspection at any time by commission staff or law enforcement personnel.

Labeling and storing video and audio recordings.

(11) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:

(a) Recordings shall be retained for a minimum of seven complete gaming days;

(b) Recordings of evidentiary value shall be maintained as requested by commission staff; and

(c) Tapes documenting jackpot payouts over three thousand dollars shall be retained for at least thirty days; and

(d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.

Dispute resolution.

(12) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player: Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred.

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

WSR 04-19-022

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed September 7, 2004, 3:07 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-13-106.

Title of Rule and Other Identifying Information: Chapter 388-820 WAC, Community residential services and support, and other related sections.

Hearing Location(s): Blake Office Park East (behind Goodyear Courtesy Tire), Rose Room, 4500 10th Avenue S.E., Lacey, WA, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: Not earlier than October 27, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail fernaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., October 26, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by October 22, 2004, TTY (360) 664-6178 or (360) 664-6097.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of amending these rules is to reflect the correct administrative names as well as correct language changes due to the new

HCBS waiver. In addition, the proposed rules will clarify procedures and requirements.

WAC #	Subject of Amendment
388-820-020	Adds definitions of ADSA, HCBS, POC and RCS; updates correct administrative names; deletes the definition of community alternatives program.
388-820-030	Adds minimal rights guaranteed to residents of CRS.
388-820-040, 388-820-090, 388-820-140, 388-820-180, 388-820-200, 388-820-240, 388-820-290, 388-820-360, 388-820-880, 388-820-890, 388-820-900, 388-820-910, and 388-820-920	Updates correct administrative names.
388-820-150	Updates correct administrative names and clarifies DDD's role of initial certification.
388-820-160	Updates correct administrative names and clarifies the roles of DDD/RCS and the application procedures of initial certification.
388-820-190	Updates correct administrative names and adds principles and procedures of RCS.
388-820-210	Updates correct administrative names; clarifies intent of review and evaluation, deletion of needed draft copy of the report (subsection (5)(e)) and clarifies procedures and requirements.
388-820-220	Updates correct administrative names and deletion of receipt of the draft (subsection (1)(b)).
388-820-230	Updates correct administrative names and adds "must" in subsection (3)(b).
388-820-250	Updates correct administrative names and adds "client health and safety."
388-820-260	Addition of health and safety policies and procedures; deletes DDD required approval of administrative documents and adds subsection (4) other requirements.
388-820-310	Change "directly" to "continuously;" new subsection (5) states an existing requirement for boarding homes and adult family homes.

388-820-330	Updates correct administrative names; correct language changes due to the new HCBS waiver; and adds staff training with regards to ISP/POC.
388-820-400, 388-820-520, 388-820-530, 388-820-540, 388-820-550, 388-820-560, 388-820-630, and 388-820-720	Correct language changes due to the new HCBS waiver.
388-820-405	Corrects grammatical error.
388-820-430	Deletes reference to the contract.
388-820-440	Deletion of "DSHS approved" and adds "state law."
388-820-650	Clarifies previous intent of the WAC.
388-820-930	Updates correct administrative names and clarifies new procedure to the ETR (exception to rule) process.

PROPOSED

Reasons Supporting Proposal: See above.
 Statutory Authority for Adoption: RCW 71A.12.030 and 71A.12.080.

Statute Being Implemented: Chapter 71A.12 RCW.
 Rule is not necessitated by federal law, federal or state court decision.

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

Name of Agency Personnel Responsible for Drafting: Jill Young, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-3210; Implementation and Enforcement: Pat Lashway, Director, P.O. Box 45600, Olympia, WA 98504-5600, (360) 725-2401.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rules and determined that they will not result in more than minor costs to small businesses or non-profits required to comply with the rules. A comprehensive small business economic impact statement is not required.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rules do not meet the definition of a significant legislative rule under RCW 34.05.328 (5)(c)(iii). A cost benefit is not required. The proposed rule clarify existing requirements, update names of DSHS units responsible for administering these rules, update names of DSHS programs and WAC cross references, and correct grammatical errors.

September 1, 2004
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-020 What definitions apply to this chapter? "Agency" ((means)) refers to an entity interested

in becoming a service provider that offers residential instruction and support services to clients.

"ADSA" refers to aging and disability services administration at DSHS. Residential care services and the division of developmental disabilities are divisions under aging and disability services.

"Certification" ((means)) refers to the determination by ((DSHS)) RCS that an agency or service provider has satisfactorily complied with the requirements outlined in this chapter and in the department contract.

"Client" ((means)) refers to a person who has a developmental disability and is eligible under RCW 71A.10.020. (For eligibility criteria, see chapter 388-825 WAC and WAC 388-820-060.)

"Client services" ((means)) refers to instruction and support activities that benefit clients, as specified under WAC 388-820-450 through 388-820-510.

"Community alternatives program (CAP)" means a Title XIX Medicaid waiver program that serves a specific number of individuals. This waiver is for particular home and community based services not covered under the Medicaid state plan. (See WAC 388-825-170 for more details.)

"Community protection services" (Community Protection Intensive Supported Living Services, or CP-ISLS) ((means)) refers to intensive supported living services provided to clients who meet the criteria of "Individual with Community Protection Issues."

"Crisis diversion services (CDS)" ((means)) refers to DDD-authorized crisis residential services and supports offered to clients on a temporary basis. These clients show a serious decline in mental functioning, making the client at risk for psychiatric hospitalization (see WAC 388-820-050 and 388-820-085 for details).

"Crisis service plan" refers to a document that identifies needs and services a client will receive while placed in crisis diversion services.

"DDD" refers to the division of developmental disabilities ((at DSHS)) of aging and disability services administration (ADSA).

"DSHS" refers to the department of social and health services of Washington state.

"Exceptions" ((means DSHS)) refers to residential care services' (RCS) approval of a written request for an exception to a rule in this chapter. (There are no exceptions to RCWs.)

"Group home" ((means)) refers to residential services provided in a dwelling that is:

(1) Owned, leased, or rented by an entity other than the client;

(2) Licensed by the applicable state authority; and

(3) Operated by a provider.

(See WAC 388-820-090 for further details.)

"Group training home" ((means)) refers to a certified nonprofit residential facility that provides full-time care, treatment, training, and maintenance for clients, as defined under RCW 71A.22.020(2).

"HCBS" refers to home and community based services waivers. This is a Title XIX Medicaid waiver program that serves a specific number of individuals. This waiver is for particular home and community based services not covered

under the Medicaid state plan. (See WAC 388-825-170 for more details.)

"IFP" refers to individual financial plan. (See WAC 388-820-620.)

"IISP" refers to the individual instruction and support plan for clients. (See WAC 388-820-560 through 388-820-580.)

"Individual with community protection issues" ((means)) refers to a client identified by DDD as needing one or more of the following criteria:

(1) The person has been convicted of or charged with a crime of sexual violence as defined in chapter 71.09 RCW, including, but not limited to, rape, statutory rape, rape of a child, and child molestation;

(2) The person has been convicted of or charged with acts directed towards strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization;

(3) The person has been convicted of or charged with a sexually violent offense and/or predatory act, and may constitute a future danger;

(4) The person has not been convicted and/or charged, but has a history of stalking, sexually violent, predatory, and/or opportunistic behavior which demonstrates a likelihood to commit a sexually violent and/or predatory act based on current behaviors that may escalate to violence;

(5) The person has committed one or more violent crimes, such as murder, attempted murder, arson, first degree assault, kidnapping, or use of a weapon to commit a crime.

"Initial assessment" ((means)) refers to a written evaluation that identifies a client's needs upon entry into crisis diversion services.

"Instruction" ((means)) refers to goal-oriented teaching that is designed for acquiring and enhancing skills.

"ISP" refers to the individual service plan for clients. (See WAC 388-820-520 through 388-820-550.)

"Nursing assistant" ((means)) refers to a person who is registered or certified by department of health under chapter 18.88A RCW. A nursing assistant performs certain nursing care tasks that are delegated by a registered nurse for a specific client in authorized settings. (See chapter 246-841 WAC for more details.)

"POC" refers to the plan of care for clients based on the criteria of the home and community based waivers. (See WAC 388-820-520 through 388-820-550.)

"RCS" refers to residential care services of aging and disability services (ADSA).

"Regional support network (RSN)" ((means)) refers to a county, combination of counties or other member entities under contract with DSHS mental health division (MHD). These RSNs administer all mental health service activities within their jurisdiction, using available resources. (See WAC 388-865-200 for details.)

"Reprisal" ((means)) refers to any negative action taken as retaliation against an employee.

"Residential service" ((means)) refers to client services offered by certified service providers.

"Secretary" ((means)) refers to the secretary of the department of social and health services or the secretary's designee.

"Service provider" ((means)) refers to an agency RCS has certified ((by)) and DDD has contracted ((with ~~DDD~~)) to provide residential services to clients. Also refers to state operated living alternative (SOLA) program.

"Severity" ((means)) refers to the seriousness of an incident. This is determined by the extent to which a client's physical, mental, or psychosocial well-being is or may be compromised or threatened.

"SSP" (state supplemental payment) ((means)) refers to DDD administered state paid cash assistance program for certain clients of DDD. (See chapter 388-827 WAC for details.)

"Support" ((means)) refers to assistance as requested or needed by a client, based on their abilities, needs, and goals.

"Supported living" ((means)) refers to residential services provided to clients living in their own homes, which are owned, rented, or leased by the clients or their legal representatives. (See WAC 388-820-080 for more details.)

"Trust account" ((means)) refers to a bank account containing two or more clients' funds where the service provider has the authority to make deposits and withdrawals.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-030 What are residential services? Residential services are instructions and supports provided to eligible clients by service providers to enable clients to live in their community. These may include:

- (1) Supported living services;
- (2) Group home services; or
- (3) Services provided in the group training home.

Residential services must follow the requirements outlined in this chapter. The client rights set forth in this chapter are the minimal rights guaranteed to all clients of certified residential services, and are not intended to diminish rights set forth in other state or federal laws that may contain additional rights.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-040 Who certifies residential services? Residential services are certified by ((~~DDD to support eligible clients~~)) RCS.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-090 What are group homes? (1) Group homes are residences that are licensed as either a boarding home or an adult family home by ((~~aging and disability services administration in DSHS~~)) RCS, under chapters 388-78A and 388-76 WAC, respectively.

- (2) Group homes must have a contract with DDD.
- (3) The service provider must ensure that group homes comply with all applicable licensing regulations.
- (4) Group homes provide residential services to two or more clients who are unrelated to the provider.

(5) Clients who live in group homes pay costs of room and board from their own financial resources. (See WAC 388-820-120 for additional information.)

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-140 What are the different types of certification? There are three different types of certification that ((~~DDD~~)) RCS approves for residential services:

- (1) Initial certification;
- (2) Regular certification; and
- (3) Provisional certification.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-150 When may ((~~DDD~~)) RCS grant initial certification to an agency? (1) Before RCS begins the certification process, the interested agency must submit a budget forecast, verification of financial stability, and staff coverage schedule to DDD.

(2) An interested agency must apply to ((~~DDD~~)) RCS to be certified.

((~~(2) DDD~~))

(3) RCS may grant initial certifications to agencies that meet the requirements outlined in this chapter.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-160 How does an agency apply for initial certification? To apply for initial certification, an agency must go through the following application ((~~procedure~~).

(1) ~~An agency's completed application must be submitted to the regional DDD office for initial certification in that region. The application must include:~~

- (a) ~~A letter of intent;~~
- (b) ~~A mission statement;~~
- (c) ~~A statement of assurance stating that the service provider will not discriminate against a client or employee (see WAC 388-820-280);~~
- (d) ~~Verification of financial stability;~~
- (e) ~~A budget forecast;~~
- (f) ~~A staff coverage schedule;~~
- (g) ~~A staff in-service training plan;~~
- (h) ~~The agency's policies and procedures;~~
- (i) ~~Relevant experience and qualifications of the agency;~~
- (j) ~~A minimum of two professional references;~~
- (k) ~~A copy of the license if applying for a group home;~~
- (l) ~~The administrator's resume; and~~
- (m) ~~A list of the agency board of directors and affiliations, if applicable.~~

(2) ~~DSHS must provide the county with a copy of the agency's application.~~

(3) ~~The county may submit written recommendations about the application to DSHS within thirty calendar days after receiving the application. DSHS reviews the county's recommendations.~~

(4) ~~An agency must comply within one hundred and eighty days of the certification's effective date with:~~

(a) Relevant federal, state, and local laws and ordinances; and

(b) Department established requirements.

(5) DDD notifies the agency in writing that all documentation has been received and approves or denies initial certification)) procedures.

(1) DDD will review:

(a) Verification of financial stability;

(b) A budget forecast; and

(c) A staff-coverage schedule.

(2) After reviewing, DDD will send a letter of suggestion to RCS.

(3) The interested agency will submit to RCS:

(a) A letter of intent;

(b) Relevant experience and qualifications of the agency;

(c) A minimum of two professional references;

(d) The administrator's resume;

(e) A list of the agency board of directors and affiliations, if applicable;

(f) Policies, principles and procedures regarding health and safety and;

(g) Methods on the prevention and reporting of abuse, neglect, exploitation and mistreatment to clients according to state law.

RCS may request additional information as needed to complete the application process.

(4) Before applying to RCS, the interested agency will keep in their records the following:

(a) A letter of intent;

(b) A mission statement;

(c) A statement of assurance stating that the service provider will not discriminate against a client or employee (see WAC 388-820-280);

(d) Verification of financial stability;

(e) A budget forecast;

(f) A staff coverage;

(g) A staff in-service training plan;

(h) The agency's policies and procedures;

(i) Relevant experience and qualifications of the agency;

(j) A minimum of two professional references;

(k) A copy of the license if applying for a group home;

(l) The administrator's resume; and

(m) A list of the agency board of directors and affiliations, if applicable.

(5) RCS must provide the county with a copy of the agency's letter of intent.

(6) The county may submit written recommendations about the application to RCS within thirty calendar days after receiving the letter of intent. RCS reviews the county's recommendations.

(7) An agency must comply within one hundred and eighty days of the certification's effective date with:

(a) Relevant federal, state, and local laws and ordinances; and

(b) RCS/DDD established requirements.

(8) After receiving all materials requested, a determination will be made on initial certification based on the information received. RCS notifies the agency in writing that all documentation has been received and determines if the

agency meets the minimal requirements for initial certification.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-180 May initial certification be extended for a service provider? If the initial certification expires before ~~((DDD))~~ RCS conducts a formal review and evaluation of a service provider, ~~((DDD))~~ RCS may extend the initial certification up to one hundred and eighty days.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-190 How does a service provider receive regular certification? (1) ~~((DSHS))~~ RCS uses a formal review and evaluation process to determine whether a service provider has complied with certification requirements outlined in this chapter, principles and procedures established by RCS, and the ~~((department))~~ DSHS/DDD contract.

(2) The county may submit recommendations about a service provider to ~~((DSHS))~~ RCS.

(3) After determining that a service provider has complied with requirements, ~~((DSHS))~~ RCS may approve a service provider for regular certification.

(a) This certification allows a service provider to continue to receive referrals and provide instruction and support to clients.

(b) Regular certification may be granted to service providers for up to two years.

(4) Regular certification may be extended for a period up to one hundred and eighty days.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-200 How often are reviews and evaluations done for service providers? (1) ~~((DSHS))~~ RCS must review and/or evaluate each service provider's services at least every two years.

(2) ~~((DSHS))~~ RCS may review a client's records and activities at any time to see if the service provider continues to address the clients' needs for instruction and support activities.

(3) DSHS may conduct additional evaluations or audits of any service provider at its discretion.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-210 What occurs during review and evaluation? (1) Service providers are evaluated, using this chapter, principles and procedures established by RCS, and the DSHS/DDD contract requirements.

(2) To gather information, evaluators use a sample of clients that the service provider supports. Ways to gather information for evaluation must include:

(a) ~~((Review of records))~~ Observation of staff and client interactions;

(b) Interview of clients, legal representatives, and others with the client's consent; and

(c) ~~((Observation of staff and client interactions))~~
Review of records.

(3) Information may also be gathered by conducting:

(a) Interviews with other entities contracted with DSHS; and

(b) Interviews with DSHS staff.

(4) The state-contracted evaluators ~~((conduct meetings))~~ discuss with the service provider ~~((and DDD to discuss))~~ their preliminary findings and request additional information and clarification.

(5) Evaluators conduct an exit conference to present the ~~((evaluation))~~ draft report to the service providers and ~~((DSHS))~~ DDD. The service provider's administrator or designee must be present at this exit conference. A copy of the draft report with preliminary findings are sent to RCS.

(a) The evaluation report will include the service provider's operation history.

(b) If the service provider has not complied with certification requirements or with its contract with DSHS/DDD, the evaluator will note the findings in the draft report.

(c) The ~~((report))~~ service provider must ~~((specify the))~~ draft a corrective action ~~((plan. The corrective action plan and))~~ plan(s) with specific time frames ~~((are negotiated between the service provider and DSHS))~~ and submit it to RCS for approval.

(d) At the conclusion of the exit conference, the service provider ~~((may request a copy of part or all of the))~~ will receive a draft copy of the report ~~((from the evaluator))~~ including the corrective action plan(s) and the evaluator(s) will submit the draft copy to RCS.

(e) The final report, including corrective action plan(s), will be finalized by RCS and sent to the service provider ~~((may also submit a letter requesting a draft copy of the report to DDD headquarters within fourteen days of the exit conference)).~~

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-220 May service providers disagree with evaluation findings? (1) If service providers disagree with evaluation findings, they must submit in writing documentation supporting their position within ~~((fourteen calendar))~~ ten working days after~~((~~

~~((a)))~~ the exit conference~~((; or~~

~~((b))~~ Receipt of the draft of the evaluation report)).

(2) After receiving the service provider's documentation, ~~((DDD))~~ RCS must send written notification of its decision to the service provider within ~~((fourteen calendar))~~ ten working days.

(3) The service provider's documentation and ~~((DDD's))~~ RCS' decision must become part of the final evaluation report.

(4) ~~((DDD))~~ RCS must file a final report of the evaluation results and send a copy to the service provider. At this time, the evaluation report is considered to be a public document.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-230 May a service provider receive provisional certification? (1) A service provider that does not comply with requirements of this chapter may receive provisional certification by ~~((DSHS))~~ RCS.

(2) Provisional certification may not exceed one hundred eighty days.

(3) At the end of provisional certification:

(a) If the service provider has complied with certification requirements, ~~((DSHS))~~ RCS may approve the service provider for regular certification.

(b) If the service provider has not complied with all certification requirements, ~~((DSHS))~~ RCS must revoke the service provider's certification and DSHS/DDD must terminate the contract.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-240 When may ~~((DSHS))~~ RCS decertify a service provider? If a service provider does not comply with certification requirements, ~~((DSHS))~~ RCS may decertify a service provider under chapter 43.20A RCW. Upon decertification, ~~((DSHS terminates))~~ DSHS/DDD must terminate the contract ~~((and stops all payments)).~~

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-250 What are administrators of service providers required to do? ~~((DSHS))~~ RCS requires administrators of service providers to oversee all aspects of services delivered to clients, consistent with the DSHS/DDD contract. This includes:

(1) Overseeing all aspects of staff development, such as recruitment and staff training;

(2) Preparing and maintaining policies and procedures related to client services, personnel, and financial records; and

(3) Securely storing client, personnel, and financial records.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-260 ~~((Must service providers?))~~ What type of administrative documents ~~((be approved by DDD))~~ are service providers required to have? ~~((Service providers must have DDD approval for several types of administrative documents.))~~

(1) Service providers must have these written statements ~~((approved by DDD))~~:

(a) A mission statement;

(b) Program description ~~((and admission criteria));~~

(c) An organizational chart and description showing all supervisory relationships; and

(d) Definition of staff roles and responsibilities, including the person designated to act in the absence of the administrator.

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(2) Service providers must also have these policies and procedures (~~(approved by DDD)~~):

(a) Admission criteria;

(b) Client rights, including a client's right to file a complaint or suggestion without interference;

~~((b))~~ (c) Client grievance procedures;

~~((e))~~ and

(d) Methods used for soliciting client input and feedback on services and support received.

(3) Service providers must have health and safety policies and procedures including:

(a) Information on how to report suspected abuse, neglect, exploitation, and mistreatment;

~~((d))~~ (b) Plans for responding to missing persons; client emergencies, including access to medical, mental health, and law enforcement resources; and natural or other disasters;

~~((e))~~ and

(c) Notification of client's guardian and/or relatives in case of emergency(~~;~~ and

~~(f) Methods used for soliciting client input and feedback on services and support received~~)).

(4) In addition to other required documents, service providers must keep all documents, policies and procedures as required by the Centers for Medicare and Medicaid Services and any other applicable state or federal laws and have them readily available to DSHS.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-290 What staffing requirements must service providers meet? (1) A service provider must have a designated administrator.

(2) Clients must have immediate access to staff, or the means to contact staff, at all times: Twenty-four hours a day, seven days a week.

(3) A service provider must provide adequate staff within contracted hours to administer the program and meet the needs of the clients.

(4) ~~((A service provider must have other staff available, as specified by the service provider's contract with DSHS-~~

~~(5))~~ Each group home must maintain staffing that complies with:

(a) Boarding home or adult family home licensing requirements under chapter 388-78A or 388-76 WAC, respectively; and

(b) Contract requirements with the division of developmental disabilities.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-310 Who needs background checks?

(1) Service providers must obtain background checks from DSHS for all administrators, employees, volunteers and subcontractors showing that there are no disqualifying records to prevent individuals from working with clients.

(2) Before administrators, employees, volunteers or subcontractors may have unsupervised access to clients, the service provider must have a background check report from DSHS. This report must indicate that the individual has no

disqualifying records that prevent him or her from working with clients.

(3) In certain situations, administrators, employees, volunteers, or subcontractors (~~(must not)~~) can only work (~~(alone)~~) with clients (~~(unless)~~) when they are directly observed by staff authorized to have unsupervised access to clients. These situations are:

(a) The service provider has not yet received a DSHS response for a background check request;

(b) DSHS has disqualified the individual based on background check information; or

(c) The individual is awaiting FBI clearance and does not have provisional clearance from their employer under WAC 388-06-0500 through 388-06-0540.

(4) Background checks must be renewed at least every thirty-six months for each administrator, employee, volunteer or subcontractor of a contracted service provider.

(5) Licensed boarding homes or licensed adult family homes must adhere to the current regulations set forth in this chapter and in the applicable licensing laws.

(6) Service providers must follow the requirements of RCW 43.43.830 and 74.15.030.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-330 What staff training is required?

The service provider must give specific training to staff. Within the first six months, staff must receive a minimum of thirty-two total hours of training that meet the following requirements.

(1) Before the employee works alone with clients, the service provider must explain the following to the employee:

(a) The current instruction and support plans of the clients with whom the employee works;

(b) Emergency procedures for clients;

(c) The ~~((DSHS approved policy))~~ state law on abuse and neglect; and

(d) Client confidentiality.

(2) Within the first four weeks of employing a staff person, the service provider must provide training that includes:

(a) The service provider's mission statement;

(b) Policies and procedures; and

(c) On-the-job training.

(3) Additional training within the first six months must include:

(a) First aid/CPR;

(b) Bloodborne pathogens with HIV/AIDS information; and

(c) Client services.

(4) Each employee must keep first aid/CPR certification and bloodborne pathogens training current.

(5) The service provider must document orientation and training activities.

(6) Group homes must also meet the training requirements mandated by the licensing requirements specified in chapter 388-78A WAC.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-360 What happens when a service provider's ownership changes? (1) A service provider must inform ((~~DSHS~~)) RCS and DDD in writing sixty days before a change of ownership occurs.

(2) On the effective date of a change of ownership, ((~~DSHS~~)) RCS must terminate the department's certification and DSHS/DDD must terminate the contract with the previous service provider.

(3) ((~~DSHS~~)) DDD must withhold final payment to the previous service provider until that service provider submits and DSHS accepts all reports and required documents.

(4) ((~~DSHS~~)) DDD is under no obligation to contract with the new owner entity.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-400 What information do service providers need to keep in client records? (1) Crisis diversion service providers are exempt from the client record requirements specified in this section. Instead, they must follow requirements outlined in WAC 388-820-405.

(2) Service providers must keep certain information in client records to fulfill DSHS requirements. The client's records must include, but not be limited to, the following:

(a) The client's name, address, and Social Security number.

(b) The name, address, and telephone number of the client's relative, guardian or legal representative.

(c) Copies of legal guardianship papers, if any.

(d) Client health records, including:

(i) The name, address, and telephone number of the client's physician, dentist, mental health service provider, and any other health care service provider;

(ii) Health care service providers' instructions about health care needed, including appointment dates and date of next appointment if appropriate;

(iii) Written documentation that the health care service providers' instructions have been followed; and

(iv) A record of major health events and surgeries when known.

(e) A copy of the client's most recent individual service plan or plan of care (ISP/POC).

(f) The client's individual instruction and support plan (IISP), including:

(i) Instruction and support activities for each client as a basis for review and evaluation of client's progress;

(ii) Semiannual review of the IISP;

(iii) Consultation with other service providers and other interested persons;

(iv) IISP revisions and changes; and

(v) Other activities relevant to the client that the client wants included.

(g) Progress notes and incident reports on clients.

(h) The client's financial records for funds managed by the service provider, including:

(i) Receipts, ledgers and records of the client's financial transactions; and

(ii) Client's related bankbooks, checkbooks, bank registers, tax records and bank statements.

(i) Burial plans and wills.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-405 What information do crisis diversion service providers need to keep in client records? (1) All crisis diversion service providers must keep the following information in client records:

(a) The client's name, address, and Social Security number.

(b) The name, address, and telephone number of the client's relative, guardian or legal representative.

(c) Progress notes and incident reports on clients.

(2) Crisis diversion service providers other than those offering services in a client's own home have additional requirements. These service providers also must keep the following information in client records:

(a) An initial assessment;

(b) ((~~AN~~)) A crisis service plan;

(c) Copies of legal guardianship papers, if any;

(d) Client health records, including:

(i) The name, address, and telephone number of the client's physician, dentist, mental health service provider, and any other health care service provider;

(ii) Health care service providers' instructions about health care needed, including appointment dates and date of next appointment if appropriate;

(iii) Written documentation that the health care service providers' instructions have been followed; and

(iv) A record of major health events and surgeries when known.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-430 Who must service providers notify in emergencies? In emergencies, a service provider must:

(1) Notify the client's guardian or legal representative as soon as possible;

(2) Immediately report to DSHS about a serious incident or emergency((~~as specified in the contract~~)); and

(3) Submit a written incident report to DSHS, as required by law or policy.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-440 What abuse and neglect reporting requirements must service providers meet? (1) Under chapter 74.34 RCW, all administrators, owners, staff and volunteers are mandated to report instances of suspected client abuse, neglect, exploitation, or mistreatment.

(2) Reports must be made to one of two different areas at DSHS:

(a) Service providers giving supported living services must report to adult protective services (APS); and

(b) Service providers giving services through group homes must report to residential care services (RCS).

(3) Reports must be made to law enforcement agencies, when appropriate.

(4) Service providers must have ~~((DSHS-approved))~~ policies and procedures complying with state law that specify reporting requirements for client abuse, neglect, exploitation, or mistreatment.

(5) Each administrator, owner, staff person, and volunteer must read and sign ~~((this))~~ the policy about reporting requirements. The service provider must ~~((place))~~ retain the signed policy ~~((in the personnel file))~~ for staff ~~((or))~~ and volunteers.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-520 What is an individual service plan/plan of care (ISP/POC) for clients? An individual service plan or plan of care (ISP/POC) is required for each client. The ISP/POC outlines the support needs and interests of the client. The plan identifies the responsibilities of the service provider and other entities in supporting the client. Examples of other entities are: Vocational provider, therapists, nurses, and advocates. (See RCW 71A.18.010.)

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-530 Who is responsible for completing and overseeing a client's ISP/POC? The client's DDD case resource manager is responsible for completing and overseeing a client's individual service plan or plan of care (ISP/POC).

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-540 Who may participate in creating a client's ISP/POC? (1) The case resource manager must have face-to-face contact with the client in developing the individual service plan or plan of care (ISP/POC).

(2) The case resource manager must also involve the client's guardian or legal representative and the service provider.

(3) In creating a client's individual service plan or plan of care (ISP/POC), under RCW 71A.18.010, the client and DDD case resource manager may involve:

- (a) Department staff; and
- (b) Other interested persons invited by the client.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-550 How often must the ISP/POC be reviewed? (1) ~~((The DDD case resource manager must review the ISP with the client at least every twelve months.~~

~~((In addition,))~~ An ISP/POC meeting must be held and a new ISP/POC developed with the client at least every ~~((two years))~~ twelve months, under RCW 71A.18.010. The meeting

must be held in the client's home unless requested otherwise by the client.

~~((3))~~ (2) A client may request a review of the ISP/POC at any time.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-560 What is an individual instruction and support plan (IISP) for clients? (1) An individual instruction and support plan (IISP) outlines the specific goals for carrying out the residential services portion outlined in the individual service plan or plan of care (ISP/POC). The IISP also must describe the methods of instruction and/or support needed to reach the client's goal.

(2) The IISP must be based on the goals of the individual service plan or plan of care (ISP/POC), reflect the client's preferences, and have the client's agreement.

(3) The IISP identifies activities and opportunities that promote one or more of the following client services:

- (a) Health and safety;
- (b) Personal power and choice;
- (c) Positive recognition by self and others;
- (d) Integration in the physical and social life of the community;
- (e) Positive relationships; and
- (f) Competence and self-reliance.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-630 What information must the IFP include? This plan must include all of the following items:

- (1) The part of the client's funds and income that will be managed by the service provider;
- (2) The part of client funds and income that will be managed by the client or legal representative;
- (3) The type of accounts used;
- (4) A budget process;
- (5) Asset management, such as personal property, burial plan, retirement funds, stock, and vehicles;
- (6) Cash management;
- (7) Money management instruction and/or support;
- (8) An explanation of which purchases require receipts;
- (9) Contingency plan for expenditures if a client's resources exceed the ~~((CAP))~~ home and community based services (HCBS) waiver limit; and
- (10) A signature of the client and the client's guardian, if any.

AMENDATORY SECTION (Amending WSR 04-04-043, filed 1/29/04, effective 2/29/04)

WAC 388-820-650 What documentation must service providers keep to protect a client's financial interests? Service providers must keep certain documentation for the part of funds they manage for clients. This protects clients' financial interests.

(1) Documentation for bank and cash accounts must include a monthly reconciliation ~~((of bank and cash accounts that are verified and initialed by a second party))~~ and verifi-

cation of the reconciliation. The reconciliation and/or verification must be completed by a person who did not make or assist in ~~(the)~~ any financial transaction.

(2) Other documentation that a service provider must keep for client financial transactions include:

- (a) Monthly bank statements and reconciliation;
- (b) Checkbook registers and bankbooks;
- (c) Deposit receipts;
- (d) Receipts for purchases over twenty-five dollars;
- (e) Any itemized subsidiary ledgers showing deposits, withdrawals, and interest payments to individual clients; and
- (f) A control journal for trust accounts.

(3) Other documentation that a service provider must keep for client cash transactions include:

(a) A detailed ledger signed by the person who withdrew any of the client's money;

(b) Monthly reconciliation to the cash amount;

(c) Detailed accounting of the money received on behalf of the client, such as cash received from writing checks over the purchase amount, and a list of where the money was spent; and

(d) Receipts for purchases over twenty-five dollars where service provider staff withdrew the money.

(4) Service providers must notify DSHS when the client:

(a) Receives services under a ~~((CAP (community alternative program)))~~ home and community based services (HCBS) waiver; and

(b) Has an account that reaches three hundred dollars less than the maximum amount allowed by federal or state law.

Note: CAP-waiver is defined under WAC 388-825-170.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-720 How must the service provider be involved with a client's transportation needs? (1) The service provider must provide transportation or ensure that clients have a way to get to:

- (a) Emergency medical care;
- (b) Medical appointments; and
- (c) Therapies.

(2) Within available resources, the service provider must provide necessary assistance with transportation to and from:

- (a) Work, school or other publicly funded services;
- (b) Leisure or recreation activities;
- (c) Client-requested activities; and
- (d) ISP/POC- or IISP-related activities.

(3) A vehicle that the service provider uses to transport clients must be:

- (a) In safe operating condition; and
- (b) Properly insured for its usage.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-880 May an agency or service provider contest a ((DSHS)) RCS decision? (1) An agency or service provider may contest a ~~((DSHS))~~ RCS decision about certification within twenty-eight days of being notified of the decision.

(2) Within this twenty-eight day period, the agency or service provider must request in writing that the ~~((DDD))~~ RCS director or designee review the decision. The agency or service provider must:

(a) Sign the request;

(b) Identify the challenged decision and the date it was made;

(c) State specifically the issues and regulations involved and the grounds for the service provider's disagreement; and

(d) Include with the request copies of any supporting documentation for the service provider's position.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-890 When does an administrative review conference occur? (1) After receiving the agency or service provider's timely written request to review a decision, ~~((DSHS))~~ RCS has twenty-eight days to contact the service provider to schedule an administrative review conference at a mutually convenient time.

(2) **Exception:** The agency or service provider and ~~((DSHS))~~ RCS may agree in writing to a specific later date for the conference.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-900 May an administrative review conference be conducted by telephone? (1) The administrative review conference between ~~((DSHS))~~ RCS and an agency or service provider may be conducted by telephone.

(2) **Exception:** If either ~~((the department))~~ RCS, or the agency or service provider requests in writing that the conference be held in person, the conference may not be conducted by telephone.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-910 What happens during the administrative review conference? (1) The agency or service provider requesting an administrative review conference and appropriate ~~((DSHS))~~ RCS representatives must attend the conference.

(2) The agency or service provider must bring to the conference, or give to ~~((DSHS))~~ RCS before the conference, any supporting documentation for the service provider's position.

(3) The parties must clarify and attempt to resolve the issues at the conference.

(4) If additional documentation is needed to resolve issues, a second session of the conference must be scheduled. The second conference must be scheduled no later than twenty-eight days after the initial session unless both parties agree in writing to a specific later date.

(5) The director ~~((of the division of developmental disabilities))~~ or designee of RCS must give a written decision to the service provider after the end of the conference.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-920 May an agency or service provider contest the decision from the administrative review conference? At the administrative review conference, an agency or service provider may contest a decision made by the director ~~((of the division of developmental disabilities))~~ or designee of RCS. To contest a decision, the agency or service provider may request a hearing. The hearing procedure follows the requirements under chapter 388-02 WAC.

AMENDATORY SECTION (Amending WSR 01-22-020, filed 10/26/01, effective 1/1/02)

WAC 388-820-930 Does ~~((DSHS))~~ RCS make exceptions to the requirements in this chapter? ~~((DSHS))~~ RCS may grant service providers exceptions to the requirements specified in this chapter as long as the following conditions are met:

(1) The service provider must submit a written request for an exception to the DDD regional administrator of the region where the contract is held.

(2) ~~((DSHS))~~ DDD must evaluate requests for exceptions, considering:

- (a) The health and safety of the clients;
- (b) The quality of the services;
- (c) Supervision; and
- (d) The impact on client services.

(3) ~~((DSHS))~~ DDD will send their recommendations of the exceptions of the requirements to RCS.

(4) RCS must send a copy of ~~((these))~~ the requests that have significant impacts on client services to the client(s) involved. ~~((DSHS))~~ RCS must then give the client an opportunity to comment before granting an exception.

~~((4) The DDD))~~

(5) The RCS director or designee must approve or deny the request in writing within sixty calendar days after receiving the request from the service provider.

~~((5))~~ (6) Any exception granted must be in line with the legislative intent of Title 71A RCW.

~~((6))~~ (7) Service providers must retain a copy of each ~~((DSHS))~~ RCS-approved exception.

~~((7))~~ (8) Service providers do not have hearing rights when they receive a denial from ~~((DSHS))~~ RCS for an exception to the rules in this chapter.

WSR 04-19-024
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed September 8, 2004, 4:33 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-12-019.

Title of Rule and Other Identifying Information: Chapter 415-501 WAC, Deferred compensation plan, this chapter establishes the "deferred compensation plan" for employees

of the state of Washington and approved political subdivisions of the state of Washington.

Hearing Location(s): Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on October 26, 2004, at 9:30 a.m.

Date of Intended Adoption: No sooner than October 27, 2004.

Submit Written Comments to: Leslie L. Saeger, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail leslies@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on October 26, 2004.

Assistance for Persons with Disabilities: Contact Leslie L. Saeger, Rules Coordinator, by October 18, 2004, TDD (360) 664-7291, TTY (360) 586-5450, phone (360) 664-7291.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules incorporate Internal Revenue Code and Treasury regulation updates, and clarify department policy and procedures. The chapter has also been rewritten to bring it into compliance with current clear writing standards.

Statutory Authority for Adoption: RCW 41.50.050(5) and 41.50.780(10).

Statute Being Implemented: RCW 41.50.030(2), 41.50.770, IRC Section 457(b), and Treasury Regulations 1.457-1 through 1.457-10, and 1.457-12.

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

Name of Proponent: Department of Retirement Systems, governmental.

Name of Agency Personnel Responsible for Drafting: Leslie Saeger, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: George Pickett, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules have no effect on businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

September 7, 2004

Leslie Saeger

Rules and Contacts Coordinator

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-010 ~~((Deferred compensation plan established.))~~ What is the purpose of this chapter, and does it apply to me? ~~((In accordance with))~~ (1) This chapter establishes the "deferred compensation plan" according to the provisions of RCW 41.50.030(2), 41.50.088(2), 41.50.770, ~~((and))~~ 41.50.780, and ~~((as provided in))~~ Section 457 of the Internal Revenue Code~~((, the state of Washington hereby establishes the deferred compensation plan)).~~ This plan is for employees of the state of Washington and approved political subdivisions of the state of Washington~~((, hereinafter referred to as the "plan." Nothing contained in this plan shall be deemed to constitute an employment agreement between~~

the participant and the employer and nothing contained herein shall be deemed to give a participant any right to be retained in the employ of the employer).

(2) This chapter does not:

(a) Apply to any other plan administered by the department;

(b) Constitute an employment agreement between the participant and the employer; or

(c) Give a participant any right to be retained in the employ of the employer.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-110 Definitions. (1) **Accumulated deferrals.** Compensation deferred under the plan, adjusted by income received, increases or decreases in investment value, fees, and any prior distributions made.

(2) **Beneficiary.** A beneficiary of a participant, a participant's estate, or any other person whose interest in the plan is derived from the participant.

(3) **Compensation.** All payments made to a public employee by the employer as remuneration for services rendered.

(4) **Deferred compensation.** The amount of the participant's compensation (~~which the participant and the employer shall mutually agree (prior to the date on which such compensation is earned) will be deferred~~) that is deferred under a participation agreement. See WAC 415-501-410.

(5) **Deferred compensation plan or plan.** A plan that allows employees of the state of Washington and approved political subdivisions of the state of Washington to defer a portion of their compensation according to the provisions of Section 457(b) of the Internal Revenue Code.

(6) **Department.** The department of retirement systems created by RCW 41.50.020 or its designee.

~~((6))~~ (7) **Eligible employee.** Any person who is employed by and receives any type of compensation from ~~(the)~~ an employer for whom services are provided, and who is a full-time, permanent part-time working half-time, or more, or career seasonal employee of the employer, whether or not covered by civil service; an elected or appointed official of the executive branch of the government, including any full-time member of a board, commission, or committee; a justice of the supreme court, or a judge of the court of appeals or of a superior court; or a member of the state legislature.

~~((7))~~ (8) **Eligible rollover distribution.** A distribution to a participant of any or all funds from an eligible retirement plan unless it is:

(a) One in a series of substantially equal annuity payments;

(b) One in a series of substantially equal installment payments payable over ten years or more;

(c) Required to meet minimum distribution requirements of the plan; or

(d) Distributed for hardship or unforeseeable emergency from a 457 plan.

~~((8))~~ (9) **Employee retirement benefits board.** The board created by RCW 41.50.086.

~~((9))~~ (10) **Employer.**

(a) The state of Washington; and

(b) Approved political subdivisions of the state of Washington.

~~((10))~~ (11) **Normal retirement age.** ~~((The range of ages))~~ An age designated by the participant for purposes of the three-year catch-up provision described in WAC 415-501-430(2). The participant may choose a normal retirement age between:

(a) The earliest age at which an eligible participant has the right to receive retirement benefits without actuarial adjustment (~~(under any employer authorized plan))~~ from his/her retirement plan with the same employer; and

(b) Age seventy and one-half.

~~((11))~~ (12) **Participant.** An eligible employee:

(a) Who has submitted a participation agreement that is approved by ((DRS)) the department; and

(b) Who either:

(i) Is currently deferring compensation under the plan; or

(ii) Has previously deferred compensation and has not received a distribution of his/her entire benefit under the plan.

~~((12))~~ (13) **Participation agreement.** The agreement executed by an eligible employee pursuant to WAC 415-501-410, in which the eligible employee chooses to become a plan participant.

~~((13))~~ **Severance of employment.** ~~Termination of employment with an employer.~~ (14) **You,** as used in this chapter, means a participant as defined in subsection (12) of this section.

NEW SECTION

WAC 415-501-312 What laws govern the administration of the plan? This plan is intended to be an eligible state deferred compensation plan within the meaning of Section 457(b) of the Internal Revenue Code and Washington state law. It is interpreted and administered accordingly.

The department is authorized to interpret the provisions of this plan and resolve any ambiguity in the plan. In the event any form or other document used in administering this plan conflicts with the terms of the plan, the terms of the plan prevail.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-315 ((Employer responsibility)) **What are my employer's responsibilities?** ~~((The))~~ An employer ((as plan sponsor)) has responsibilities including, but not limited to, monitoring for deferral limits and determining employees' eligibility to participate.

The department's administration of the plan does not replace the employer's responsibilities ~~((as the plan sponsor)).~~

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-320 ((Tax status not guaranteed.)) **What are the tax consequences of participating in the plan?** You should consult with your own representative regarding questions of federal or state income, payroll, per-

sonal property or other tax consequences arising from your participation in this plan. The department does not:

(1) Represent or guarantee that any particular federal or state income, payroll, personal property or other tax consequence will occur because of ~~((the participant's))~~ your participation in this plan;

(2) Assume any liability for ~~((a participant's))~~ your compliance with the Internal Revenue Code.

~~((The participant should consult with his/her own representative regarding all questions of federal or state income, payroll, personal property or other tax consequences arising from participation in this plan.))~~

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-330 ~~((Department to maintain records of accounts.))~~ Does the department maintain a record of my account? ~~((To facilitate an orderly administration of the plan.))~~ The department ~~((shall))~~ maintains ~~((or cause to be maintained))~~ a deferred compensation ~~((ledger))~~ account ~~((with respect to))~~ for each participant.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-340 ~~((Deferred compensation accounts.))~~ Where is my deferred compensation deposited? ~~((All deferred compensation hereunder shall be paid into a special fund created in the treasury of the state of Washington called the "deferred compensation principal account." All costs of administration and staffing of the plan, expenses of the department, and such other amounts determined by the department and permitted by law, shall be paid as necessary out of the deferred compensation administrative account. Amounts in the deferred compensation principal account may be invested pursuant to RCW 41.50.770. All accumulated deferrals payable to participants or their respective beneficiary or beneficiaries shall be paid from the deferred compensation principal account unless otherwise paid.))~~ The department deposits deferred compensation into a special fund created in the treasury of the state of Washington called the "deferred compensation principal account." Amounts in the deferred compensation principal account may be invested according to RCW 41.50.770. All amounts payable to participants or their beneficiaries are paid from the deferred compensation principal account.

All costs of administering and staffing the plan, expenses of the department, and other amounts determined by the department and permitted by law, are paid out of the deferred compensation administrative account.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-370 ~~((Decision-binding.))~~ How are the rights of participants and beneficiaries determined? ~~((The department is authorized to determine any matters concerning the rights of any participant under this plan and such determination shall be binding on the participant and any beneficiary thereof.))~~ (1) The department has the authority to

decide all issues concerning the rights of participants and beneficiaries under the plan. The department's determination is binding on the participant and beneficiaries.

(2) A participant or beneficiary may file a petition for review under chapter 415-04 WAC or an application under WAC 415-08-015(2) for review of a decision to deny an application for distribution pursuant to WAC 415-501-510.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-380 ~~((Department may require court order.))~~ How are questions about distributions resolved?

(1) The department ~~((or the employer, if in doubt concerning the correctness of their action in making a distribution of accumulated deferrals, may suspend distribution until satisfied as to the correctness of the distribution or the person to receive the distribution or to allow the filing in any state court of competent jurisdiction of a civil action seeking a determination of the amounts to be paid and the persons to receive them))~~ may suspend distribution of your accumulated deferrals in order to resolve issues beyond its authority, such as the correctness of the distribution, amount of the distribution, or identity of the entitled recipient(s). The suspension will continue until all issues are resolved, either by written agreement of all parties concerned or by final order of a court of competent jurisdiction. The department and ~~((the employer shall))~~ all involved parties must comply with the final order(s) of the court in any such suit ~~((and the participant, for the participant and the participant's beneficiary or beneficiaries, consents to be bound thereby)).~~

(2) Whenever a distribution ~~((of accumulated deferrals))~~ is suspended pursuant to this section, the time period for ~~((a participant or beneficiary))~~ making any choice under WAC 415-501-485 or 415-501-491 through 415-501-494 ~~((shall))~~ will not begin until ~~((amount(s) and person(s) entitled are determined either by a written agreement of all parties concerned or by a court judgment that has become final))~~ all issues are resolved.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-390 ~~((Delegation of authority.))~~ Can the department delegate its authority? The department may delegate ~~((its))~~ functions ~~((to be))~~ performed under this plan to any designee with legal authority to perform such functions.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-410 ~~((Enrollment.))~~ How do I enroll in the plan? (1) As an eligible employee, you may ~~((become a participant))~~ enroll in the plan by executing a participation agreement. ~~((Compensation will be deferred for any calendar month only if a participation agreement providing for such deferral is executed by the participant and approved by the department or its designee before the beginning of such month.))~~

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(2) ~~((In signing the participation agreement, the participant elects to participate in this plan and consents to the employer deferring the amount specified in the participation agreement from the participant's gross compensation for each month. The amount specified shall continue until changed or suspended pursuant to WAC 415-501-450 or 415-501-470 of this plan.))~~ By signing the participation agreement, you authorize your employer to reduce your gross compensation each month by a specific amount. This amount will be contributed to your deferred compensation account. Your employer will reduce your compensation by the specified amount until you change the amount (WAC 415-501-450) or suspend contributions (WAC 415-501-470).

(3) Deferrals from your compensation will start during the calendar month after the month your participation agreement is approved by the department.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-415 ((Transfers into plan from eligible retirement plans.)) **May I move funds into the plan from an eligible retirement plan?** (1) ((Ability to transfer in. A participant may transfer pretax contributions into the department's deferred compensation plan:

(a) Through a direct transfer of an eligible rollover distribution from an individual retirement account (IRA) or from a former employer's retirement plan; or

(b) Through a direct transfer from another 457 plan maintained by a participating political subdivision while the participant remains employed by the political subdivision.

(2) Distributions from the plan attributable to amounts transferred into the plan from non-457 plans may be subject to an additional 10% tax on early distributions. The department will keep a separate accounting of funds rolled into the plan from non-457 eligible retirement plans for this purpose.)) **Rollover.** You may roll pretax contributions into the plan from an individual retirement account (IRA) or from another eligible retirement plan.

(a) The plan will keep a separate accounting of all funds rolled into the plan.

(b) Distributions of money rolled into the plan may be subject to an additional ten percent tax on early distributions.

(2) **Plan-to-plan transfer.** You may transfer money into the plan from another eligible governmental Section 457(b) plan maintained by political subdivision, subject to the following conditions:

(a) The political subdivision also participates in DCP;

(b) The transferor plan allows direct plan-to-plan transfers; and

(c) You are employed by the political subdivision at the time of the transfer.

(3) **Rollover/transfer application.** You must complete the appropriate form to transfer or roll money over into ((a) your deferred compensation account((a participant must complete the appropriate form)). Forms are available through the department or on its website ((<http://www.wa.gov/drs/depA>)).

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-416 ((Transfers from plan into other eligible retirement plans.)) **May I move funds from the plan into another eligible retirement plan?** (1) ((Ability to transfer out. Subject to the rules of the receiving plan, a participant may transfer funds from the department's deferred compensation plan:

(a) Through a rollover of an eligible rollover distribution into an individual retirement account (IRA) or another employer-sponsored retirement plan after separation from service;

(b) Through a direct transfer into another IRC section 457 plan after the participant severs employment;

(c) Through a direct transfer into another 457 plan maintained by a participating political subdivision made while the participant remains employed by the political subdivision; or

(d) To purchase eligible service credit under WAC 415-501-417.

(2) Ability of surviving spouse to transfer out. As a beneficiary, the surviving spouse of a participant may transfer eligible rollover distributions from the participant's account into his or her own eligible retirement plan.

(3) Funds that are transferred into a non-457 plan will be governed by the rules of the receiving plan.

(4) Rollover application. To transfer money from a deferred compensation account, a participant or the surviving spouse of a participant must complete the appropriate form. Forms are available through the department or on its website (<http://www.wa.gov/drs/depA>)) **Rollover.** Subject to the rules of the receiving plan, you may roll pretax contributions into an individual retirement account (IRA) or another eligible retirement plan after separation from service.

(2) **Plan-to-plan transfer.** You may transfer money:

(a) Through a plan-to-plan transfer into another eligible governmental Section 457(b) plan after you terminate employment, if the receiving plan allows the transfer and you are employed by the sponsor of the receiving plan.

(b) Through a plan-to-plan transfer into another eligible governmental Section 457(b) plan maintained by a political subdivision if the receiving plan allows the transfer and you are employed by the political subdivision both before and after the transfer.

(c) Through a plan-to-plan transfer to purchase service credit in a governmental Section 401(a) plan.

Transferred funds are governed by the rules of the receiving plan.

(3) Subject to the rules of the receiving plan, if your spouse becomes eligible to receive a distribution as beneficiary, your spouse may roll an eligible rollover distribution from his/her deferred compensation account into an eligible retirement plan in which he or she is a member.

(4) **Rollover/transfer application.** You or your spouse must complete the appropriate form to transfer or roll money over from your deferred compensation account. Forms are available through the department or on its website.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-417 (~~Using deferred compensation funds to purchase service credit.~~) **How do I purchase service credit in a qualified defined benefit retirement plan?**

(1) **What is allowed.** Subject to the requirements of the receiving retirement plan, ~~((a participant))~~ you may make a direct transfer of funds from ~~((his or her))~~ your deferred compensation account to purchase, restore, or reinstate ~~((eligible))~~ service credit in any qualified defined benefit government retirement plan.

(2) **Who is eligible.** ~~((Any plan participant))~~ You may transfer funds, whether or not you are employed at the time of the transfer.

(3) **How to request a transfer.**

(a) ~~((A participant))~~ You may request a transfer by submitting a completed form to the department.

(b) Forms are available through ~~((DRS))~~ the department or on its website ~~((http://www.wa.gov/drs/dep/)).~~

(4) **Tax consequences.** ~~((Participants))~~ You are advised to consult with a tax professional regarding the tax consequences of this transaction.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-420 **What are the annual deferral limits?** ~~((+))~~ Except as provided in WAC 415-501-430 (catch-up provisions), the maximum ~~((that a participant))~~ you may defer ~~((under the plan))~~ for any taxable year ~~((shall not exceed))~~ is the lesser of:

~~((a))~~ (1) One hundred percent of ~~((the participant's))~~ your includible compensation as defined in IRC Section 457(e)(5), and Treasury Regulation 1.457-2(g), and determined without regard to community property laws; or

~~((b))~~ (2) The annual deferral ~~((amount))~~ limit in the following table:

For taxable year beginning in calendar year:	Annual deferral ((amount)) limit:
2001	\$8,500
2002	\$11,000
2003	\$12,000
2004	\$13,000
2005	\$14,000
2006	\$15,000
Beginning January 1, 2007	\$15,000 plus cost-of-living adjustments, if any, established by the IRS under 26 USC 457

~~((2))~~ "Includible compensation" for purposes of this section means includible compensation as defined in IRC Section 457(e)(5), and as further defined by Treasury Department Regulation 1.457-2(e)(2) interpreting that section, and is determined without regard to community property laws.)

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-430 (~~"Catch-up" provisions.~~) **Are there exceptions to the annual deferral limits?** ~~((Two "catch-up" options allow a participant to))~~ You may defer more than the annual deferral limit set ~~((forth))~~ in WAC 415-501-420 if you qualify to use one of the "catch up" provisions described in this section. ~~((A participant))~~ You may not use both catch-up provisions during the same taxable year.

(1) **Age fifty and over:** ~~((A participant))~~ You may defer a higher amount during any plan year in which ~~((the participant is))~~ you are age fifty or older. The maximum ~~((a participant))~~ you may defer each year ~~((shall be))~~ is the sum of:

(a) The annual deferral amount in WAC 415-501-420 for the current taxable year; and

(b) ~~((The lesser of:~~

(i) Compensation available for deferral; or

(ii) The amount in the following table:

For taxable year beginning in calendar year:	((Annual deferral amount:)) Age 50 deferral limit:
2002	\$1,000
2003	\$2,000
2004	\$3,000
2005	\$4,000
2006	\$5,000
Beginning January 1, 2007	\$5,000 plus cost-of-living adjustments, if any, established by the IRS under 26 USC 414

(2) **Three years before normal retirement age:** ~~((A participant))~~ You may defer a higher amount during a period of three consecutive years immediately preceding ~~((any))~~ the taxable year ~~((the participant reaches))~~ in which you reach normal retirement age as defined in WAC 415-501-110 ~~((10))~~ (11). The maximum ~~((a participant))~~ you may defer during each of the three years ~~((shall be))~~ is the lesser of:

(a) Twice the annual deferral ~~((amount under))~~ limit established in WAC 415-501-420~~((1))~~; or

(b) ~~((The sum of:~~

(i) The annual deferral amount in WAC 415-501-420(1); plus

(ii) ~~The portion of the participant's annual deferral amount for any prior taxable year that the participant has not previously used under WAC 415-501-420 or this subsection.~~

~~((3))~~ For purposes of subsection (2)(b)(ii) of this section, The sum of the annual deferral limit established in WAC 415-501-420, plus the portion of the annual deferral limit for any prior taxable year that you have not previously used.

(i) For years prior to 2002, amounts you deferred under certain other plans must be considered in determining the unused amount, consistent with Treasury Regulation 1.457-4(c)(3)(iv).

(ii) A prior taxable year ~~((shall))~~ may be taken into account only if:

PROPOSED

~~((a))~~ (A) It begins after December 31, 1978;

~~((b) The participant was)~~ (B) You were eligible, during any portion of the taxable year, to participate in the plan ~~((during any portion of the taxable year, or eligible to participate in an eligible 457 plan sponsored by another entity));~~ and

~~((c))~~ (C) Compensation deferred under the plan during ~~((the taxable))~~ that year, ~~((f))~~ if any ~~((g))~~, was subject to a deferral limit under WAC 415-501-420.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-440 ~~((Department may disallow deferral))~~ **How are deferral limits monitored?** ~~((The participant acknowledges the right of the department to disallow deferral of compensation under the plan in excess of the limitations in WAC 415-501-420 and 415-501-430. However, the department shall have no duty to assure that amounts deferred are in compliance with such limitations.))~~ (1) Under WAC 415-501-315, employers will monitor deferrals to ensure that amounts deferred comply with the limitations in WAC 415-501-420 and 415-501-430.

(2) The department may also monitor deferrals and has the authority to disallow deferral of compensation in excess of the statutory limits.

(3) You must also monitor your deferrals to ensure that combined deferrals in two or more deferred compensation plans do not exceed the deferral limits.

(4) If the plan determines that your deferrals into the plan have exceeded the deferral limit, the excess deferrals will be distributed to you as soon as administratively practicable.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-450 ~~((Modification of deferral or investment option(s)))~~ **May I change my deferral amount?** ~~((Deferral or investment option(s) may be changed. A participant))~~ You may change ~~((his/her deferral or investment option(s)))~~ the amount of your deferred compensation through the methods established by the department. ~~((A beneficiary or beneficiaries entitled to receive accumulated deferrals may also change investment options.))~~ Deferral) Changes may be made only in:

(1) Whole dollar increments ~~((or))~~; or

(2) Whole percentages if percentage deferrals are allowed for ~~((the participant's))~~ your employer.

A change in the ~~((deferral))~~ amount ~~((shall))~~ will be effective for any calendar month only if ~~((the participant notifies))~~ you notify the department ~~((or its designee))~~ of the change, through the methods available, prior to the month for which the change is requested and prior to the established payroll cutoff date ~~((;))~~ for ~~((the participant's))~~ your employer ~~((; for which the change will occur)).~~

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-475 ~~((Investment options.))~~ **May I choose how I want my deferred compensation invested?**

~~((Each participant shall designate on his/her participation agreement the investment option(s) in which the participant wishes to have funds invested. The investment option(s) shall be selected from those options made available for this purpose from time to time by the state investment board after consultation with the employee retirement benefits board.~~

Nothing in this section shall require the state investment board to invest any amount in the investments selected. The state investment board may open, change or close investment options according to its investment policy, or change investment managers for any investment option. When an investment option is closed or substantially changed, the state investment board may transfer the funds invested in that option to the investment option that, in the board's judgment, most closely represents the investment characteristics of the investment option being closed or changed. (1) The state investment board, in consultation with the employee retirement benefits board, makes certain investment options available to plan participants. The investment board may:

(a) Open, change, or close investment options according to its investment policy; or

(b) Change investment managers for any investment option.

(2) You must designate on your participation agreement the investment option(s) in which you wish to have your deferrals invested.

(3) Changes in investment options.

(a) You may change investment options at any time through the methods established by the department. You may change the investment of your accumulated deferrals; the investment of your future deferrals; or both.

(b) Beneficiaries receiving a distribution may change investment options through the methods established by the department.

(c) If the state investment board closes or substantially changes an investment option, the state investment board may transfer the funds invested in that option to another option that, in the board's judgment, most closely represents the investment characteristics of the option being closed or changed.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-480 ~~((Designation of beneficiaries.))~~ **How do I designate my beneficiaries?** ~~((Each participant shall))~~ You have the right to designate a beneficiary or beneficiaries to receive your accumulated deferrals in the event of ~~((the participant's))~~ your death. ~~((If no such designation is in effect on a participant's death, the beneficiary shall be the surviving spouse. If there be no such surviving spouse, then the beneficiary shall be the participant's estate. A participant))~~ You may change ~~((his/her))~~ your beneficiary designation at any time by filing ~~((the appropriate))~~ a beneficiary change form with the department. The change will take effect upon the department's receipt of the beneficiary change form.

~~((The participant))~~ You may name:

(1) ~~((A designated))~~ An organization or person ~~((including without limitation his/her)),~~ including unborn or later adopted children ~~((;))~~. ~~((If))~~ However, unborn or later adopted

children ~~((are to be included, the designation must so indicate))~~ must be specifically designated as beneficiaries on the form. You must indicate the date of birth ((must be furnished)) for any living person ((who is named)) you name as a beneficiary.

(2) ~~((His or her))~~ Your estate.

(3) ~~((A))~~ An existing trust ((which is in existence,)) or ((which)) a trust that is to be established under ((the participant's)) your last will. For an existing trust, ((the participant)) you must provide a copy of the trust document and the name, address((;)) and telephone number of the current trustee((; and the tax identification number)).

~~((The participant))~~ You may name contingent beneficiaries in addition to primary beneficiaries.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-485 ~~((Distribution to participant.))~~ **How do I obtain a distribution?** Distribution from the plan is governed by ((IRC)) Internal Revenue Code Sections 401(a)(9) and 457(d)((;)); the treasury regulations interpreting these sections; and these rules to the extent they are not inconsistent with the Internal Revenue Code. The options for distribution are set forth in the *DCP Distribution Booklet*. The booklet will be mailed to ((the participant upon notification from the employer of severance from service)) you when your employer notifies the department of your termination of employment.

(1) **Date of distribution.** ~~((A participant))~~ You may choose the date on which to begin distribution from ((his or her)) your deferred compensation account, subject to the requirements in (a) through (c) of this subsection. The department must receive ((the election form)) a properly completed distribution form from you at least thirty days prior to the date distribution is to begin.

(a) **Earliest date.** ~~((Distribution to a participant))~~ You may not begin distribution prior to ((the participant's severance from)) your termination of employment, with the following ((three)) exceptions:

(i) A distribution for an unforeseeable emergency under WAC 415-501-510;

(ii) A voluntary in-service distribution under subsection (4) of this section; or

(iii) A distribution from ((non-457)) funds that were rolled into the deferred compensation account.

(b) **Latest date.** ~~((Distribution to a participant))~~ You must begin distribution on or before April 1st of the calendar year following the latter of:

(i) The calendar year in which ((the participant reaches)) you reach age seventy and one-half; or

(ii) The calendar year in which ((the participant)) you retire(s).

(c) If ((a participant does)) you do not make a timely choice of distribution date, the department will begin distribution ((in accordance with)) according to the minimum distribution requirements in IRC Section 401(a)(9).

(2) **Method of distribution.** ~~((The participant may))~~ You must choose a distribution method (amount and frequency) from the payment options outlined in the *DCP Dis-*

tribution Booklet. Payment options include a lump sum payment, periodic payments, or an annuity purchase.

(a) Periodic payments must be at least fifty dollars per month (if paid monthly) or six hundred dollars per year.

(b) Beginning at age seventy and one-half or when you terminate employment, whichever comes later, payment must be in an amount to satisfy minimum distribution requirements in IRC Section 401(a)(9).

(3) ~~((If the participant is rehired and reenrolls in the department's deferred compensation plan, the department will stop distribution to the participant and/or void any choices of distribution date and method made prior to reenrollment.~~

(4)) **Voluntary in-service distribution.** ~~((An active participant))~~ You may choose to ((receive an in-service distribution of)) withdraw the total amount payable to ((the participant)) you under the plan while you are employed if the following three requirements are met:

(a) The total amount payable to ((the participant)) you does not exceed five thousand dollars;

(b) ~~((The participant has))~~ You have not previously received an in-service distribution; and

(c) ~~((The participant's))~~ Your deferrals have been suspended during the preceding two-year period ending on the date of the in-service distribution.

(4) **Unforeseeable emergencies.** See WAC 415-501-510.

(5) **Rehire.** If you terminate and then return to employment for an eligible employer, you may reenroll in the plan. The department will stop your distribution, if applicable, and void any choices of distribution date and method made prior to reenrollment.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-486 ~~((Distribution in the event of participant's death.))~~ **How will my accumulated deferrals be distributed in the event of my death?** If ((the participant dies)) you die before ((the)) your entire deferred compensation account has been distributed, accumulated deferrals ((shall)) will be paid to the beneficiary or beneficiaries you have designated ((by the participant pursuant)) according to WAC 415-501-480. If no beneficiary is designated or if the designated beneficiary does not survive ((the participant)) you by a period of thirty days, ((then)) accumulated deferrals ((shall)) will be paid to ((the participant's)) your surviving spouse, if any. If ((the participant has no)) you do not have a surviving spouse, the accumulated deferrals ((shall)) will be paid to ((the participant's)) your estate. Provisions regarding distribution to various classes of beneficiaries are set forth in WAC ((415-501-491)) 415-501-487 through 415-501-494.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-487 ~~((Distribution in the event of beneficiary's death.))~~ **If my beneficiary dies while receiving my accumulated deferrals, who will get the remainder of the account?** ((If a beneficiary becomes entitled to receive accumulated contributions under WAC 415-501-486 but dies

before the participant's account is fully distributed, accumulated deferrals shall become payable to the beneficiary's estate)) If your beneficiary dies while receiving distributions, any remaining balance will be paid to your beneficiary's estate. Distribution will take place in the second month following the notification of the beneficiary's death, unless benefits are being paid under an annuity you purchased ((by the participant)). If benefits were being paid under an annuity, distribution ((shall)) will be governed by the terms of the annuity contract.

NEW SECTION

WAC 415-501-488 How will the account be distributed if my beneficiary is my spouse? If you die before the entire account has been exhausted, your spouse beneficiary will receive your accumulated deferrals according to the provisions of this section.

(1) **Date of distribution.** Your spouse beneficiary may choose the date on which to begin receiving the distribution, provided:

(a) The spouse beneficiary notifies the department of the distribution date within ninety days from the date the department is notified of your death.

(b) The department receives the election form at least thirty days before distribution is to begin.

(c) Distribution begins on or before the first day of April of the calendar year following the latter of:

(i) The year you would have reached age seventy and one-half; or

(ii) The calendar year in which you die.

If the beneficiary does not make a timely choice of distribution date, the department will begin distribution according to the minimum distribution requirements in IRC 401 (a)(9).

(2) **Method of distribution.** The spouse beneficiary must choose a distribution method from the payment options outlined in the *DCP Distribution Booklet*, which will be mailed to your beneficiary when the department is notified of your death. Payment options include a lump sum payment or periodic payments, provided:

(a) The amount and frequency allows for distribution of the entire account balance during the beneficiary's life expectancy, as computed by the Department of Treasury in IRS Regulation 1.72.9; and

(b) Periodic distributions made by the department are at least fifty dollars per month, if paid monthly, or six hundred dollars per year.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-491 ~~((Distribution to a beneficiary, if distribution to the participant has previously begun.))~~ **How will the account be distributed if my beneficiary is not my spouse?** ~~If ((a participant dies after distribution has begun but)) you die before the entire account has been exhausted((, the participant's beneficiary(ies) must receive distribution at least as rapidly as was being paid to the participant. The options for distribution are set forth in the department's DCP Distribution Booklet. The booklet will be mailed~~

~~to beneficiaries upon the notification of the death of a participant)) and your beneficiary is not your spouse, your accumulated deferrals will be distributed according to the provisions of this section.~~

(1) **Date of distribution.** ~~((A beneficiary must choose a distribution date that is not less than ninety days from the date the department receives notification of the participant's death.))~~ A nonspouse beneficiary may choose the date on which to begin receiving the distribution, provided:

(a) The beneficiary notifies the department of the distribution date within ninety days from the date the department is notified of your death.

(b) The department receives the election form at least thirty days before distribution is to begin.

(c) Distribution begins on or before the first day of April of the calendar year following the latter of:

(i) The year you would have reached age seventy and one-half; or

(ii) The calendar year in which you die.

If the beneficiary does not make a timely choice of distribution date, the department will begin distribution according to the minimum distribution requirements in IRC 401 (a)(9).

(2) **Method of distribution.** ~~((Subject to the requirements of (a) through (d) of this subsection, the))~~ A nonspouse beneficiary ((may)) must choose a distribution method ((amount and frequency)) from the payment options outlined in the *DCP Distribution Booklet*, which will be mailed to your beneficiary when the department is notified of your death. ((Payment options include)) Your beneficiary may choose a lump sum payment or periodic payments.

(a) ~~((The beneficiary must choose an amount and frequency that allows for distribution of the entire DCP account during the beneficiary's projected life expectancy.~~

~~(b) Distribution must continue in an amount that is at least equivalent to the amount previously received by the participant.~~

~~(c) Periodic payments must be at least fifty dollars per month (if paid monthly) or six hundred dollars per year.~~

~~(d) Life expectancies will be computed by the Department of the Treasury and set forth in IRS Regulation 1.72.9.))~~ If the nonspouse beneficiary begins distribution by the thirty-first day of December of the year following your death:

(i) The amount and frequency must allow for distribution of the entire account balance during the beneficiary's life expectancy, as computed by the Department of Treasury in IRS Regulation 1.72.9; and

(ii) Periodic distributions made by the department must be at least fifty dollars per month, if paid monthly, or six hundred dollars per year.

(b) If the nonspouse beneficiary does not begin distribution by the thirty-first day of December of the year following the year of your death, the entire account balance must be paid out within five years from the date of your death.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-493 ~~((Distribution to an organization, estate, or trust as beneficiary.))~~ **How will my accumulated**

deferrals be distributed if my beneficiary is an organization, estate, or trust? If ~~((the participant's))~~ your beneficiary is an organization, estate, or trust, the department will make the distribution as a lump sum in the second month following the ~~((notification of the participant's death))~~ receipt of all required information.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-494 ~~((Distribution to minor beneficiaries))~~ **How will the account be distributed if my beneficiary is a minor?** (1) The department will distribute deferred compensation funds on behalf of a minor beneficiary only ~~((if it receives))~~ upon proof that the minor has either a court-appointed guardian or a custodian designated in compliance with RCW 11.114.030.

(2) If the department does not receive the proof in subsection (1) of this section, or if the guardian or custodian is unable or unwilling to serve, the department will request a court of competent jurisdiction to establish a guardianship under chapters 11.88 and 11.92 RCW. The department will make this request no sooner than one hundred eighty days after notification of ~~((the participant's))~~ your death, regardless of the amount at issue.

(3) After a guardianship or custodianship has been established, either by prior designation or by court order, the department will transfer the deferred compensation funds to the named guardian or custodian.

(4) If ~~((a participant has))~~ you have more than one minor beneficiary, a separate custodianship must be established for each minor. Each minor's interest must be determined in accordance with the governing instrument and applicable law. Only one person may be the custodian for each minor.

(5) ~~((Written confirmation from the guardian or custodian that the funds have been delivered))~~ Disbursement of funds to the guardian or custodian on behalf of the minor discharges the department from further liability ~~((for the deferred compensation funds transferred to the guardian or custodian on behalf of the minor))~~.

(6) The guardian or custodian may choose a deferred compensation distribution date and method on behalf of the minor, consistent with the requirements of this chapter.

AMENDATORY SECTION (Amending WSR 02-12-084, filed 6/4/02, effective 7/5/02)

WAC 415-501-495 **Will the department honor domestic relations orders?** (1) The department will honor ~~((certain))~~ a domestic relations order(s) (DRO) only if the order:

(a) Was entered by a court of competent jurisdiction.

~~((2) The department will honor a DRO only if it:~~

~~((a))~~ (b) Establishes a right of a ~~((spouse or))~~ former spouse to a portion of ~~((a participant's))~~ your deferred compensation account pursuant to a division of property;

~~((b))~~ (c) Clearly states either the dollar amount or a percentage of the account to be transferred to the account of the ~~((spouse or))~~ former spouse from ~~((the participant's))~~ your account; and

~~((e))~~ (d) Provides ~~((the))~~ your name and date of birth ~~((of the participant)), and ((the spouse or))~~ the name and date of birth of your former spouse.

~~((3))~~ (2) You must provide the address and Social Security number of both you and your ~~((separated or))~~ former spouse to the department ~~((before the department will honor a DRO))~~. This information ~~((can))~~ may be submitted in a cover letter, in another document, or by other means arranged with the department.

~~((4))~~ (3) To implement a DRO, the department will establish a separate account for the ~~((spouse or))~~ former spouse in the amount specified in subsection ~~((2(b)))~~ (1)(c) of this section. The amount will initially be invested in the savings pool. Thereafter, the ~~((spouse or))~~ former spouse may provide investment instructions under WAC 415-501-450.

~~((5) The participant's spouse or))~~ (4) Your former spouse may choose a method of distribution, including a direct rollover.

~~((6))~~ (5) If a DRO filed with the department prior to January 1, 2002, provides that distribution to the former spouse is not available until ~~((the participant))~~ you separate(s) from service, the department will comply with the express terms of the order unless it is subsequently amended.

(6) If the former spouse has not elected another method of distribution by age seventy and one-half, the department will begin distribution in accordance with the minimum distribution requirements in IRC 401 (a)(9).

(7) If the former spouse dies before the account is fully distributed, the remaining balance will be paid to the former spouse's estate.

AMENDATORY SECTION (Amending WSR 02-02-059, filed 12/28/01, effective 1/1/02)

WAC 415-501-510 ~~((Unforeseeable emergency))~~ **May I have some or all of my accumulated deferrals in the event of an unforeseeable emergency?** (1) ~~((Distribution request))~~ Notwithstanding any other provisions in ~~((plan chapter 415-501 WAC, in the event of an unforeseeable emergency, a participant))~~ this chapter, you may request ~~((the department to distribute))~~ all or a portion of your accumulated deferrals in the event of an unforeseeable emergency. ~~((If the request is approved by the department,))~~ Distribution will be made within sixty days following ~~((such an approval))~~ the department's approval of your request. The amount paid ~~((shall))~~ will be limited strictly to that amount reasonably necessary to satisfy the emergency need.

(2) For purposes of this plan, an unforeseeable emergency ~~((shall be))~~ is severe financial hardship to ~~((the participant))~~ you resulting from:

(a) A ~~((sudden and unexpected))~~ personal illness or accident ~~((of the participant or of a))~~ or the illness or injury of a spouse or dependent ~~((as defined))~~ who meets the definition in Section 152(a) of the Internal Revenue Code ~~((of the participant,))~~;

(b) Loss of ~~((the participant's))~~ your property due to casualty, including the need to rebuild a home following damage not otherwise covered by homeowner's insurance, e.g., as a result of natural disaster; or

(c) Other similar extraordinary and unforeseeable circumstances arising as a result of events beyond ~~((the)) your control ((of the participant))~~.

(3) The circumstances that ~~((will))~~ constitute an unforeseeable emergency ~~((will))~~ depend upon the facts of each case, but, in ~~((any)) no case ((, distribution shall not be made to the extent that such))~~ will the department approve a distribution request if the financial hardship is or may be relieved:

(i) Through reimbursement or compensation by insurance or otherwise;

(ii) By liquidation of ~~((the participant's)) your~~ assets, to the extent liquidation of such assets would not itself cause severe financial hardship; or

(iii) By cessation of deferrals under the plan.

(4) Examples ~~((of what shall not be considered to be unforeseeable emergencies include the need to send a participant's child to college or the desire to purchase a home.~~

~~A divorce does not constitute an "unforeseeable emergency" or "severe financial hardship."~~

(2) Applications for review. All applications for review of decisions on requests for distribution of accumulated deferrals due to an unforeseeable emergency shall follow the procedure established in WAC 415-08-015.

(3) Mandatory suspension:-)

(a) The following types of occurrences are not considered unforeseeable emergencies:

(i) Sending your child to college; or

(ii) Purchasing a home.

(b) The following types of occurrences may be considered unforeseeable emergencies, depending on the facts in each case:

(i) Imminent foreclosure of or eviction from your primary residence;

(ii) Medical expenses, including nonrefundable deductibles, and/or the cost of prescription drug medication;

(iii) Funeral expenses of your spouse or a dependent as defined in Section 152(a) of the Internal Revenue Code; and

(iv) Extraordinary expenses resulting from a divorce.

(5) If the department denies your request for distribution, you may request a review of that decision according to the provisions of WAC 415-08-015.

(6) Unforeseeable emergency requests received by the department, whether approved or denied, will cause a mandatory suspension ((of the participant as established in WAC 415-501-470)) of deferrals to the plan. You may not resume deferrals sooner than six months from the date of suspension.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-520 ((Leave of absence.)) **May I stay in the plan if I am on a leave of absence?** If ~~((a participant is)) you are~~ on an approved leave of absence from the employer, participation in this plan ~~((shall)) will~~ continue.

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-530 ((Termination of plan.)) **What happens if the plan is terminated?** The ~~((employer or the department may at any time)) legislature may~~ terminate this

plan at any time. Upon such termination, accumulated deferrals will be ~~((paid pursuant to this chapter)) distributed to all plan participants and beneficiaries as soon as administratively possible~~. The participants' deferrals will cease.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-540 ((Amendment of plan.)) **Does the department have the right to amend the plan?** To the extent not inconsistent with state and federal law, the department may amend the provisions of this plan at any time~~((= Provided, however, That))~~. No amendment ((shall)) will affect the rights of participants or their beneficiaries regarding accumulated deferrals at the time of the amendment.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-550 ((Retirement and Social Security not reduced.)) **Will my retirement benefit be affected by the amount of compensation I defer?** ~~((It is intended that, pursuant to Section 457 of the Internal Revenue Code, the amount of deferred compensation will not be considered as current compensation for purposes of federal income taxation. Such amounts will, however, be included as compensation in determining benefits or rights under the employer's group insurance, other retirement plans and FICA. Distributions under this plan will supplement retirement and death benefits payable under the employer's group insurance and other retirement plans.))~~ Deferred amounts are included as compensation in determining benefits or rights under the employer's group insurance and retirement plans.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-560 ((Assets in lieu of cash.)) **May I receive assets in lieu of cash?** Upon the occurrence of any event requiring the distribution of accumulated deferrals under this plan, the department may, in its sole discretion, elect to honor a request from the participant to substitute the transfer in kind and assignment of any asset ~~((which)) that~~ the employer has acquired, at fair market value.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-570 ((Accumulated deferrals not assignable.)) **May I transfer or assign my accumulated deferrals?** Neither ~~((the participant, nor the participant's beneficiary or)) You, your~~ beneficiaries, nor any other designee, has any right to sell, assign, transfer, commute, or otherwise convey the right to receive any distributions under the plan. These distributions and right thereto are nonassignable and nontransferable. Unpaid accumulated deferrals are not subject to attachment, garnishment, or execution and are not transferable by operation of law in event of bankruptcy or insolvency, except to the extent otherwise required by law. In the event of any attempt to assign or transfer, the state investment board and the department will have no liability.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-580 ~~((Plan assets.))~~ How are the plan's assets protected for the exclusive benefit of participants and beneficiaries? Despite any contrary provision of the plan, in accordance with Section 457(g) of the Internal Revenue Code, all compensation deferred under the plan, all property and rights purchased with such compensation, and all income attributable to such compensation, property, or rights ~~((shall))~~ will be held in trust for the exclusive benefit of participants and beneficiaries under the plan. Any trust under the plan ~~((shall))~~ will be established under the laws of Washington.

All amounts of compensation deferred under the plan ~~((shall))~~ will be transferred to a trust established under the plan within a period that is not longer than is reasonable for the proper administration of the accounts of participants. Under RCW 41.50.780(4) the state investment board is made trustee of state deferred compensation plan assets.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-590 ~~((Participation by department officers and employees and members of the employee retirement benefits board.))~~ Are department officers and employees and members of the employee retirement benefits board eligible to participate in the plan? Department officers and employees and members of the employee retirement benefits board, who are otherwise eligible, may participate in the plan under the same terms and conditions as apply to other participants ~~((; but)).~~ Such officers, employees, or board members ~~((shall))~~ may not participate in any department or board action uniquely affecting their own participation.

EMPLOYER ~~((PARTICIPATION))~~ CONTRIBUTIONS

AMENDATORY SECTION (Amending WSR 02-01-121, filed 12/19/01, effective 1/1/02)

WAC 415-501-600 ~~((Employer contributions.))~~ Is my employer allowed to contribute to my deferred compensation account? The employer may, pursuant to WAC 415-501-450 ~~((or 415-501-470)),~~ add additional deferred compensation for services ~~((to be rendered by the employee))~~ you provided to the employer during any calendar month, provided:

(1) ~~((The employee has))~~ You elected to have such additional compensation deferred ~~((, invested, and distributed.))~~ pursuant to this plan, prior to the calendar month in which the compensation is earned; and

(2) Such additional deferred compensation, when added to all other deferred compensation under the plan, does not exceed the maximum deferral permitted by this chapter.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-610 ~~((Investment responsibility.))~~ What is the state investment board's responsibility regarding investments? Action by the state investment board as plan trustee or by the department as plan administrator ~~((will not be considered))~~ is not an endorsement or guarantee of any investment. Such action will not be considered to attest to the financial soundness or the suitability of any investment for the purpose of meeting future obligations.

~~((APPLICABLE LAW))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 415-501-020	Separate plan.
WAC 415-501-305	Department to interpret.
WAC 415-501-310	Administered by department.
WAC 415-501-350	Department and employee retirement benefits board actions.
WAC 415-501-360	Plan prevails.
WAC 415-501-470	Suspension and reinstatement of deferrals.
WAC 415-501-492	Distribution to a beneficiary, if distribution to the participant has not begun.
WAC 415-501-710	Plan to conform to state law.
WAC 415-501-720	Plan to conform to federal law.

WSR 04-19-033
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 9, 2004, 1:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-13-130.

Title of Rule and Other Identifying Information: Chapter 296-17 WAC, General reporting rules, classifications, audit and record keeping, rates and rating system for Washington workers' compensation insurance (2005 workers' compensation premium rates).

This rule proposal will amend the premium rates for workers' compensation insurance classifications for calendar year 2005 and modifications to the related experience rating and retrospective rating plans. An overall 3.7% general increase in the premium rates is proposed. The 3.7% general rate increase is necessary to maintain the solvency of the state

fund. This is the result of changes in loss experience, investment income, medical inflation, and the overall status of the contingency reserve.

WAC sections being amended are WAC 296-17-855 Experience modification, 296-17-875 Table I primary losses for selected claim values, 296-17-880 Table II "B" and "W" values, 296-17-885 Table III expected loss rates and D ratios, 296-17-890 Table IV maximum experience modifications, 296-17-895 Base rate table by class of industry, and 296-17-90492 Table I retrospective rating plans A, A1, A2, A3, and B, standard premium size ranges.

Hearing Location(s): All hearings begin at 3:00 p.m.: On November 3, 2004, at the Westcoast Ridpath, Inland Empire Room, 515 West Sprague, Spokane, WA, (509) 838-2711; on November 4, 2004, at the Red Lion Hotel, Yakima Center, 607 East Yakima Avenue, Yakima, WA, (509) 248-5900; on November 5, 2004, at the Best Western Cottontree Inn, Fidalgo Room, 2401 Riverside Drive, Mount Vernon, WA, (360) 428-5678; on November 8, 2004, at the Department of Labor and Industries, Tumwater Office, Auditorium, Tumwater, Washington; on November 9, 2004, at the Department of Labor and Industries, Tukwila Office, 12806 Gateway Drive, Tukwila, WA; on November 10, 2004, at the King Oscar Convention Center, 8820 Hosmer, Tacoma, WA, (253) 539-1153; and on November 12, 2004, at the Red Lion at the Quay, 100 Columbia Street, Vancouver, WA, (360) 694-8341.

Date of Intended Adoption: November 23, 2004.

Submit Written Comments to: Department of Labor and Industries, Kathy Kimbel, Program Manager for Employer Services, P.O. Box 44140, Olympia, WA 98504-4140, or e-mail LANZ235@LNI.WA.GOV, fax (360) 902-4729, by November 15, 2004, 12 noon.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by November 12, 2004, TTY (360) 902-5797.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal will amend the risk classification premium base rates, experience rating and retrospective rating tables to reflect updated loss experience, and provide a 3.7% general rate increase effective January 1, 2005. This proposal specifically amends sections WAC 296-17-855, 296-17-875, 296-17-880, 296-17-885, 296-17-890, 296-17-895, and 296-17-90492.

Reasons Supporting Proposal: Insurance base rates and experience rating tables are being modified to reflect changes in loss data associated with the classification and rating plan from the previous 2004 rating period. Washington law provides that rates should be adjusted annually to reflect the hazards of each industry and in accordance with the rating plan. Similarly the rating plan is revised to recognize changes within the industry groups.

Statutory Authority for Adoption: RCW 51.16.035 Base rates, 51.32.073 Supplemental pension, 51.18.010 Retrospective rating, and 51.04.020(1) General authority.

Statute Being Implemented: RCW 51.16.035, 51.32.073, 51.18.010, and 51.04.020(1).

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The purpose of this proposal is to establish 2005 premium rates and experience rating parameters for calendar year 2005. Washington law (RCW 51.16.035, 51.32.073, 51.18.010, and 51.04.020) requires labor and industries to adjust rates to ensure solvency of the accident, medical aid, and supplemental pension funds. RCW 51.16.035 also provides that premium rates charged to industry vary by hazard. Labor and industries is proposing to adjust each industry risk classification to reflect more current loss experience, and is proposing an overall increase to workers' compensation insurance premium rates of 3.7% beginning January 1, 2005.

Name of Proponent: Department of Labor and Industries, governmental.

Name of Agency Personnel Responsible for Drafting: Tammy Turner, Tumwater, Washington, (360) 902-4777; Implementation: Kathy Kimbel, Tumwater, Washington, (360) 902-4739; and Enforcement: Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Regulatory Fairness Act (RFA), chapter 19.85 RCW requires the agency to prepare a small business economic impact statement (SBEIS) if the proposed rule will have a disproportionate impact on the state's small businesses because of the size of those businesses. In this case the agency is exempt from conducting an SBEIS when the proposed rules set or adjust fees or rates pursuant to legislative standards RCW 34.05.310 (4)(f).

A cost-benefit analysis is not required under RCW 34.05.328. The Administrative Procedure Act (APA), chapter 34.05 RCW, requires the agency to prepare a cost/benefit analysis (CBA) prior to adopting a "significant legislative rule." The CBA determines whether the probable benefits of the rule are greater than its probable costs. This takes into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being implemented. In this case, the agency is exempt from conducting a CBA when the proposed rules set or adjust fees or rates pursuant to legislative standards RCW 34.05.328 (5)(b)(vi).

September 9, 2004

Paul Trause
Director

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

WAC 296-17-855 Experience modification. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance, due consideration being given to the volume of the employer's experience. Except for those employers who qualify for an adjusted experience modification as specified in WAC 296-17-860 or 296-17-865, the experience modification shall be calculated from the formula:

PROPOSED

$$\text{MODIFICATION} = \frac{\text{Ap} + \text{WAe} + (1-\text{W}) \text{Ee} + \text{B}}{\text{E} + \text{B}}$$

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

The components Ap, WAe, and (1-W) Ee are values which shall be charged against an employer's experience record. The component, E, shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

"Ap" signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ((\$15,092)) \$17,124 the primary actual loss shall be determined from the formula:

$$\text{PRIMARY LOSS} = \frac{((37,730)) 42,810}{\text{Total loss} + ((22,638)) 25,686} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ((\$15,092)) \$17,124 the full value of the claim shall be considered a primary loss.

"Ae" signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

"W" signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol "WAe" in the experience modification formula. W values are set forth in Table II.

"E" signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

"Ee" signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by "(1-W) Ee" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

WAC 296-17-875 Table I.
Primary Losses for Selected Claim Values
Effective January 1, 2005

CLAIM VALUE	PRIMARY LOSS
((15,092	15,092
16,669	16,000
20,653	18,000
25,536	20,000
31,662	22,000
39,571	24,000
50,178	26,000
65,145	28,000
87,858	30,000
100,000	30,765
150,000	32,782
211,599*	34,084
300,000	35,083
377,300**	35,594))
17,124	17,124
18,636	18,000
22,522	20,000
27,155	22,000
32,773	24,000
39,728	26,000
48,562	28,000
60,155	30,000
76,036	32,000
100,000	34,061
150,000	36,551
209,345*	38,131
300,000	39,434
428,100**	40,387

* Average death value
** Maximum claim value

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

WAC 296-17-880 Table II.

(("B" and "W" Values
Maximum Claim Value - \$377,300
Average Death Value - \$211,599

Expected Losses	B	W
8,174 & Under	71,188	0.00
8,175 - 16,471	70,476	0.01
16,472 - 24,892	69,764	0.02
24,893 - 33,440	69,052	0.03

	Expected Losses	B	W	Expected Losses	B	W			
33,441	-	42,119	68,340	0.04	674,118	696,244	34,882	0.51	
42,120	-	50,932	67,629	0.05	696,245	-	718,965	34,170	0.52
50,933	-	59,882	66,917	0.06	718,966	-	742,306	33,458	0.53
59,883	-	68,973	66,205	0.07	742,307	-	766,294	32,746	0.54
68,974	-	78,208	65,493	0.08	766,295	-	790,957	32,035	0.55
78,209	-	87,592	64,781	0.09	790,958	-	816,324	31,323	0.56
87,593	-	97,128	64,069	0.10	816,325	-	842,426	30,611	0.57
97,129	-	106,820	63,357	0.11	842,427	-	869,299	29,899	0.58
106,821	-	116,672	62,645	0.12	869,300	-	896,976	29,187	0.59
116,673	-	126,689	61,934	0.13	896,977	-	925,496	28,475	0.60
126,690	-	136,875	61,222	0.14	925,497	-	954,899	27,763	0.61
136,876	-	147,235	60,510	0.15	954,900	-	985,227	27,051	0.62
147,236	-	157,774	59,798	0.16	985,228	-	1,016,526	26,340	0.63
157,775	-	168,497	59,086	0.17	1,016,527	-	1,048,845	25,628	0.64
168,498	-	179,408	58,374	0.18	1,048,846	-	1,082,236	24,916	0.65
179,409	-	190,513	57,662	0.19	1,082,237	-	1,116,753	24,204	0.66
190,514	-	201,819	56,950	0.20	1,116,754	-	1,152,456	23,492	0.67
201,820	-	213,330	56,239	0.21	1,152,457	-	1,189,409	22,780	0.68
213,331	-	225,053	55,527	0.22	1,189,410	-	1,227,689	22,068	0.69
225,054	-	236,994	54,815	0.23	1,227,681	-	1,267,342	21,356	0.70
236,995	-	249,159	54,103	0.24	1,267,343	-	1,308,474	20,645	0.71
249,160	-	261,556	53,391	0.25	1,308,475	-	1,351,160	19,933	0.72
261,557	-	274,192	52,679	0.26	1,351,161	-	1,395,492	19,221	0.73
274,193	-	287,073	51,967	0.27	1,395,493	-	1,441,570	18,509	0.74
287,074	-	300,207	51,255	0.28	1,441,571	-	1,489,498	17,797	0.75
300,208	-	313,604	50,543	0.29	1,489,499	-	1,539,395	17,085	0.76
313,605	-	327,270	49,832	0.30	1,539,396	-	1,591,384	16,373	0.77
327,271	-	341,215	49,120	0.31	1,591,385	-	1,645,602	15,661	0.78
341,216	-	355,447	48,408	0.32	1,645,603	-	1,702,199	14,949	0.79
355,448	-	369,977	47,696	0.33	1,702,200	-	1,761,336	14,238	0.80
369,978	-	384,813	46,984	0.34	1,761,337	-	1,822,191	13,526	0.81
384,814	-	399,967	46,272	0.35	1,822,192	-	1,887,956	12,814	0.82
399,968	-	415,449	45,560	0.36	1,887,957	-	1,955,847	12,102	0.83
415,450	-	431,271	44,848	0.37	1,955,848	-	2,027,096	11,390	0.84
431,272	-	447,444	44,137	0.38	2,027,097	-	2,101,963	10,678	0.85
447,445	-	463,981	43,425	0.39	2,101,964	-	2,180,733	9,966	0.86
463,982	-	480,895	42,713	0.40	2,180,734	-	2,263,722	9,254	0.87
480,896	-	498,199	42,001	0.41	2,263,723	-	2,351,282	8,543	0.88
498,200	-	515,908	41,289	0.42	2,351,283	-	2,443,804	7,831	0.89
515,909	-	534,037	40,577	0.43	2,443,805	-	2,541,728	7,119	0.90
534,038	-	552,601	39,865	0.44	2,541,729	-	2,645,543	6,407	0.91
552,602	-	571,617	39,153	0.45	2,645,544	-	2,755,802	5,695	0.92
571,618	-	591,102	38,442	0.46	2,755,803	-	2,873,128	4,983	0.93
591,103	-	611,075	37,730	0.47	2,873,129	-	2,998,229	4,271	0.94
611,076	-	631,555	37,018	0.48	2,998,230	-	3,131,908	3,559	0.95
631,556	-	652,562	36,306	0.49	3,131,909	-	3,275,085	2,848	0.96
652,563	-	674,117	35,594	0.50	3,275,086	-	3,428,815	2,136	0.97

Expected Losses	B	W
3,428,816 - 3,594,315	1,424	0.98
3,594,316 - 3,772,999	712	0.99
3,773,000 & Over	0	1.00))

Expected Losses	B	W
471,387	489,338	50.888
489,339	507,689	50.080
507,690	526,453	49.272
526,454	545,644	48.464
545,645	565,278	47.657
565,279	585,371	46.849
585,372	605,941	46.041
605,942	627,004	45.233
627,005	648,580	44.426
648,581	670,689	43.618
670,690	693,351	42.810
693,352	716,588	42.002
716,589	740,424	41.195
740,425	764,881	40.387
764,882	789,987	39.579
789,988	815,767	38.772
815,768	842,251	37.964
842,252	869,469	37.156
869,470	897,452	36.348
897,453	926,235	35.541
926,236	955,852	34.733
955,853	986,343	33.925
986,344	1,017,746	33.117
1,017,747	1,050,106	32.310
1,050,107	1,083,468	31.502
1,083,469	1,117,880	30.694
1,117,881	1,153,393	29.886
1,153,394	1,190,063	29.079
1,190,064	1,227,949	28.271
1,227,950	1,267,114	27.463
1,267,115	1,307,624	26.655
1,307,625	1,349,553	25.848
1,349,554	1,392,976	25.040
1,392,977	1,437,978	24.232
1,437,979	1,484,648	23.424
1,484,649	1,533,082	22.617
1,533,083	1,583,383	21.809
1,583,384	1,635,664	21.001
1,635,665	1,690,046	20.194
1,690,047	1,746,661	19.386
1,746,662	1,805,650	18.578
1,805,651	1,867,168	17.770
1,867,169	1,931,385	16.963
1,931,386	1,998,484	16.155
1,998,485	2,068,667	15.347
2,068,668	2,142,153	14.539
2,142,154	2,219,184	13.732

"B" and "W" Values
Effective January 1, 2005

Maximum Claim Value = \$428,100
Average Death Value = \$209,345

Expected Losses	B	W
9,275 & Under	80,774	0.00
9,276	79,966	0.01
18,690	79,159	0.02
28,244	78,351	0.03
37,944	77,543	0.04
47,791	76,735	0.05
57,790	75,928	0.06
67,946	75,120	0.07
78,261	74,312	0.08
88,740	73,504	0.09
99,387	72,697	0.10
110,206	71,889	0.11
121,203	71,081	0.12
132,382	70,273	0.13
143,748	69,466	0.14
155,306	68,658	0.15
167,061	67,850	0.16
179,018	67,042	0.17
191,184	66,235	0.18
203,565	65,427	0.19
216,166	64,619	0.20
228,993	63,811	0.21
242,054	63,004	0.22
255,355	62,196	0.23
268,904	61,388	0.24
282,708	60,581	0.25
296,774	59,773	0.26
311,110	58,965	0.27
325,726	58,157	0.28
340,629	57,350	0.29
355,829	56,542	0.30
371,335	55,734	0.31
387,157	54,926	0.32
403,306	54,119	0.33
419,792	53,311	0.34
436,626	52,503	0.35
453,821	51,695	0.36

PROPOSED

Expected Losses	B	W	0403	1.4527	1.4331	1.3188	0.561
2,219,185 = 2,300,027	12,924	0.84	0502	1.3338	1.3069	1.1824	0.434
2,300,028 = 2,384,974	12,116	0.85	0504	1.1259	1.1062	1.0086	0.447
2,384,975 = 2,474,349	11,308	0.86	0506	1.4685	1.4426	1.3150	0.452
2,474,350 = 2,568,512	10,501	0.87	0507	2.5823	2.5369	2.3128	0.453
2,568,513 = 2,667,861	9,693	0.88	0508	1.8148	1.7754	1.6008	0.386
2,667,862 = 2,772,841	8,885	0.89	0509	1.3736	1.3452	1.2150	0.435
2,772,842 = 2,883,949	8,077	0.90	0510	1.3483	1.3250	1.2080	0.468
2,883,950 = 3,001,741	7,270	0.91	0511	1.4655	1.4391	1.3086	0.481
3,001,742 = 3,126,846	6,462	0.92	0512	1.1134	1.0942	0.9968	0.502
3,126,847 = 3,259,969	5,654	0.93	0513	0.7759	0.7621	0.6936	0.472
3,259,970 = 3,401,913	4,846	0.94	0514	1.4041	1.3807	1.2605	0.497
3,401,914 = 3,553,591	4,039	0.95	0516	1.3483	1.3250	1.2080	0.468
3,553,592 = 3,716,046	3,231	0.96	0517	1.4720	1.4479	1.3246	0.469
3,716,047 = 3,890,474	2,423	0.97	0518	1.4650	1.4373	1.3054	0.436
3,890,475 = 4,078,257	1,615	0.98	0519	1.5395	1.5119	1.3766	0.454
4,078,258 = 4,280,999	808	0.99	0521	0.5834	0.5734	0.5235	0.439
4,281,000 & Over	0	1.00	0540	0.0193	0.0189	0.0172	0.457
			0541	0.0104	0.0101	0.0093	0.441
			0550	0.0268	0.0261	0.0235	0.369
			0551	0.0142	0.0139	0.0125	0.398
			0601	0.5223	0.5138	0.4691	0.511
			0602	0.5704	0.5616	0.5135	0.576
			0603	0.8753	0.8578	0.7763	0.437
			0604	0.8246	0.8131	0.7486	0.508
			0606	0.3977	0.3929	0.3630	0.581
			0607	0.3697	0.3646	0.3355	0.551
			0608	0.3092	0.3046	0.2794	0.515
			0701	1.7557	1.7135	1.5343	0.362
			0803	0.4137	0.4082	0.3756	0.571
			0901	1.4195	1.3922	1.2631	0.436
			1002	0.9122	0.8984	0.8239	0.494
			1003	0.7453	0.7339	0.6731	0.497
			1004	0.4327	0.4259	0.3895	0.531
			1005	6.5172	6.3978	5.8169	0.450
			1007	0.3073	0.3023	0.2765	0.500
			1101	0.5726	0.5649	0.5198	0.552
			1102	1.1147	1.0953	0.9975	0.485
			1103	0.9738	0.9583	0.8783	0.441
			1104	0.4624	0.4570	0.4229	0.551
			1105	0.8783	0.8642	0.7914	0.460
			1106	0.3150	0.3114	0.2886	0.549
			1108	0.5324	0.5256	0.4843	0.576
			1109	1.0862	1.0708	0.9849	0.510
			1301	0.5573	0.5493	0.5027	0.628
			1303	0.2022	0.1997	0.1840	0.623
			1304	0.0218	0.0215	0.0197	0.565
			1305	0.3250	0.3207	0.2954	0.555

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

WAC 296-17-885 Table III.

Expected Loss Rates and D-Ratios for Indicated Fiscal Year

Expected Loss Rates in Dollars Per Worker Hour Effective January 1, ((2004)) 2005

((Class	2000	2001	2002	D-Ratio	0608	0701	0803	0901	1002	1003	1004	1005	1007	1101	1102	1103	1104	1105	1106	1108	1109	1301	1303	1304	1305
0101	1.2052	1.1820	1.0720	0.444	0.3092	1.7557	0.4137	1.4195	0.9122	0.7453	0.4327	6.5172	0.3073	0.5726	1.1147	0.9738	0.4624	0.8783	0.3150	0.5324	1.0862	0.5573	0.2022	0.0218	0.3250
0103	1.4096	1.3857	1.2638	0.487	0.3046	1.7135	0.4082	1.3922	0.8984	0.7339	0.4259	6.3978	0.3023	0.5649	1.0953	0.9583	0.4570	0.8642	0.3114	0.5256	1.0708	0.5493	0.1997	0.0215	0.3207
0104	0.8539	0.8384	0.7629	0.448	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0105	1.2116	1.1933	1.0935	0.521	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0107	1.0144	0.9960	0.9067	0.444	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0108	0.8539	0.8384	0.7629	0.448	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0112	0.6281	0.6174	0.5633	0.478	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0201	2.1498	2.1073	1.9097	0.419	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0202	2.9972	2.9383	2.6660	0.390	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0210	1.0985	1.0759	0.9733	0.397	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0212	1.0054	0.9865	0.8961	0.440	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0214	1.1143	1.0925	0.9902	0.433	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0217	1.0190	1.0006	0.9100	0.467	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0219	0.9297	0.9151	0.8388	0.463	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0301	0.4954	0.4887	0.4498	0.543	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0302	1.6598	1.6247	1.4658	0.415	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0303	1.5942	1.5620	1.4128	0.431	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0306	0.8911	0.8742	0.7931	0.465	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0307	0.7988	0.7851	0.7158	0.491	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954
0308	0.4764	0.4703	0.4339	0.564	0.2794	1.5343	0.3756	1.2631	0.8239	0.6731	0.3895	5.8169	0.2765	0.5198	0.9975	0.8783	0.4229	0.7914	0.2886	0.4843	0.9849	0.5027	0.1840	0.0197	0.2954

PROPOSED

PROPOSED

1401	0.4534	0.4468	0.4111	0.461	3408	0.1408	0.1391	0.1282	0.622
1404	0.5898	0.5820	0.5364	0.536	3409	0.1351	0.1339	0.1244	0.670
1405	0.4100	0.4051	0.3737	0.599	3410	0.2251	0.2227	0.2066	0.594
1407	0.5898	0.5820	0.5364	0.536	3411	0.4087	0.4026	0.3690	0.527
1501	0.4884	0.4812	0.4411	0.554	3412	0.4716	0.4638	0.4235	0.485
1507	0.4398	0.4334	0.3975	0.548	3414	0.4728	0.4460	0.4278	0.542
1701	0.8107	0.7966	0.7261	0.474	3415	0.6474	0.6373	0.5841	0.476
1702	1.7146	1.6789	1.5177	0.392	3501	0.8714	0.8587	0.7884	0.509
1703	0.7377	0.7212	0.6487	0.391	3503	0.2801	0.2775	0.2584	0.596
1704	0.8107	0.7966	0.7261	0.474	3506	0.9627	0.9434	0.8533	0.451
1801	0.5036	0.4950	0.4525	0.441	3509	0.3555	0.3521	0.3260	0.638
1802	0.5592	0.5507	0.5044	0.528	3510	0.3261	0.3222	0.2976	0.586
2002	0.6364	0.6284	0.5799	0.558	3511	0.6113	0.6027	0.5546	0.527
2004	0.7269	0.7178	0.6620	0.577	3512	0.2955	0.2923	0.2706	0.599
2007	0.3777	0.3725	0.3427	0.533	3513	0.4397	0.4335	0.3998	0.445
2008	0.2843	0.2800	0.2571	0.497	3602	0.1054	0.1043	0.0968	0.634
2009	0.3138	0.3105	0.2884	0.599	3603	0.4136	0.4082	0.3760	0.545
2101	0.6327	0.6227	0.5732	0.502	3604	0.7571	0.7469	0.6885	0.501
2102	0.4684	0.4628	0.4277	0.577	3605	0.4475	0.4410	0.4047	0.552
2104	0.2800	0.2774	0.2581	0.616	3701	0.2528	0.2498	0.2306	0.587
2105	0.5410	0.5344	0.4932	0.601	3702	0.3797	0.3754	0.3472	0.619
2106	0.3854	0.3805	0.3509	0.556	3708	0.5385	0.5309	0.4874	0.553
2201	0.2255	0.2225	0.2050	0.543	3802	0.1490	0.1475	0.1367	0.625
2202	0.6250	0.6163	0.5666	0.563	3808	0.3860	0.3799	0.3480	0.496
2203	0.4219	0.4176	0.3875	0.598	3901	0.1409	0.1398	0.1305	0.649
2204	0.2255	0.2225	0.2050	0.543	3902	0.4044	0.3998	0.3700	0.577
2401	0.3947	0.3895	0.3588	0.561	3903	1.0119	1.0004	0.9270	0.555
2903	0.5816	0.5752	0.5325	0.592	3905	0.1409	0.1398	0.1305	0.649
2904	0.6242	0.6156	0.5666	0.511	3906	0.4439	0.4384	0.4046	0.551
2905	0.4872	0.4819	0.4466	0.581	3909	0.2382	0.2361	0.2194	0.662
2906	0.3055	0.3014	0.2775	0.569	4002	1.1077	1.0895	0.9935	0.539
2907	0.4510	0.4457	0.4121	0.575	4101	0.2450	0.2418	0.2226	0.556
2908	0.8905	0.8770	0.8041	0.507	4103	0.3814	0.3784	0.3533	0.666
2909	0.3609	0.3567	0.3297	0.578	4107	0.1385	0.1368	0.1260	0.555
3101	0.8702	0.8547	0.7784	0.443	4108	0.1284	0.1268	0.1171	0.548
3102	0.2528	0.2498	0.2306	0.587	4109	0.1930	0.1904	0.1756	0.537
3103	0.4960	0.4887	0.4490	0.494	4201	0.5494	0.5400	0.4914	0.539
3104	0.5383	0.5296	0.4840	0.486	4301	0.5949	0.5883	0.5448	0.596
3105	0.6680	0.6601	0.6102	0.590	4302	0.5237	0.5168	0.4761	0.559
3303	0.3685	0.3641	0.3360	0.587	4304	0.7981	0.7873	0.7252	0.524
3304	0.4646	0.4595	0.4257	0.587	4305	1.0228	1.0056	0.9166	0.530
3309	0.3725	0.3678	0.3395	0.570	4401	0.3529	0.3480	0.3206	0.487
3402	0.4488	0.4425	0.4068	0.542	4402	0.6879	0.6797	0.6280	0.589
3403	0.1786	0.1760	0.1617	0.521	4404	0.4465	0.4415	0.4089	0.595
3404	0.4559	0.4502	0.4154	0.568	4501	0.1666	0.1649	0.1528	0.635
3405	0.2668	0.2634	0.2425	0.566	4502	0.0385	0.0381	0.0353	0.575
3406	0.1894	0.1873	0.1736	0.590	4504	0.0971	0.0964	0.0899	0.659
3407	0.5683	0.5594	0.5121	0.502	4601	0.6250	0.6166	0.5680	0.532

4802	0.2180	0.2153	0.1989	0.563	6109	0.0805	0.0795	0.0733	0.571
4803	0.2196	0.2172	0.2018	0.569	6110	0.4370	0.4316	0.3985	0.564
4804	0.4918	0.4860	0.4488	0.591	6201	0.3105	0.3055	0.2792	0.490
4805	0.2414	0.2288	0.2217	0.584	6202	0.5687	0.5615	0.5186	0.526
4806	0.0477	0.0472	0.0436	0.543	6203	0.0845	0.0841	0.0789	0.676
4808	0.4175	0.4121	0.3800	0.545	6204	0.1251	0.1227	0.1145	0.572
4809	0.3293	0.3256	0.3014	0.582	6205	0.2187	0.2161	0.1999	0.579
4810	0.1280	0.1267	0.1179	0.609	6206	0.1929	0.1907	0.1761	0.598
4811	0.2227	0.2204	0.2047	0.592	6207	1.0058	0.9956	0.9269	0.529
4812	0.3212	0.3174	0.2935	0.591	6208	0.2101	0.2082	0.1941	0.585
4813	0.1450	0.1433	0.1324	0.536	6209	0.2497	0.2471	0.2291	0.584
4900	0.3182	0.3131	0.2866	0.482	6301	0.1115	0.1095	0.0999	0.457
4901	0.0652	0.0642	0.0589	0.496	6302	0.1461	0.1444	0.1335	0.534
4902	0.0848	0.0838	0.0773	0.602	6303	0.0613	0.0605	0.0559	0.548
4903	0.1003	0.0992	0.0913	0.628	6304	0.2968	0.2940	0.2737	0.606
4904	0.0264	0.0262	0.0243	0.604	6305	0.0885	0.0877	0.0817	0.628
4905	0.2908	0.2880	0.2679	0.603	6306	0.2687	0.2655	0.2456	0.602
4906	0.0849	0.0838	0.0774	0.598	6308	0.0515	0.0508	0.0470	0.591
4907	0.0424	0.0419	0.0387	0.535	6309	0.1561	0.1545	0.1435	0.604
4908	0.1185	0.1180	0.1116	0.667	6402	0.2675	0.2649	0.2459	0.642
4909	0.0525	0.0523	0.0494	0.623	6403	0.1356	0.1343	0.1248	0.612
4910	0.3796	0.3658	0.3373	0.543	6404	0.1726	0.1710	0.1589	0.619
5001	4.2001	4.1142	3.7196	0.419	6405	0.5022	0.4954	0.4558	0.556
5002	0.5127	0.5057	0.4648	0.580	6406	0.0890	0.0882	0.0821	0.624
5003	1.5698	1.5294	1.3841	0.422	6407	0.2379	0.2353	0.2181	0.588
5004	0.9201	0.9067	0.8331	0.501	6408	0.3369	0.3329	0.3073	0.610
5005	0.5723	0.5623	0.5121	0.478	6409	0.7103	0.6987	0.6383	0.498
5006	1.5103	1.4800	1.3412	0.385	6410	0.2316	0.2284	0.2104	0.522
5101	0.8145	0.8040	0.7400	0.589	6501	0.1428	0.1412	0.1307	0.642
5103	0.6737	0.6667	0.6184	0.604	6502	0.0318	0.0315	0.0292	0.601
5106	0.6737	0.6667	0.6184	0.604	6503	0.0650	0.0639	0.0584	0.536
5108	0.8213	0.8123	0.7512	0.632	6504	0.3494	0.3464	0.3228	0.640
5109	0.5815	0.5724	0.5241	0.509	6505	0.0909	0.0901	0.0839	0.598
5201	0.3678	0.3630	0.3342	0.575	6506	0.0863	0.0856	0.0796	0.636
5204	0.8257	0.8131	0.7462	0.481	6509	0.3182	0.3150	0.2924	0.590
5206	0.3182	0.3131	0.2866	0.482	6510	0.4099	0.4028	0.3674	0.443
5207	0.1457	0.1444	0.1344	0.636	6511	0.2729	0.2703	0.2514	0.603
5208	0.7688	0.7578	0.6964	0.515	6601	0.1675	0.1656	0.1534	0.590
5209	0.7156	0.7050	0.6469	0.521	6602	0.3715	0.3671	0.3392	0.561
5301	0.0272	0.0269	0.0249	0.628	6603	0.2961	0.2921	0.2688	0.565
5305	0.0510	0.0506	0.0470	0.675	6604	0.0615	0.0609	0.0564	0.582
5306	0.0537	0.0532	0.0492	0.631	6605	0.2492	0.2475	0.2319	0.629
5307	0.4069	0.4012	0.3685	0.568	6607	0.1639	0.1619	0.1494	0.566
6103	0.0725	0.0720	0.0672	0.644	6608	0.5039	0.4940	0.4474	0.449
6104	0.3402	0.3362	0.3111	0.570	6620	3.9612	3.9202	3.6238	0.698
6105	0.2542	0.2503	0.2296	0.497	6704	0.1428	0.1412	0.1308	0.628
6107	0.1162	0.1152	0.1076	0.612	6705	0.7499	0.7441	0.6953	0.634
6108	0.3786	0.3748	0.3485	0.598	6706	0.3055	0.3022	0.2805	0.563

					Class	2001	2002	2003	D-Ratio
6707	2.4200	2.3987	2.2285	0.697					
6708	7.4793	7.3963	6.8851	0.441	0101	1.3244	1.2465	1.0733	0.454
6709	0.2434	0.2414	0.2252	0.629	0103	1.5617	1.4754	1.2827	0.479
6801	0.4657	0.4597	0.4228	0.619	0104	0.9424	0.8882	0.7665	0.455
6802	0.3713	0.3677	0.3417	0.635	0105	1.3329	1.2671	1.1151	0.522
6803	0.7499	0.7350	0.6673	0.366	0107	1.1948	1.1256	0.9710	0.451
6804	0.2324	0.2294	0.2114	0.566	0108	0.9424	0.8882	0.7665	0.455
6809	4.5801	4.5282	4.1923	0.574	0112	0.7516	0.7118	0.6194	0.478
6901	0.0367	0.0369	0.0359	0.762	0201	2.2793	2.1355	1.8234	0.422
6902	0.8586	0.8404	0.7583	0.421	0202	3.1165	2.9224	2.4913	0.392
6903	7.0367	6.8845	6.2274	0.305	0210	1.1711	1.0977	0.9362	0.413
6904	0.3139	0.3097	0.2839	0.653	0212	1.2103	1.1392	0.9793	0.440
6905	0.3423	0.3378	0.3108	0.624	0214	1.2368	1.1639	1.0019	0.456
6906	0.1286	0.1295	0.1259	0.718	0217	1.1222	1.0595	0.9185	0.477
6907	1.0003	0.9875	0.9093	0.580	0219	0.9327	0.8840	0.7700	0.466
6908	0.4396	0.4344	0.4012	0.603	0301	0.5505	0.5251	0.4671	0.542
6909	0.1012	0.1000	0.0927	0.596	0302	1.7920	1.6798	1.4339	0.433
7100	0.0285	0.0281	0.0259	0.493	0303	1.7655	1.6550	1.4122	0.427
7101	0.0229	0.0226	0.0207	0.466	0306	1.0070	0.9476	0.8177	0.466
7102	3.6989	3.6759	3.4556	0.599	0307	0.9108	0.8609	0.7502	0.489
7103	0.4619	0.4547	0.4158	0.521	0308	0.5076	0.4871	0.4379	0.583
7104	0.0251	0.0248	0.0230	0.626	0403	1.6320	1.5618	1.3958	0.576
7105	0.0256	0.0254	0.0235	0.655	0502	1.4301	1.3444	1.1549	0.453
7106	0.1670	0.1653	0.1532	0.630	0504	1.2322	1.1636	1.0073	0.454
7107	0.2143	0.2122	0.1975	0.586	0507	2.7638	2.6089	2.2599	0.455
7108	0.1800	0.1785	0.1668	0.594	0508	1.9388	1.8100	1.5326	0.394
7109	0.1257	0.1245	0.1157	0.639	0509	1.4222	1.3344	1.1471	0.452
7110	0.3446	0.3390	0.3099	0.491	0510	1.5059	1.4234	1.2369	0.475
7111	0.3477	0.3428	0.3150	0.555	0511	1.5826	1.4948	1.2983	0.484
7112	0.5364	0.5297	0.4889	0.563	0512	1.3794	1.2996	1.1232	0.469
7113	0.3518	0.3483	0.3238	0.596	0513	0.8549	0.8065	0.6985	0.469
7114	0.5500	0.5457	0.5093	0.667	0514	1.7390	1.6455	1.4336	0.489
7115	0.4961	0.4913	0.4561	0.619	0516	1.5059	1.4234	1.2369	0.475
7116	0.5440	0.5380	0.4981	0.583	0517	1.6143	1.5241	1.3201	0.451
7117	1.1569	1.1435	1.0570	0.600	0518	1.6428	1.5432	1.3256	0.441
7118	1.0029	0.9925	0.9201	0.612	0519	1.9724	1.8548	1.5929	0.428
7119	1.1231	1.1088	1.0219	0.568	0521	0.5565	0.5264	0.4581	0.464
7120	5.2244	5.1533	4.7450	0.529	0524	0.0218	0.0205	0.0177	0.465
7121	4.9659	4.8981	4.5086	0.533	0526	0.0112	0.0105	0.0090	0.433
7201	1.0899	1.0731	0.9815	0.541	0527	0.0009	0.0009	0.0007	0.433
7202	0.0342	0.0337	0.0308	0.532	0528	0.0028	0.0027	0.0023	0.482
7203	0.1126	0.1117	0.1044	0.596	0529	0.0016	0.0015	0.0013	0.465
7204	0.0000	0.0000	0.0000	1.000	0530	0.0294	0.0273	0.0230	0.371
7301	0.4249	0.4192	0.3864	0.512	0531	0.0159	0.0148	0.0125	0.382
7302	0.7810	0.7701	0.7089	0.502	0532	0.0014	0.0013	0.0011	0.382
7307	0.4762	0.4708	0.4359	0.565	0533	0.0037	0.0034	0.0029	0.427
7308	0.2467	0.2450	0.2297	0.642	0534	0.0026	0.0024	0.0020	0.371
7309	0.2434	0.2414	0.2252	0.629))	0540	0.0227	0.0214	0.0185	0.465

<u>Class</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>D-Ratio</u>	<u>Class</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>D-Ratio</u>
<u>0541</u>	<u>0.0120</u>	<u>0.0112</u>	<u>0.0097</u>	<u>0.433</u>	<u>2101</u>	<u>0.6568</u>	<u>0.6270</u>	<u>0.5561</u>	<u>0.532</u>
<u>0550</u>	<u>0.0299</u>	<u>0.0277</u>	<u>0.0233</u>	<u>0.371</u>	<u>2102</u>	<u>0.5450</u>	<u>0.5225</u>	<u>0.4699</u>	<u>0.582</u>
<u>0551</u>	<u>0.0166</u>	<u>0.0155</u>	<u>0.0130</u>	<u>0.382</u>	<u>2104</u>	<u>0.3202</u>	<u>0.3080</u>	<u>0.2796</u>	<u>0.593</u>
<u>0601</u>	<u>0.6091</u>	<u>0.5765</u>	<u>0.5043</u>	<u>0.506</u>	<u>2105</u>	<u>0.5595</u>	<u>0.5374</u>	<u>0.4850</u>	<u>0.611</u>
<u>0602</u>	<u>0.6772</u>	<u>0.6437</u>	<u>0.5654</u>	<u>0.543</u>	<u>2106</u>	<u>0.4139</u>	<u>0.3967</u>	<u>0.3549</u>	<u>0.566</u>
<u>0603</u>	<u>1.0037</u>	<u>0.9407</u>	<u>0.8047</u>	<u>0.435</u>	<u>2201</u>	<u>0.2411</u>	<u>0.2305</u>	<u>0.2055</u>	<u>0.550</u>
<u>0604</u>	<u>0.9190</u>	<u>0.8758</u>	<u>0.7764</u>	<u>0.525</u>	<u>2202</u>	<u>0.6759</u>	<u>0.6455</u>	<u>0.5746</u>	<u>0.560</u>
<u>0606</u>	<u>0.4860</u>	<u>0.4655</u>	<u>0.4177</u>	<u>0.581</u>	<u>2203</u>	<u>0.4738</u>	<u>0.4559</u>	<u>0.4134</u>	<u>0.608</u>
<u>0607</u>	<u>0.4410</u>	<u>0.4210</u>	<u>0.3751</u>	<u>0.560</u>	<u>2204</u>	<u>0.2411</u>	<u>0.2305</u>	<u>0.2055</u>	<u>0.550</u>
<u>0608</u>	<u>0.3670</u>	<u>0.3481</u>	<u>0.3053</u>	<u>0.499</u>	<u>2401</u>	<u>0.4497</u>	<u>0.4295</u>	<u>0.3827</u>	<u>0.556</u>
<u>0701</u>	<u>1.9682</u>	<u>1.8233</u>	<u>1.5233</u>	<u>0.362</u>	<u>2903</u>	<u>0.6544</u>	<u>0.6274</u>	<u>0.5642</u>	<u>0.577</u>
<u>0803</u>	<u>0.4572</u>	<u>0.4377</u>	<u>0.3924</u>	<u>0.585</u>	<u>2904</u>	<u>0.7132</u>	<u>0.6776</u>	<u>0.5993</u>	<u>0.505</u>
<u>0901</u>	<u>1.6428</u>	<u>1.5432</u>	<u>1.3256</u>	<u>0.441</u>	<u>2905</u>	<u>0.5569</u>	<u>0.5347</u>	<u>0.4823</u>	<u>0.580</u>
<u>1002</u>	<u>0.9628</u>	<u>0.9155</u>	<u>0.8047</u>	<u>0.501</u>	<u>2906</u>	<u>0.3327</u>	<u>0.3180</u>	<u>0.2842</u>	<u>0.569</u>
<u>1003</u>	<u>0.7865</u>	<u>0.7465</u>	<u>0.6552</u>	<u>0.497</u>	<u>2907</u>	<u>0.4990</u>	<u>0.4788</u>	<u>0.4314</u>	<u>0.584</u>
<u>1004</u>	<u>0.4797</u>	<u>0.4562</u>	<u>0.4017</u>	<u>0.535</u>	<u>2908</u>	<u>0.9894</u>	<u>0.9394</u>	<u>0.8237</u>	<u>0.506</u>
<u>1005</u>	<u>7.6884</u>	<u>7.2691</u>	<u>6.2772</u>	<u>0.463</u>	<u>2909</u>	<u>0.3777</u>	<u>0.3621</u>	<u>0.3256</u>	<u>0.578</u>
<u>1007</u>	<u>0.3663</u>	<u>0.3467</u>	<u>0.3031</u>	<u>0.495</u>	<u>3101</u>	<u>0.9605</u>	<u>0.9055</u>	<u>0.7824</u>	<u>0.446</u>
<u>1101</u>	<u>0.6571</u>	<u>0.6273</u>	<u>0.5577</u>	<u>0.551</u>	<u>3102</u>	<u>0.2766</u>	<u>0.2651</u>	<u>0.2390</u>	<u>0.591</u>
<u>1102</u>	<u>1.2463</u>	<u>1.1799</u>	<u>1.0273</u>	<u>0.496</u>	<u>3103</u>	<u>0.5437</u>	<u>0.5178</u>	<u>0.4570</u>	<u>0.515</u>
<u>1103</u>	<u>1.1291</u>	<u>1.0716</u>	<u>0.9352</u>	<u>0.464</u>	<u>3104</u>	<u>0.5634</u>	<u>0.5335</u>	<u>0.4666</u>	<u>0.493</u>
<u>1104</u>	<u>0.5096</u>	<u>0.4873</u>	<u>0.4353</u>	<u>0.541</u>	<u>3105</u>	<u>0.7459</u>	<u>0.7135</u>	<u>0.6390</u>	<u>0.569</u>
<u>1105</u>	<u>0.9195</u>	<u>0.8703</u>	<u>0.7590</u>	<u>0.470</u>	<u>3303</u>	<u>0.4148</u>	<u>0.3975</u>	<u>0.3566</u>	<u>0.584</u>
<u>1106</u>	<u>0.3306</u>	<u>0.3165</u>	<u>0.2843</u>	<u>0.551</u>	<u>3304</u>	<u>0.4903</u>	<u>0.4712</u>	<u>0.4262</u>	<u>0.589</u>
<u>1108</u>	<u>0.5930</u>	<u>0.5671</u>	<u>0.5076</u>	<u>0.573</u>	<u>3309</u>	<u>0.4078</u>	<u>0.3892</u>	<u>0.3472</u>	<u>0.550</u>
<u>1109</u>	<u>1.3124</u>	<u>1.2522</u>	<u>1.1092</u>	<u>0.528</u>	<u>3402</u>	<u>0.5035</u>	<u>0.4799</u>	<u>0.4264</u>	<u>0.545</u>
<u>1301</u>	<u>0.6307</u>	<u>0.6051</u>	<u>0.5405</u>	<u>0.623</u>	<u>3403</u>	<u>0.1965</u>	<u>0.1865</u>	<u>0.1650</u>	<u>0.517</u>
<u>1303</u>	<u>0.2106</u>	<u>0.2022</u>	<u>0.1823</u>	<u>0.611</u>	<u>3404</u>	<u>0.4961</u>	<u>0.4746</u>	<u>0.4249</u>	<u>0.566</u>
<u>1304</u>	<u>0.0254</u>	<u>0.0243</u>	<u>0.0219</u>	<u>0.585</u>	<u>3405</u>	<u>0.2948</u>	<u>0.2811</u>	<u>0.2496</u>	<u>0.540</u>
<u>1305</u>	<u>0.3736</u>	<u>0.3575</u>	<u>0.3201</u>	<u>0.574</u>	<u>3406</u>	<u>0.2019</u>	<u>0.1941</u>	<u>0.1768</u>	<u>0.612</u>
<u>1401</u>	<u>0.4738</u>	<u>0.4493</u>	<u>0.3936</u>	<u>0.458</u>	<u>3407</u>	<u>0.6506</u>	<u>0.6182</u>	<u>0.5437</u>	<u>0.505</u>
<u>1404</u>	<u>0.6643</u>	<u>0.6349</u>	<u>0.5652</u>	<u>0.545</u>	<u>3408</u>	<u>0.1607</u>	<u>0.1549</u>	<u>0.1398</u>	<u>0.627</u>
<u>1405</u>	<u>0.4896</u>	<u>0.4704</u>	<u>0.4235</u>	<u>0.607</u>	<u>3409</u>	<u>0.1636</u>	<u>0.1585</u>	<u>0.1464</u>	<u>0.684</u>
<u>1407</u>	<u>0.6643</u>	<u>0.6349</u>	<u>0.5652</u>	<u>0.545</u>	<u>3410</u>	<u>0.2579</u>	<u>0.2480</u>	<u>0.2243</u>	<u>0.591</u>
<u>1501</u>	<u>0.5252</u>	<u>0.5003</u>	<u>0.4425</u>	<u>0.540</u>	<u>3411</u>	<u>0.4616</u>	<u>0.4390</u>	<u>0.3878</u>	<u>0.529</u>
<u>1507</u>	<u>0.4836</u>	<u>0.4615</u>	<u>0.4096</u>	<u>0.555</u>	<u>3412</u>	<u>0.5240</u>	<u>0.4952</u>	<u>0.4311</u>	<u>0.480</u>
<u>1701</u>	<u>0.8925</u>	<u>0.8442</u>	<u>0.7342</u>	<u>0.475</u>	<u>3414</u>	<u>0.5319</u>	<u>0.5068</u>	<u>0.4501</u>	<u>0.553</u>
<u>1702</u>	<u>1.9976</u>	<u>1.8644</u>	<u>1.5767</u>	<u>0.382</u>	<u>3415</u>	<u>0.7453</u>	<u>0.7040</u>	<u>0.6123</u>	<u>0.453</u>
<u>1703</u>	<u>0.8700</u>	<u>0.8132</u>	<u>0.6893</u>	<u>0.417</u>	<u>3501</u>	<u>0.9961</u>	<u>0.9496</u>	<u>0.8392</u>	<u>0.524</u>
<u>1704</u>	<u>0.8925</u>	<u>0.8442</u>	<u>0.7342</u>	<u>0.475</u>	<u>3503</u>	<u>0.2970</u>	<u>0.2865</u>	<u>0.2614</u>	<u>0.602</u>
<u>1801</u>	<u>0.5323</u>	<u>0.5019</u>	<u>0.4357</u>	<u>0.443</u>	<u>3506</u>	<u>1.0676</u>	<u>1.0023</u>	<u>0.8615</u>	<u>0.455</u>
<u>1802</u>	<u>0.6440</u>	<u>0.6133</u>	<u>0.5400</u>	<u>0.531</u>	<u>3509</u>	<u>0.3907</u>	<u>0.3769</u>	<u>0.3448</u>	<u>0.641</u>
<u>2002</u>	<u>0.6912</u>	<u>0.6609</u>	<u>0.5911</u>	<u>0.555</u>	<u>3510</u>	<u>0.3674</u>	<u>0.3519</u>	<u>0.3165</u>	<u>0.589</u>
<u>2004</u>	<u>0.8494</u>	<u>0.8121</u>	<u>0.7255</u>	<u>0.568</u>	<u>3511</u>	<u>0.7008</u>	<u>0.6682</u>	<u>0.5927</u>	<u>0.534</u>
<u>2007</u>	<u>0.4244</u>	<u>0.4050</u>	<u>0.3598</u>	<u>0.544</u>	<u>3512</u>	<u>0.3218</u>	<u>0.3090</u>	<u>0.2803</u>	<u>0.602</u>
<u>2008</u>	<u>0.3108</u>	<u>0.2948</u>	<u>0.2593</u>	<u>0.495</u>	<u>3513</u>	<u>0.4613</u>	<u>0.4373</u>	<u>0.3829</u>	<u>0.442</u>
<u>2009</u>	<u>0.3680</u>	<u>0.3535</u>	<u>0.3197</u>	<u>0.588</u>	<u>3602</u>	<u>0.1193</u>	<u>0.1150</u>	<u>0.1048</u>	<u>0.637</u>

PROPOSED

<u>Class</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>D-Ratio</u>	<u>Class</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>D-Ratio</u>
3603	0.4379	0.4182	0.3732	0.550	4904	0.0301	0.0288	0.0261	0.597
3604	0.7867	0.7473	0.6603	0.493	4905	0.3305	0.3185	0.2898	0.604
3605	0.5000	0.4771	0.4235	0.555	4906	0.0953	0.0914	0.0823	0.597
3701	0.2766	0.2651	0.2390	0.591	4907	0.0491	0.0470	0.0421	0.560
3702	0.4236	0.4064	0.3670	0.603	4908	0.1253	0.1216	0.1147	0.666
3708	0.6083	0.5801	0.5145	0.548	4909	0.0561	0.0543	0.0507	0.619
3802	0.1694	0.1630	0.1478	0.616	4910	0.4215	0.4023	0.3579	0.540
3808	0.4254	0.4035	0.3542	0.509	5001	4.5741	4.2967	3.6756	0.435
3901	0.1569	0.1515	0.1391	0.631	5002	0.5694	0.5449	0.4869	0.582
3902	0.4863	0.4651	0.4158	0.554	5003	1.8101	1.6996	1.4509	0.423
3903	1.0678	1.0228	0.9185	0.549	5004	0.9257	0.8804	0.7763	0.502
3905	0.1569	0.1515	0.1391	0.631	5005	0.5682	0.5367	0.4651	0.467
3906	0.4826	0.4617	0.4121	0.546	5006	1.6110	1.5078	1.2807	0.387
3909	0.2596	0.2509	0.2302	0.655	5101	0.8809	0.8437	0.7566	0.589
4002	1.3104	1.2478	1.0991	0.553	5103	0.7113	0.6834	0.6194	0.599
4101	0.2740	0.2613	0.2325	0.549	5106	0.7113	0.6834	0.6194	0.599
4103	0.4152	0.4016	0.3699	0.652	5108	0.8898	0.8553	0.7755	0.621
4107	0.1584	0.1517	0.1360	0.573	5109	0.6123	0.5820	0.5144	0.528
4108	0.1372	0.1309	0.1170	0.544	5201	0.4173	0.3985	0.3563	0.573
4109	0.2069	0.1970	0.1749	0.530	5204	0.9263	0.8769	0.7679	0.478
4201	0.6487	0.6171	0.5429	0.551	5206	0.3544	0.3359	0.2940	0.501
4301	0.6511	0.6262	0.5672	0.613	5207	0.1678	0.1622	0.1493	0.644
4302	0.6117	0.5856	0.5243	0.574	5208	0.8616	0.8189	0.7215	0.503
4304	0.9653	0.9230	0.8221	0.543	5209	0.7607	0.7222	0.6354	0.506
4305	1.1409	1.0825	0.9501	0.531	5301	0.0306	0.0294	0.0269	0.627
4401	0.3791	0.3600	0.3172	0.485	5302	0.0219	0.0210	0.0188	0.574
4402	0.7931	0.7615	0.6895	0.604	5305	0.0529	0.0511	0.0471	0.662
4404	0.5097	0.4901	0.4434	0.603	5306	0.0592	0.0569	0.0518	0.622
4501	0.1856	0.1792	0.1640	0.645	5307	0.4685	0.4484	0.4009	0.587
4502	0.0402	0.0385	0.0347	0.563	6103	0.0795	0.0769	0.0712	0.658
4504	0.1110	0.1074	0.0994	0.667	6104	0.3642	0.3499	0.3160	0.588
4601	0.7014	0.6702	0.5958	0.541	6105	0.3186	0.3031	0.2682	0.528
4802	0.2546	0.2430	0.2164	0.530	6107	0.1332	0.1280	0.1177	0.615
4803	0.2522	0.2425	0.2197	0.578	6108	0.4101	0.3956	0.3620	0.624
4804	0.5253	0.5048	0.4557	0.604	6109	0.0892	0.0853	0.0765	0.574
4805	0.2763	0.2655	0.2404	0.588	6110	0.5393	0.5170	0.4650	0.585
4806	0.0541	0.0517	0.0464	0.551	6201	0.3266	0.3083	0.2693	0.478
4808	0.4591	0.4379	0.3888	0.529	6202	0.6317	0.6032	0.5367	0.527
4809	0.3695	0.3547	0.3202	0.586	6203	0.0958	0.0930	0.0871	0.691
4810	0.1395	0.1345	0.1227	0.612	6204	0.1303	0.1249	0.1135	0.597
4811	0.2492	0.2392	0.2167	0.587	6205	0.2390	0.2294	0.2068	0.581
4812	0.3780	0.3630	0.3286	0.605	6206	0.2152	0.2061	0.1854	0.584
4813	0.1587	0.1521	0.1365	0.554	6207	1.0315	0.9876	0.8867	0.519
4900	0.3544	0.3359	0.2940	0.501	6208	0.2312	0.2227	0.2031	0.595
4901	0.0765	0.0726	0.0640	0.511	6209	0.2941	0.2826	0.2558	0.590
4902	0.0943	0.0906	0.0820	0.619	6301	0.1215	0.1145	0.0991	0.457
4903	0.1371	0.1321	0.1200	0.655	6302	0.1607	0.1535	0.1372	0.537

<u>Class</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>D-Ratio</u>	<u>Class</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>D-Ratio</u>
<u>6303</u>	<u>0.0696</u>	<u>0.0664</u>	<u>0.0593</u>	<u>0.542</u>	<u>6904</u>	<u>0.3787</u>	<u>0.3645</u>	<u>0.3285</u>	<u>0.650</u>
<u>6304</u>	<u>0.3738</u>	<u>0.3604</u>	<u>0.3276</u>	<u>0.602</u>	<u>6905</u>	<u>0.3624</u>	<u>0.3480</u>	<u>0.3145</u>	<u>0.628</u>
<u>6305</u>	<u>0.0926</u>	<u>0.0893</u>	<u>0.0817</u>	<u>0.611</u>	<u>6906</u>	<u>0.1515</u>	<u>0.1497</u>	<u>0.1483</u>	<u>0.740</u>
<u>6306</u>	<u>0.3214</u>	<u>0.3083</u>	<u>0.2776</u>	<u>0.592</u>	<u>6907</u>	<u>1.1330</u>	<u>1.0869</u>	<u>0.9762</u>	<u>0.593</u>
<u>6308</u>	<u>0.0594</u>	<u>0.0569</u>	<u>0.0513</u>	<u>0.592</u>	<u>6908</u>	<u>0.4781</u>	<u>0.4591</u>	<u>0.4136</u>	<u>0.602</u>
<u>6309</u>	<u>0.1743</u>	<u>0.1677</u>	<u>0.1522</u>	<u>0.603</u>	<u>6909</u>	<u>0.1101</u>	<u>0.1058</u>	<u>0.0961</u>	<u>0.608</u>
<u>6402</u>	<u>0.2858</u>	<u>0.2762</u>	<u>0.2532</u>	<u>0.653</u>	<u>7100</u>	<u>0.0315</u>	<u>0.0300</u>	<u>0.0265</u>	<u>0.493</u>
<u>6403</u>	<u>0.1507</u>	<u>0.1449</u>	<u>0.1318</u>	<u>0.600</u>	<u>7101</u>	<u>0.0240</u>	<u>0.0227</u>	<u>0.0199</u>	<u>0.454</u>
<u>6404</u>	<u>0.2032</u>	<u>0.1956</u>	<u>0.1774</u>	<u>0.606</u>	<u>7102</u>	<u>4.0084</u>	<u>3.8786</u>	<u>3.5771</u>	<u>0.601</u>
<u>6405</u>	<u>0.5738</u>	<u>0.5465</u>	<u>0.4848</u>	<u>0.541</u>	<u>7103</u>	<u>0.5332</u>	<u>0.5069</u>	<u>0.4663</u>	<u>0.532</u>
<u>6406</u>	<u>0.1049</u>	<u>0.1011</u>	<u>0.0925</u>	<u>0.626</u>	<u>7104</u>	<u>0.0290</u>	<u>0.0280</u>	<u>0.0254</u>	<u>0.640</u>
<u>6407</u>	<u>0.2689</u>	<u>0.2582</u>	<u>0.2332</u>	<u>0.590</u>	<u>7105</u>	<u>0.0293</u>	<u>0.0284</u>	<u>0.0261</u>	<u>0.662</u>
<u>6408</u>	<u>0.3711</u>	<u>0.3552</u>	<u>0.3201</u>	<u>0.597</u>	<u>7106</u>	<u>0.1849</u>	<u>0.1783</u>	<u>0.1624</u>	<u>0.623</u>
<u>6409</u>	<u>0.8520</u>	<u>0.8068</u>	<u>0.7058</u>	<u>0.500</u>	<u>7107</u>	<u>0.2196</u>	<u>0.2109</u>	<u>0.1910</u>	<u>0.571</u>
<u>6410</u>	<u>0.2739</u>	<u>0.2612</u>	<u>0.2331</u>	<u>0.547</u>	<u>7108</u>	<u>0.1938</u>	<u>0.1869</u>	<u>0.1709</u>	<u>0.600</u>
<u>6501</u>	<u>0.1608</u>	<u>0.1551</u>	<u>0.1410</u>	<u>0.634</u>	<u>7109</u>	<u>0.1289</u>	<u>0.1242</u>	<u>0.1135</u>	<u>0.631</u>
<u>6502</u>	<u>0.0382</u>	<u>0.0366</u>	<u>0.0332</u>	<u>0.600</u>	<u>7110</u>	<u>0.3448</u>	<u>0.3272</u>	<u>0.2866</u>	<u>0.502</u>
<u>6503</u>	<u>0.0722</u>	<u>0.0685</u>	<u>0.0602</u>	<u>0.536</u>	<u>7111</u>	<u>0.3843</u>	<u>0.3656</u>	<u>0.3218</u>	<u>0.521</u>
<u>6504</u>	<u>0.3890</u>	<u>0.3755</u>	<u>0.3444</u>	<u>0.632</u>	<u>7112</u>	<u>0.6010</u>	<u>0.5747</u>	<u>0.5151</u>	<u>0.563</u>
<u>6505</u>	<u>0.1038</u>	<u>0.1002</u>	<u>0.0919</u>	<u>0.619</u>	<u>7113</u>	<u>0.3581</u>	<u>0.3441</u>	<u>0.3124</u>	<u>0.585</u>
<u>6506</u>	<u>0.0999</u>	<u>0.0963</u>	<u>0.0883</u>	<u>0.637</u>	<u>7114</u>	<u>0.5757</u>	<u>0.5570</u>	<u>0.5130</u>	<u>0.653</u>
<u>6508</u>	<u>0.2995</u>	<u>0.2885</u>	<u>0.2627</u>	<u>0.605</u>	<u>7115</u>	<u>0.5553</u>	<u>0.5349</u>	<u>0.4875</u>	<u>0.618</u>
<u>6509</u>	<u>0.3501</u>	<u>0.3369</u>	<u>0.3058</u>	<u>0.595</u>	<u>7116</u>	<u>0.6652</u>	<u>0.6398</u>	<u>0.5766</u>	<u>0.593</u>
<u>6510</u>	<u>0.4783</u>	<u>0.4505</u>	<u>0.3878</u>	<u>0.431</u>	<u>7117</u>	<u>1.3550</u>	<u>1.2998</u>	<u>1.1723</u>	<u>0.596</u>
<u>6511</u>	<u>0.2864</u>	<u>0.2756</u>	<u>0.2502</u>	<u>0.596</u>	<u>7118</u>	<u>1.1916</u>	<u>1.1448</u>	<u>1.0361</u>	<u>0.604</u>
<u>6601</u>	<u>0.1812</u>	<u>0.1740</u>	<u>0.1571</u>	<u>0.583</u>	<u>7119</u>	<u>1.2266</u>	<u>1.1747</u>	<u>1.0513</u>	<u>0.574</u>
<u>6602</u>	<u>0.4151</u>	<u>0.3983</u>	<u>0.3584</u>	<u>0.580</u>	<u>7120</u>	<u>5.8769</u>	<u>5.6033</u>	<u>4.9752</u>	<u>0.535</u>
<u>6603</u>	<u>0.3171</u>	<u>0.3032</u>	<u>0.2710</u>	<u>0.570</u>	<u>7121</u>	<u>5.5078</u>	<u>5.2516</u>	<u>4.6642</u>	<u>0.535</u>
<u>6604</u>	<u>0.0794</u>	<u>0.0764</u>	<u>0.0693</u>	<u>0.615</u>	<u>7201</u>	<u>1.1839</u>	<u>1.1280</u>	<u>0.9959</u>	<u>0.550</u>
<u>6605</u>	<u>0.2918</u>	<u>0.2814</u>	<u>0.2584</u>	<u>0.622</u>	<u>7202</u>	<u>0.0379</u>	<u>0.0361</u>	<u>0.0317</u>	<u>0.530</u>
<u>6607</u>	<u>0.1673</u>	<u>0.1603</u>	<u>0.1435</u>	<u>0.564</u>	<u>7203</u>	<u>0.1236</u>	<u>0.1192</u>	<u>0.1093</u>	<u>0.606</u>
<u>6608</u>	<u>0.5426</u>	<u>0.5085</u>	<u>0.4355</u>	<u>0.438</u>	<u>7204</u>	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>	<u>1.000</u>
<u>6620</u>	<u>4.4397</u>	<u>4.2975</u>	<u>3.9395</u>	<u>0.694</u>	<u>7301</u>	<u>0.4629</u>	<u>0.4420</u>	<u>0.3926</u>	<u>0.518</u>
<u>6704</u>	<u>0.1617</u>	<u>0.1555</u>	<u>0.1408</u>	<u>0.623</u>	<u>7302</u>	<u>0.9022</u>	<u>0.8615</u>	<u>0.7647</u>	<u>0.521</u>
<u>6705</u>	<u>0.8493</u>	<u>0.8210</u>	<u>0.7575</u>	<u>0.632</u>	<u>7307</u>	<u>0.4903</u>	<u>0.4706</u>	<u>0.4221</u>	<u>0.559</u>
<u>6706</u>	<u>0.3183</u>	<u>0.3047</u>	<u>0.2742</u>	<u>0.553</u>	<u>7308</u>	<u>0.2758</u>	<u>0.2669</u>	<u>0.2463</u>	<u>0.636</u>
<u>6707</u>	<u>3.1650</u>	<u>3.0806</u>	<u>2.8587</u>	<u>0.717</u>	<u>7309</u>	<u>0.2755</u>	<u>0.2665</u>	<u>0.2447</u>	<u>0.638</u>
<u>6708</u>	<u>8.1557</u>	<u>7.7761</u>	<u>6.8871</u>	<u>0.444</u>					
<u>6709</u>	<u>0.2755</u>	<u>0.2665</u>	<u>0.2447</u>	<u>0.638</u>					
<u>6801</u>	<u>0.5639</u>	<u>0.5408</u>	<u>0.4869</u>	<u>0.619</u>					
<u>6802</u>	<u>0.3970</u>	<u>0.3820</u>	<u>0.3480</u>	<u>0.619</u>					
<u>6803</u>	<u>0.8492</u>	<u>0.7933</u>	<u>0.6726</u>	<u>0.367</u>					
<u>6804</u>	<u>0.2777</u>	<u>0.2650</u>	<u>0.2364</u>	<u>0.562</u>					
<u>6809</u>	<u>4.7851</u>	<u>4.5902</u>	<u>4.1352</u>	<u>0.572</u>					
<u>6901</u>	<u>0.0387</u>	<u>0.0383</u>	<u>0.0380</u>	<u>0.766</u>					
<u>6902</u>	<u>0.9982</u>	<u>0.9357</u>	<u>0.7968</u>	<u>0.425</u>					
<u>6903</u>	<u>7.4689</u>	<u>6.9326</u>	<u>5.8068</u>	<u>0.310</u>					

Expected Loss Rates in Dollars Per Sq. Ft. of Wallboard Installed				
((Class	2000	2001	2002	D-Ratio
<u>0524</u>	<u>0.0183</u>	<u>0.0179</u>	<u>0.0163</u>	<u>0.463</u>
<u>0526</u>	<u>0.0098</u>	<u>0.0096</u>	<u>0.0086</u>	<u>0.439</u>
<u>0527</u>	<u>0.0010</u>	<u>0.0009</u>	<u>0.0009</u>	<u>0.393</u>
<u>0528</u>	<u>0.0025</u>	<u>0.0024</u>	<u>0.0022</u>	<u>0.468</u>
<u>0529</u>	<u>0.0014</u>	<u>0.0013</u>	<u>0.0012</u>	<u>0.428</u>
<u>0530</u>	<u>0.0264</u>	<u>0.0258</u>	<u>0.0232</u>	<u>0.369</u>

PROPOSED

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Class	2001	2002	2003	D-Ratio	Expected Loss Range	Maximum Experience Modification
0531	0.0139	0.0136	0.0122	0.391		
0532	0.0011	0.0011	0.0010	0.414	((Expected Loss Range	
0533	0.0032	0.0031	0.0028	0.426	12,666 - 13,768	0.72
0534	0.0022	0.0022	0.0019	0.385))	13,769 - 14,984	0.71
					14,985 - 16,327	0.70
					16,328 - 17,813	0.69
0524	0.0218	0.0205	0.0177	0.465	17,814 - 19,459	0.68
0526	0.0112	0.0105	0.0090	0.433	19,460 - 21,285	0.67
0527	0.0009	0.0009	0.0007	0.433	21,286 - 23,314	0.66
0528	0.0028	0.0027	0.0023	0.482	23,315 - 25,573	0.65
0529	0.0016	0.0015	0.0013	0.465	25,574 - 28,091	0.64
0530	0.0294	0.0273	0.0230	0.371	28,092 - 30,902	0.63
0531	0.0159	0.0148	0.0125	0.382	30,903 - 34,048	0.62
0532	0.0014	0.0013	0.0011	0.382	34,049 - 37,573	0.61
0533	0.0037	0.0034	0.0029	0.427	37,574 & Higher	0.60))
0534	0.0026	0.0024	0.0020	0.371		
0540	0.0227	0.0214	0.0185	0.465	Expected Loss Range	Maximum Experience Modification
0541	0.0120	0.0112	0.0097	0.433	4,052 & Lower	0.90
0550	0.0299	0.0277	0.0233	0.371	4,053 = 4,335	0.89
0551	0.0166	0.0155	0.0130	0.382	4,336 = 4,641	0.88
					4,642 = 4,973	0.87
					4,974 = 5,333	0.86
					5,334 = 5,724	0.85
					5,725 = 6,149	0.84
					6,150 = 6,610	0.83
					6,611 = 7,113	0.82
					7,114 = 7,661	0.81
					7,662 = 8,259	0.80
					8,260 = 8,911	0.79
					8,912 = 9,625	0.78
					9,626 = 10,406	0.77
					10,407 = 11,263	0.76
					11,264 = 12,202	0.75
					12,203 = 13,235	0.74
					13,236 = 14,370	0.73
					14,371 = 15,621	0.72
					15,622 = 17,001	0.71
					17,002 = 18,525	0.70
					18,526 = 20,211	0.69
					20,212 = 22,079	0.68
					22,080 = 24,151	0.67
					24,152 = 26,453	0.66
					26,454 = 29,016	0.65
					29,017 = 31,873	0.64
					31,874 = 35,063	0.63
					35,064 = 38,632	0.62
					38,633 = 42,632	0.61
					42,633 & Higher	0.60

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

WAC 296-17-890 Table IV.

**Maximum experience modifications
for firms with no compensable accidents:
Effective ((1/1/2004)) 1/1/2005**

(Expected Loss Range	Maximum Experience Modification
3,571 & Lower	0.90
3,572 - 3,821	0.89
3,822 - 4,091	0.88
4,092 - 4,383	0.87
4,384 - 4,700	0.86
4,701 - 5,045	0.85
5,046 - 5,419	0.84
5,420 - 5,826	0.83
5,827 - 6,269	0.82
6,270 - 6,752	0.81
6,753 - 7,279	0.80
7,280 - 7,854	0.79
7,855 - 8,483	0.78
8,484 - 9,172	0.77
9,173 - 9,926	0.76
9,927 - 10,754	0.75
10,755 - 11,664	0.74
11,665 - 12,665	0.73

AMENDATORY SECTION (Amending WSR 04-13-017,
filed 6/4/04, effective 7/5/04)

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

((Base Rates Effective
January 1, 2004

Class	Accident Fund	Medical Aid Fund
0101	1.5814	0.7743
0103	1.7560	1.0231
0104	1.0798	0.5941
0105	1.4448	0.9613
0107	1.2655	0.7206
0108	1.0798	0.5941
0112	0.7788	0.4591
0201	2.7967	1.3868
0202	3.8070	2.0165
0210	1.4498	0.6811
0212	1.2948	0.6731
0214	1.4592	0.7138
0217	1.3036	0.6971
0219	1.0750	0.7601
0301	0.5567	0.4307
0302	2.2802	0.9416
0303	2.1458	0.9612
0306	1.1713	0.5736
0307	0.9965	0.5767
0308	0.5270	0.4263
0403	1.6656	1.2385
0502	1.7909	0.8089
0504	1.3821	0.8266
0506	5.5423	3.0267
0507	3.1811	1.8865
0508	2.4737	1.0339
0509	1.8702	0.8009
0510	1.6703	0.9807
0511	1.8921	0.9897
0512	1.4169	0.7795
0513	0.9884	0.5366
0514	1.7316	1.0394
0516	1.6703	0.9807
0517	1.6780	1.0950
0518	1.8366	0.9328
0519	1.9295	1.0901
0521	0.6989	0.4450
0601	0.6461	0.3862
0602	0.7255	0.4146

((Base Rates Effective
January 1, 2004

Class	Accident Fund	Medical Aid Fund
0603	1.1661	0.5393
0604	0.9048	0.7316
0606	0.4319	0.3655
0607	0.4193	0.3175
0608	0.3621	0.2512
0701	2.5501	0.8175
0803	0.4758	0.3517
0901	1.8366	0.9328
1002	1.0578	0.7479
1003	0.8656	0.6100
1004	0.5325	0.3268
1005	8.3826	4.4172
1007	0.3697	0.2374
1101	0.6527	0.4899
1102	1.4175	0.7790
1103	1.1092	0.8062
1104	0.4796	0.4454
1105	1.0193	0.7100
1106	0.3168	0.3134
1108	0.6003	0.4657
1109	1.2172	0.9398
1301	0.7260	0.3982
1303	0.2359	0.1719
1304	0.0242	0.0194
1305	0.3640	0.2850
1401	0.4888	0.4061
1404	0.6507	0.5258
1405	0.4630	0.3620
1407	0.6507	0.5258
1501	0.5898	0.3839
1507	0.5258	0.3512
1701	1.0139	0.5815
1702	2.2784	1.0454
1703	1.0410	0.3854
1704	1.0139	0.5815
1801	0.5893	0.3974
1802	0.6768	0.4355
2002	0.6934	0.5787
2004	0.8083	0.6479
2007	0.4262	0.3258
2008	0.3220	0.2403
2009	0.3158	0.3162
2101	0.7157	0.5397
2102	0.5026	0.4361

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Class	((Base Rates Effective January 1, 2004		Class	((Base Rates Effective January 1, 2004	
	Accident Fund	Medical Aid Fund		Accident Fund	Medical Aid Fund
2104	0.2749	0.2907	3602	0.1106	0.1023
2105	0.6066	0.4813	3603	0.4591	0.3661
2106	0.4257	0.3452	3604	0.8039	0.6965
2201	0.2517	0.1986	3605	0.5317	0.3611
2202	0.7279	0.5211	3701	0.2780	0.2292
2203	0.4299	0.4196	3702	0.4132	0.3523
2204	0.2517	0.1986	3708	0.6358	0.4386
2401	0.4450	0.3439	3802	0.1591	0.1422
2903	0.6146	0.5552	3808	0.4550	0.3078
2904	0.6859	0.5526	3901	0.1328	0.1528
2905	0.5029	0.4761	3902	0.4252	0.3863
2906	0.3469	0.2639	3903	1.0296	0.9966
2907	0.4824	0.4221	3905	0.1328	0.1528
2908	1.0443	0.7208	3906	0.4828	0.4052
2909	0.3880	0.3364	3909	0.2477	0.2366
3101	1.0798	0.6249	4002	1.4293	0.7720
3102	0.2780	0.2292	4101	0.2771	0.2120
3103	0.5594	0.4228	4103	0.3652	0.4111
3104	0.6477	0.4140	4107	0.1533	0.1235
3105	0.7218	0.6194	4108	0.1366	0.1195
3303	0.4072	0.3326	4109	0.2105	0.1737
3304	0.4851	0.4488	4201	0.7318	0.3596
3309	0.4086	0.3370	4301	0.6271	0.5697
3402	0.5131	0.3800	4302	0.5894	0.4574
3403	0.2011	0.1529	4304	0.8819	0.7071
3404	0.5017	0.4108	4305	1.3133	0.7131
3405	0.3030	0.2306	4401	0.3790	0.3197
3406	0.1946	0.1855	4402	0.7470	0.6336
3407	0.6760	0.4481	4404	0.4702	0.4284
3408	0.1647	0.1198	4501	0.1791	0.1584
3409	0.1400	0.1350	4502	0.0387	0.0385
3410	0.2301	0.2230	4504	0.0931	0.1040
3411	0.4844	0.3267	4601	0.6942	0.5520
3412	0.5755	0.3539	4802	0.2337	0.2024
3414	0.5520	0.3888	4803	0.2168	0.2237
3415	0.7473	0.5298	4804	0.5433	0.4452
3501	1.0049	0.7260	4805	0.2414	0.2437
3503	0.2692	0.2962	4806	0.0483	0.0468
3506	1.3008	0.5776	4808	0.4569	0.3766
3509	0.3666	0.3533	4809	0.3475	0.3139
3510	0.3547	0.2989	4810	0.1253	0.1330
3511	0.6851	0.5304	4811	0.2220	0.2256
3512	0.3102	0.2838	4812	0.3461	0.2991
3513	0.4529	0.4138	4813	0.1526	0.1368

PROPOSED

((Base Rates-Effective January 1, 2004				((Base Rates-Effective January 1, 2004			
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund		
4900	0.3773	0.2508	6205	0.2342	0.2049		
4901	0.0746	0.0543	6206	0.2116	0.1761		
4902	0.0957	0.0748	6207	0.9203	1.0906		
4903	0.1176	0.0846	6208	0.1942	0.2291		
4904	0.0280	0.0252	6209	0.2548	0.2471		
4905	0.2850	0.3019	6301	0.1353	0.0832		
4906	0.0959	0.0747	6302	0.1506	0.1407		
4907	0.0450	0.0396	6303	0.0651	0.0572		
4908	0.0830	0.1583	6304	0.2983	0.3111		
4909	0.0371	0.0696	6305	0.0848	0.0943		
4910	0.4052	0.3337	6306	0.2906	0.2495		
5001	5.6626	2.5112	6308	0.0547	0.0484		
5002	0.6043	0.4230	6309	0.1578	0.1568		
5003	2.0838	0.9576	6402	0.2798	0.2622		
5004	1.0382	0.7851	6403	0.1352	0.1383		
5005	0.7259	0.4013	6404	0.1730	0.1758		
5006	1.9405	0.9896	6405	0.5698	0.4319		
5101	0.9430	0.6911	6406	0.0873	0.0926		
5103	0.6953	0.6625	6407	0.2469	0.2313		
5106	0.6953	0.6625	6408	0.3740	0.3030		
5108	0.9034	0.7555	6409	0.8659	0.5358		
5109	0.6908	0.4594	6410	0.2515	0.2082		
5201	0.4178	0.3177	6501	0.1576	0.1317		
5204	0.9292	0.6996	6502	0.0324	0.0317		
5206	0.3773	0.2508	6503	0.0819	0.0470		
5207	0.1420	0.1531	6504	0.3363	0.3718		
5208	0.8731	0.6533	6505	0.0845	0.0987		
5209	0.8321	0.5874	6506	0.0847	0.0899		
5301	0.0286	0.0263	6509	0.3189	0.3214		
5302	0.0286	0.0263	6510	0.5002	0.3039		
5305	0.0520	0.0520	6511	0.2683	0.2825		
5306	0.0578	0.0507	6601	0.1744	0.1621		
5307	0.4812	0.3319	6602	0.3962	0.3475		
6103	0.0673	0.0798	6603	0.3395	0.2526		
6104	0.3592	0.3227	6604	0.0628	0.0606		
6105	0.2903	0.2119	6605	0.2132	0.2917		
6107	0.1032	0.1306	6607	0.1770	0.1510		
6108	0.3710	0.3912	6608	0.6719	0.3123		
6109	0.0898	0.0712	6614	987*	927*		
6110	0.4754	0.3989	6615	358*	356*		
6201	0.3725	0.2394	6616	271*	238*		
6202	0.6046	0.5298	6617	102*	92*		
6203	0.0708	0.1013	6618	99*	50*		
6204	0.1278	0.1223	6620	4.5954	3.4827		

PROPOSED

Class	((Base Rates Effective January 1, 2004	
	Accident Fund	Medical Aid Fund
6704	0.1531	0.1352
6705	0.6840	0.8359
6706	0.2997	0.3124
6707	2.6228	2.3616
6708	6.4860	8.3254
6709	0.2315	0.2619
6801	0.5513	0.3850
6802	0.3743	0.3762
6803	0.9264	0.5238
6804	0.2581	0.2058
6809	4.7942	4.4011
6901	0.0000	0.0691
6902	1.1874	0.4826
6903	8.8112	4.6583
6904	0.4889	0.2997
6905	0.4082	0.2813
6906	0.0000	0.2414
6907	1.1483	0.8577
6908	0.4866	0.3980
6909	0.1067	0.0968
7100	0.0303	0.0261
7101	0.0248	0.0203
7102	2.9027	4.5880
7103	0.5655	0.3505
7104	0.0272	0.0236
7105	0.0264	0.0254
7106	0.1772	0.1606
7107	0.2057	0.2255
7108	0.1596	0.2033
7109	0.1293	0.1253
7110	0.4185	0.2625
7111	0.4096	0.2851
7112	0.5838	0.4891
7113	0.3442	0.3640
7114	0.5276	0.5917
7115	0.5057	0.4960
7116	0.5758	0.5188
7117	1.2566	1.0693
7118	1.0394	0.9808
7119	1.2604	0.9886
7120	5.7871	4.6097
7121	5.5522	4.3375
7201	1.3512	0.8174
7202	0.0414	0.0264

Class	((Base Rates Effective January 1, 2004	
	Accident Fund	Medical Aid Fund
7203	0.0997	0.1276
7204	0.0000	0.0000
7301	0.4601	0.3847
7302	0.8603	0.6898
7307	0.4975	0.4589
7308	0.2130	0.2885
7309	0.2315	0.2619

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

Class	Base Rates Effective January 1, 2005	
	Accident Fund	Medical Aid Fund
0101	1.5712	0.7958
0103	1.7811	1.0388
0104	1.0948	0.5963
0105	1.4713	0.9700
0107	1.3800	0.7634
0108	1.0948	0.5963
0112	0.8408	0.5241
0201	2.7384	1.2955
0202	3.5362	2.0082
0210	1.3908	0.6846
0212	1.4097	0.7562
0214	1.4773	0.7315
0217	1.3098	0.7108
0219	1.0005	0.7000
0301	0.5681	0.4513
0302	2.2054	0.9634
0303	2.1525	0.9713
0306	1.2013	0.5974
0307	1.0350	0.6115
0308	0.5129	0.4392
0403	1.7394	1.2958
0502	1.7292	0.8171
0504	1.3779	0.8471
0507	3.0800	1.9089
0508	2.3737	1.0280
0509	1.7145	0.8096
0510	1.7031	1.0197
0511	1.8399	1.0126
0512	1.6329	0.8381
0513	0.9896	0.5482
0514	1.9781	1.1717

Base Rates Effective
January 1, 2005

Base Rates Effective
January 1, 2005

<u>Class</u>	<u>Base Rates Effective</u> <u>January 1, 2005</u>		<u>Class</u>	<u>Base Rates Effective</u> <u>January 1, 2005</u>	
	<u>Accident</u> <u>Fund</u>	<u>Medical Aid</u> <u>Fund</u>		<u>Accident</u> <u>Fund</u>	<u>Medical Aid</u> <u>Fund</u>
<u>0516</u>	<u>1.7031</u>	<u>1.0197</u>	<u>2002</u>	<u>0.6907</u>	<u>0.5977</u>
<u>0517</u>	<u>1.7783</u>	<u>1.1387</u>	<u>2004</u>	<u>0.8922</u>	<u>0.6861</u>
<u>0518</u>	<u>1.9397</u>	<u>0.9866</u>	<u>2007</u>	<u>0.4457</u>	<u>0.3399</u>
<u>0519</u>	<u>2.2585</u>	<u>1.2686</u>	<u>2008</u>	<u>0.3232</u>	<u>0.2458</u>
<u>0521</u>	<u>0.6033</u>	<u>0.4073</u>	<u>2009</u>	<u>0.3490</u>	<u>0.3450</u>
<u>0601</u>	<u>0.6934</u>	<u>0.4108</u>	<u>2101</u>	<u>0.6785</u>	<u>0.5389</u>
<u>0602</u>	<u>0.8039</u>	<u>0.4304</u>	<u>2102</u>	<u>0.5478</u>	<u>0.4729</u>
<u>0603</u>	<u>1.2177</u>	<u>0.5588</u>	<u>2104</u>	<u>0.2933</u>	<u>0.3133</u>
<u>0604</u>	<u>0.9419</u>	<u>0.7572</u>	<u>2105</u>	<u>0.5843</u>	<u>0.4652</u>
<u>0606</u>	<u>0.5014</u>	<u>0.4058</u>	<u>2106</u>	<u>0.4230</u>	<u>0.3508</u>
<u>0607</u>	<u>0.4669</u>	<u>0.3495</u>	<u>2201</u>	<u>0.2467</u>	<u>0.2020</u>
<u>0608</u>	<u>0.3979</u>	<u>0.2721</u>	<u>2202</u>	<u>0.7224</u>	<u>0.5294</u>
<u>0701</u>	<u>2.5562</u>	<u>0.8297</u>	<u>2203</u>	<u>0.4603</u>	<u>0.4351</u>
<u>0803</u>	<u>0.4821</u>	<u>0.3694</u>	<u>2204</u>	<u>0.2467</u>	<u>0.2020</u>
<u>0901</u>	<u>1.9397</u>	<u>0.9866</u>	<u>2401</u>	<u>0.4714</u>	<u>0.3626</u>
<u>1002</u>	<u>1.0209</u>	<u>0.7475</u>	<u>2903</u>	<u>0.6483</u>	<u>0.5785</u>
<u>1003</u>	<u>0.8420</u>	<u>0.5967</u>	<u>2904</u>	<u>0.7148</u>	<u>0.5984</u>
<u>1004</u>	<u>0.5435</u>	<u>0.3343</u>	<u>2905</u>	<u>0.5354</u>	<u>0.5133</u>
<u>1005</u>	<u>8.9651</u>	<u>4.9095</u>	<u>2906</u>	<u>0.3466</u>	<u>0.2714</u>
<u>1007</u>	<u>0.4073</u>	<u>0.2575</u>	<u>2907</u>	<u>0.4927</u>	<u>0.4443</u>
<u>1101</u>	<u>0.6978</u>	<u>0.5187</u>	<u>2908</u>	<u>1.0923</u>	<u>0.7152</u>
<u>1102</u>	<u>1.4506</u>	<u>0.8056</u>	<u>2909</u>	<u>0.3738</u>	<u>0.3341</u>
<u>1103</u>	<u>1.1786</u>	<u>0.8888</u>	<u>3101</u>	<u>1.0776</u>	<u>0.6511</u>
<u>1104</u>	<u>0.4961</u>	<u>0.4553</u>	<u>3102</u>	<u>0.2774</u>	<u>0.2405</u>
<u>1105</u>	<u>0.9877</u>	<u>0.6851</u>	<u>3103</u>	<u>0.5698</u>	<u>0.4326</u>
<u>1106</u>	<u>0.3074</u>	<u>0.3126</u>	<u>3104</u>	<u>0.6221</u>	<u>0.4022</u>
<u>1108</u>	<u>0.6182</u>	<u>0.4848</u>	<u>3105</u>	<u>0.7629</u>	<u>0.6266</u>
<u>1109</u>	<u>1.3618</u>	<u>1.0680</u>	<u>3303</u>	<u>0.4310</u>	<u>0.3437</u>
<u>1301</u>	<u>0.7581</u>	<u>0.4117</u>	<u>3304</u>	<u>0.4663</u>	<u>0.4591</u>
<u>1303</u>	<u>0.2233</u>	<u>0.1712</u>	<u>3309</u>	<u>0.4155</u>	<u>0.3410</u>
<u>1304</u>	<u>0.0266</u>	<u>0.0207</u>	<u>3402</u>	<u>0.5307</u>	<u>0.3994</u>
<u>1305</u>	<u>0.3886</u>	<u>0.3073</u>	<u>3403</u>	<u>0.2025</u>	<u>0.1580</u>
<u>1401</u>	<u>0.4678</u>	<u>0.4015</u>	<u>3404</u>	<u>0.5044</u>	<u>0.4202</u>
<u>1404</u>	<u>0.6813</u>	<u>0.5535</u>	<u>3405</u>	<u>0.3081</u>	<u>0.2366</u>
<u>1405</u>	<u>0.5175</u>	<u>0.4004</u>	<u>3406</u>	<u>0.1900</u>	<u>0.1919</u>
<u>1407</u>	<u>0.6813</u>	<u>0.5535</u>	<u>3407</u>	<u>0.6937</u>	<u>0.4992</u>
<u>1501</u>	<u>0.5749</u>	<u>0.3915</u>	<u>3408</u>	<u>0.1730</u>	<u>0.1297</u>
<u>1507</u>	<u>0.5283</u>	<u>0.3649</u>	<u>3409</u>	<u>0.1569</u>	<u>0.1570</u>
<u>1701</u>	<u>1.0007</u>	<u>0.6164</u>	<u>3410</u>	<u>0.2470</u>	<u>0.2399</u>
<u>1702</u>	<u>2.4102</u>	<u>1.0965</u>	<u>3411</u>	<u>0.5009</u>	<u>0.3466</u>
<u>1703</u>	<u>1.1054</u>	<u>0.4207</u>	<u>3412</u>	<u>0.5896</u>	<u>0.3578</u>
<u>1704</u>	<u>1.0007</u>	<u>0.6164</u>	<u>3414</u>	<u>0.5774</u>	<u>0.4028</u>
<u>1801</u>	<u>0.5650</u>	<u>0.3970</u>	<u>3415</u>	<u>0.7923</u>	<u>0.5588</u>
<u>1802</u>	<u>0.7227</u>	<u>0.4594</u>	<u>3501</u>	<u>1.0519</u>	<u>0.7873</u>

PROPOSED

PROPOSED

Base Rates Effective January 1, 2005			Base Rates Effective January 1, 2005		
Class	Accident Fund	Medical Aid Fund	Class	Accident Fund	Medical Aid Fund
3503	0.2609	0.3061	4806	0.0519	0.0492
3506	1.2951	0.6010	4808	0.4662	0.3843
3509	0.3743	0.3686	4809	0.3592	0.3363
3510	0.3767	0.3094	4810	0.1276	0.1379
3511	0.7302	0.5655	4811	0.2317	0.2383
3512	0.3085	0.2980	4812	0.3749	0.3363
3513	0.4384	0.4090	4813	0.1502	0.1476
3602	0.1184	0.1076	4900	0.3955	0.2495
3603	0.4438	0.3698	4901	0.0814	0.0586
3604	0.7709	0.6783	4902	0.0981	0.0790
3605	0.5457	0.3775	4903	0.1492	0.1092
3701	0.2774	0.2405	4904	0.0294	0.0270
3702	0.4275	0.3668	4905	0.3045	0.3238
3708	0.6575	0.4651	4906	0.0994	0.0787
3802	0.1693	0.1505	4907	0.0480	0.0438
3808	0.4686	0.3075	4908	0.0815	0.1639
3901	0.1389	0.1610	4909	0.0372	0.0719
3902	0.4862	0.4205	4910	0.4311	0.3503
3903	0.9951	1.0094	5001	5.5303	2.6010
3905	0.1389	0.1610	5002	0.6172	0.4405
3906	0.4807	0.4197	5003	2.1717	1.0450
3909	0.2484	0.2469	5004	0.9502	0.7541
4002	1.5440	0.8535	5005	0.6493	0.3758
4101	0.2870	0.2197	5006	1.8785	0.9715
4103	0.3746	0.4215	5101	0.9341	0.7073
4107	0.1599	0.1359	5103	0.6811	0.6605
4108	0.1348	0.1201	5106	0.6811	0.6605
4109	0.2122	0.1698	5108	0.9017	0.7729
4201	0.7714	0.4124	5109	0.6576	0.4660
4301	0.6539	0.5734	5201	0.4402	0.3335
4302	0.6354	0.5049	5204	0.9717	0.7166
4304	0.9778	0.8193	5206	0.3955	0.2495
4305	1.3308	0.7440	5207	0.1492	0.1721
4401	0.3766	0.3206	5208	0.8956	0.6879
4402	0.7806	0.7112	5209	0.8125	0.5801
4404	0.5045	0.4564	5301	0.0294	0.0286
4501	0.1799	0.1734	5302	0.0218	0.0191
4502	0.0373	0.0381	5305	0.0488	0.0523
4504	0.0977	0.1154	5306	0.0566	0.0553
4601	0.7239	0.5787	5307	0.5105	0.3600
4802	0.2515	0.2218	6103	0.0689	0.0839
4803	0.2277	0.2499	6104	0.3533	0.3330
4804	0.5361	0.4514	6105	0.3380	0.2481
4805	0.2590	0.2628	6107	0.1109	0.1425

<u>Base Rates Effective January 1, 2005</u>			<u>Base Rates Effective January 1, 2005</u>		
<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>	<u>Class</u>	<u>Accident Fund</u>	<u>Medical Aid Fund</u>
6108	0.3724	0.4094	6608	0.6558	0.3047
6109	0.0915	0.0745	6614	885*	894*
6110	0.5457	0.4639	6615	307*	322*
6201	0.3554	0.2355	6616	220*	199*
6202	0.6217	0.5532	6617	83*	76*
6203	0.0765	0.1096	6618	99*	50*
6204	0.1202	0.1250	6620	4.7930	3.6449
6205	0.2325	0.2167	6704	0.1664	0.1380
6206	0.2169	0.1855	6705	0.6992	0.9342
6207	0.8778	1.0654	6706	0.2919	0.3055
6208	0.2009	0.2394	6707	3.1192	2.9914
6209	0.2776	0.2776	6708	6.5953	8.6754
6301	0.1362	0.0822	6709	0.2469	0.2811
6302	0.1543	0.1452	6801	0.6185	0.4329
6303	0.0691	0.0603	6802	0.3770	0.3742
6304	0.3452	0.3658	6803	0.9657	0.5336
6305	0.0812	0.0955	6804	0.2927	0.2215
6306	0.3273	0.2747	6809	4.5635	4.4339
6308	0.0598	0.0514	6901	0.0000	0.0733
6309	0.1651	0.1644	6902	1.2348	0.5292
6402	0.2745	0.2706	6903	8.4543	4.5702
6403	0.1382	0.1472	6904	0.4416	0.2666
6404	0.1955	0.1888	6905	0.3915	0.2870
6405	0.6094	0.4479	6906	0.0000	0.2870
6406	0.0972	0.1025	6907	1.1924	0.9266
6407	0.2607	0.2455	6908	0.4956	0.4009
6408	0.3816	0.3106	6909	0.1069	0.1009
6409	0.9558	0.5915	7100	0.0309	0.0271
6410	0.2754	0.2323	7101	0.0240	0.0197
6501	0.1631	0.1416	7102	2.9580	4.7979
6502	0.0367	0.0352	7103	0.6014	0.3740
6503	0.0835	0.0478	7104	0.0293	0.0256
6504	0.3492	0.3934	7105	0.0286	0.0274
6505	0.0903	0.1081	7106	0.1772	0.1737
6506	0.0919	0.0981	7107	0.1935	0.2218
6509	0.3234	0.3400	7108	0.1643	0.2060
6510	0.5380	0.3212	7109	0.1222	0.1228
6511	0.2655	0.2773	7110	0.3806	0.2487
6601	0.1722	0.1694	7111	0.4217	0.2836
6602	0.4109	0.3683	7112	0.5976	0.5231
6603	0.3323	0.2572	7113	0.3220	0.3557
6604	0.0780	0.0720	7114	0.5189	0.5852
6605	0.2512	0.3064	7115	0.5222	0.5314
6607	0.1683	0.1443	7116	0.6670	0.5864

PROPOSED

PROPOSED

Class	Base Rates Effective January 1, 2005		Size Group Number	Standard Premium Range
	Accident Fund	Medical Aid Fund		
7117	1.3695	1.1705	53	22,130 - 24,769
7118	1.1773	1.0657	52	24,770 - 27,539
7119	1.2767	1.0108	51	27,540 - 30,439
7120	6.0683	4.8033	50	30,440 - 33,499
7121	5.6717	4.5201	49	33,500 - 36,679
7122	0.5189	0.5852	48	36,680 - 39,919
7201	1.3513	0.8221	47	39,920 - 43,169
7202	0.0423	0.0270	46	43,170 - 46,729
7203	0.1023	0.1344	45	46,730 - 50,699
7204	0.0000	0.0000	44	50,700 - 55,119
7301	0.4532	0.4079	43	55,120 - 60,009
7302	0.8961	0.7811	42	60,010 - 65,479
7307	0.4747	0.4470	41	65,480 - 71,619
7308	0.2292	0.3018	40	71,620 - 78,459
7309	0.2469	0.2811	39	78,460 - 86,189

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

Class	Base Rates Effective January 1, 2005			Size Group Number	Standard Premium Range
	Accident Fund	Medical Aid Fund	Supplemental Pension Fund		
0540	0.0274	0.0133	0.0006	37	94,950 - 104,799
0541	0.0146	0.0067	0.0006	36	104,800 - 115,299
0550	0.0371	0.0148	0.0006	35	115,300 - 126,799
0551	0.0206	0.0083	0.0006	34	126,800 - 139,499
				33	139,500 - 153,399
				32	153,400 - 168,799
				31	168,800 - 184,799
				30	184,800 - 202,499
				29	202,500 - 222,599
				28	222,600 - 245,399
				27	245,400 - 271,699
				26	271,700 - 301,999
				25	302,000 - 336,799
				24	336,800 - 377,599
				23	377,600 - 425,599
				22	425,600 - 481,799
				21	481,800 - 548,999
				20	549,000 - 630,999
				19	630,100 - 727,299
				18	727,300 - 847,999
				17	847,100 - 996,499
				16	996,500 - 1,210,999
				15	1,211,000 - 1,508,999
				14	1,509,000 - 1,927,999
				13	1,928,000 - 2,462,999
				12	2,463,000 - 3,145,999
				11	3,146,000 - 4,169,999
				10	4,170,000 - 5,776,999
				9	5,777,000 - 8,326,999

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

WAC 296-17-90492 Table I.

((RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES

Effective January 1, 2004

Size Group Number	Standard Premium Range
63	\$4,580 - \$5,533
62	5,534 - 6,645
61	6,646 - 7,906
60	7,907 - 9,355
59	9,356 - 11,011
58	11,012 - 12,879
57	12,880 - 14,999
56	15,000 - 17,239
55	17,240 - 19,619
54	19,620 - 22,129

Size Group Number	Standard Premium Range
8	8,327,000 - 12,059,999
7	12,060,000 - 17,759,999
6	17,760,000 - 27,619,999
5	27,620,000 - 43,599,999
4	43,600,000 & Over))

**RETROSPECTIVE RATING PLANS A, A1, A2, A3, AND B
STANDARD PREMIUM SIZE RANGES
Effective January 1, 2005**

Size Group Number	Standard Premium Range
63	\$4,754 - \$5,744
62	5,745 - 6,898
61	6,899 - 8,207
60	8,208 - 9,711
59	9,712 - 11,430
58	11,431 - 13,369
57	13,370 - 15,569
56	15,570 - 17,899
55	17,900 - 20,369
54	20,370 - 22,969
53	22,970 - 25,709
52	25,710 - 28,589
51	28,590 - 31,599
50	31,600 - 34,769
49	34,770 - 38,079
48	38,080 - 41,439
47	41,440 - 44,809
46	44,810 - 48,509
45	48,510 - 52,629
44	52,630 - 57,219
43	57,220 - 62,289
42	62,290 - 67,969
41	67,970 - 74,339
40	74,340 - 81,449
39	81,450 - 89,469
38	89,470 - 98,559
37	98,560 - 108,789
36	108,790 - 119,699
35	119,700 - 131,599
34	131,600 - 144,799
33	144,800 - 159,199
32	159,200 - 175,199
31	175,200 - 191,799
30	191,800 - 210,199
29	210,200 - 231,099

Size Group Number	Standard Premium Range
28	231,100 - 254,699
27	254,700 - 281,999
26	282,000 - 313,499
25	313,500 - 349,599
24	349,600 - 391,999
23	392,000 - 441,799
22	441,800 - 500,099
21	500,100 - 569,899
20	569,900 - 654,099
19	654,100 - 754,999
18	755,000 - 879,299
17	879,300 - 1,034,399
16	1,034,400 - 1,256,999
15	1,257,000 - 1,565,999
14	1,566,000 - 2,000,999
13	2,001,000 - 2,556,999
12	2,557,000 - 3,265,999
11	3,266,000 - 4,328,999
10	4,329,000 - 5,996,999
9	5,997,000 - 8,643,999
8	8,644,000 - 12,519,999
7	12,520,000 - 18,439,999
6	18,440,000 - 28,669,999
5	28,670,000 - 45,259,999
4	45,260,000 & Over

**WSR 04-19-048
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION**

[Filed September 14, 2004, 9:07 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-15-143.

Title of Rule and Other Identifying Information: WAC 139-10-240 Basic juvenile corrections officer academy curriculum, this WAC defines the content of the Juvenile Security Workers Academy. In June 2004, the name of this academy was changed to Juvenile Corrections Officer Academy in WAC 139-10-210.

Hearing Location(s): Washington State Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, on Wednesday, December 8, 2004, at 10:00 a.m.

Date of Intended Adoption: December 8, 2004.

Submit Written Comments to: Sharon M. Tolton, 19010 1st Avenue South, Burien, WA 98148, e-mail stolton@cjtc.state.wa.us, fax (206) 439-3860, by December 3, 2004.

PROPOSED

Assistance for Persons with Disabilities: Contact Sonja Hirsch by December 3, 2004, TTY (206) 835-7300

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Changing this rule will provide consistency between WAC 139-10-240 and 139-10-210. The original change was made to better reflect representative job classifications that are served by this academy and to increase professionalism and recognition of officers in this field.

Statutory Authority for Adoption: RCW 43.101.080.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Staff in cooperation with the Board on Corrections Training Standards and Education, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bob Graham, Burien, Washington, (206) 835-7302.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore a small business economic impact statement is not required.

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

September 13, 2004

Sharon M. Tolton

Deputy Director

AMENDATORY SECTION (Amending WSR 00-17-017, filed 8/4/00, effective 9/4/00)

WAC 139-10-240 Basic juvenile (~~security workers~~) corrections officer academy curriculum. The basic juvenile (~~security workers~~) corrections officer academy curriculum of the Washington state criminal justice training commission shall be at least eighty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills
 - (a) Observation skills
 - (b) Interpersonal skills
 - (c) Security management
 - (d) Supervision of youth
 - (e) Discipline of youth
 - (f) Proper use of physical force
 - (g) Writing skills
- (2) Key skills
 - (a) Legal issues
 - (b) Dealing with aggressive behavior
 - (c) Handling medical problems
 - (d) Handling mental illness problems
 - (e) Report writing
 - (f) Skills training
 - (g) Reception and classification
- (3) Related skills
 - (a) Professionalism
 - (b) Physical fitness
 - (c) Stress management.

WSR 04-19-049

PROPOSED RULES

CRIMINAL JUSTICE

TRAINING COMMISSION

[Filed September 14, 2004, 9:07 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-15-144.

Title of Rule and Other Identifying Information: WAC 139-10-245 Basic juvenile residential counselor academy curriculum, the corrections division has formulated and implemented a new academy to better serve the Juvenile Rehabilitation Administration's employees training needs. This academy is presently known as the Juvenile Residential Counselors Academy and is cited in WAC 139-10-210. This academy presently does not have a WAC that defines the curricula of this academy.

Hearing Location(s): Washington State Criminal Justice Training Commission, 19010 1st Avenue South, Burien, WA 98148, on Wednesday, December 8, 2004, at 10:00 a.m.

Date of Intended Adoption: December 8, 2004.

Submit Written Comments to: Sharon M. Tolton, 19010 1st Avenue South, Burien, WA 98148, e-mail stolton@cjtc.state.wa.us, fax (206) 439-3860, by December 3, 2004.

Assistance for Persons with Disabilities: Contact Sonja Hirsch by December 3, 2004, TTY (206) 835-7300

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Adopting a WAC defining the curricula in this academy will clearly state the subjects covered in this academy.

Statutory Authority for Adoption: RCW 43.101.080.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Staff in cooperation with the Board on Corrections Training Standards and Education, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bob Graham, Burien, Washington, (206) 835-7302.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore a small business economic impact statement is not required.

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

September 13, 2004

Sharon M. Tolton

Deputy Director

NEW SECTION

WAC 139-10-245 Basic juvenile residential counselor academy curriculum. The basic juvenile residential counselor academy curriculum of the Washington state criminal justice training commission shall be at least eighty instructional hours in length and shall include, but not be limited to, the following subject matter areas:

- (1) Core skills

- (a) Observation skills
- (b) Interpersonal skills
- (c) Security management
- (d) Supervision of youth
- (e) Discipline of youth
- (f) Proper use of physical force
- (g) Applying research based treatment
- (h) Writing skills
- (2) Key skills
 - (a) Legal issues
 - (b) Dealing with aggressive behavior
 - (c) Handling medical problems
 - (d) Handling mental illness problems
 - (e) Skills training
- (3) Related skills
 - (a) Professionalism
 - (b) Stress management.

WSR 04-19-055
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 14, 2004, 2:21 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-13-130.

Title of Rule and Other Identifying Information: Chapter 296-17 WAC, General reporting rules, classifications, audit and recordkeeping, rates and rating system for Washington workers' compensation insurance (2005 workers' compensation premium rates).

This rule proposal will amend WAC 296-17-89502, Industrial insurance rates for nonhourly rated classifications and 296-17-920 Assessment for supplemental pension fund. These WAC sections were inadvertently left out of the rule proposal filed September 9, 2004, as WSR 04-19-033 which proposes to amend the 2005 workers' compensation premium rates.

An overall 3.7% general increase in the premium rates is proposed. The 3.7% general rate increase is necessary to maintain the solvency of the state fund.

Hearing Location(s): All hearings begin at 3:00 p.m.: On November 3, 2004, at the Westcoast Ridpath, Inland Empire Room, 515 West Sprague, Spokane, WA, (509) 838-2711; on November 4, 2004, at the Red Lion Hotel, Yakima Center, 607 East Yakima Avenue, Yakima, WA, (509) 248-5900; on November 5, 2004, at the Best Western Cottontree Inn, Fidalgo Room, 2401 Riverside Drive, Mount Vernon, WA, (360) 428-5678; on November 8, 2004, at the Department of Labor and Industries, Tumwater Office, Auditorium, Tumwater, Washington; on November 9, 2004, at the Department of Labor and Industries, Tukwila Office, 12806 Gateway Drive, Tukwila, WA; on November 10, 2004, at the King Oscar Convention Center, 8820 Hosmer, Tacoma, WA, (253) 539-1153; and on November 12, 2004, at the Red Lion at the Quay, 100 Columbia Street, Vancouver, WA, (360) 694-8341.

Date of Intended Adoption: November 23, 2004.

Submit Written Comments to: Department of Labor and Industries, Kathy Kimbel, Program Manager for Employer Services, P.O. Box 44140, Olympia, WA 98504-4140, or e-mail LANZ235@LNI.WA.GOV, fax (360) 902-4729, by November 15, 2004, 12 noon.

Assistance for Persons with Disabilities: Contact Office of Information and Assistance by November 12, 2004, TTY (360) 902-5797.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule proposal will amend WAC 296-17-89502 Industrial insurance rates for nonhourly rated classifications and 296-17-920 Assessment for supplemental pension fund.

Reasons Supporting Proposal: Insurance base rates and experience rating tables are being modified to reflect changes in loss data associated with the classification and rating plan from the previous 2004 rating period. Washington law provides that rates should be adjusted annually to reflect the hazards of each industry and in accordance with the rating plan. Similarly the rating plan is revised to recognize changes within the industry groups.

Statutory Authority for Adoption: RCW 51.16.035 Base rates, 51.32.073 Supplemental pension, 51.18.010 Retrospective rating, and 51.04.020(1) General authority.

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

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This rule proposal will amend WAC 296-17-89502 Industrial insurance rates for nonhourly rated classifications and 296-17-920 Assessment for supplemental pension fund in order to establish 2005 premium rates and experience rating parameters for calendar year 2005.

Name of Proponent: Department of Labor and Industries, governmental.

Name of Agency Personnel Responsible for Drafting: Tammy Turner, Tumwater, Washington, (360) 902-4777; **Implementation:** Kathy Kimbel, Tumwater, Washington, (360) 902-4739; and **Enforcement:** Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Regulatory Fairness Act (RFA), chapter 19.85 RCW requires the agency to prepare a small business economic impact statement (SBEIS) if the proposed rule will have a disproportionate impact on the state's small businesses because of the size of those businesses. In this case the agency is exempt from conducting a SBEIS when the proposed rules set or adjust fees or rates pursuant to legislative standards RCW 34.05.310 (4)(f).

A cost-benefit analysis is not required under RCW 34.05.328. The Administrative Procedure Act (APA), chapter 34.05 RCW, requires the agency to prepare a cost/benefit analysis (CBA) prior to adopting a "significant legislative rule." The CBA determines whether the probable benefits of the rule are greater than its probable costs. This takes into account both the qualitative and quantitative benefits and costs and the specific directives of the statute being imple-

mented. In this case, the agency is exempt from conducting a CBA when the proposed rules set or adjust fees or rates pursuant to legislative standards RCW 34.05.328 (5)(b)(vi).

September 14, 2004

Paul Trause
Director

WSR 04-19-057
PROPOSED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
[Filed September 14, 2004, 4:43 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-10-112.

Title of Rule and Other Identifying Information: WAC 236-12-470 Prohibiting access to state capitol buildings and grounds while armed with dangerous weapons or with devices used to disrupt state business.

Hearing Location(s): General Administration Building, Auditorium, 210 Columbia Street, Olympia, WA 98504, on October 27, 2004, at 5:30 p.m. - 7:30 p.m.

Date of Intended Adoption: December 1, 2004.

Submit Written Comments to: Dave Schilperoort, P.O. Box 41019, Olympia, WA 98504-1019, e-mail Dschilp@ga.wa.gov, by November 10, 2004.

Assistance for Persons with Disabilities: Contact Sarah Purce by October 22, 2004, TTY (360) 664-3799 or (360) 902-0975.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department has granted a rule-making petition to amend WAC 236-12-470 relating to carrying firearms on state capitol grounds. The proposed amendment will repeal the prohibition against a person with a concealed pistol license from carrying a firearm on state capitol grounds. The effect will be that a person with a valid concealed pistol license may carry a firearm on state capitol grounds in accordance with the provisions of chapter 9.41 RCW.

Reasons Supporting Proposal: Chapter 9.41 RCW governs the regulation of firearms. RCW 9.41.290, enacted several years after general administration adopted WAC 236-12-470, preempted the field of firearms regulations. As a result, portions of WAC 236-12-470 are inconsistent with statute with regard to a person's authority to carry a firearm if they have a valid concealed pistol license. The proposed amendment to WAC 236-12-470 corrects this inconsistency.

Statutory Authority for Adoption: RCW 43.19.011, 43.19.125, and 46.08.150.

Statute Being Implemented: RCW 43.19.125 and 46.08.150, chapter 9.41 RCW.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The Washington State Patrol provides law enforcement for the state capitol grounds and will be consulted throughout the rule development and implementation process. In addition, general administration's chief of security will consult with members of the Legislative Security Committee and other building tenants on implementation matters relative to the legislative building.

Name of Proponent: General Administration, governmental.

Name of Agency Personnel Responsible for Drafting: Dave Schilperoort, General Administration, 1058 Capitol Way South, Olympia, WA 98504, (360) 902-0944; Imple-

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

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

((Base Rates Effective
January 1, 2004

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
0540	0.0256	0.0122	0.0006
0541	0.0138	0.0065	0.0006
0550	0.0373	0.0143	0.0006
0551	0.0197	0.0079	0.0006))

Base Rates Effective
January 1, 2005

Class	Accident Fund	Medical Aid Fund	Supplemental Pension Fund
0540	0.0274	0.0133	0.0006
0541	0.0146	0.0067	0.0006
0550	0.0371	0.0148	0.0006
0551	0.0206	0.0083	0.0006

AMENDATORY SECTION (Amending WSR 03-24-066, filed 12/1/03, effective 1/1/04)

WAC 296-17-920 Assessment for supplemental pension fund. The amount of ((36.0)) 37.1 mills (((0.360)) 0.371) shall be retained by each employer from the earnings of each worker for each hour or fraction thereof the worker is employed. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

PROPOSED

mentation: Bill Moore, General Administration, 1058 Capitol Way South, Olympia, WA 98504, (360) 902-0951; and Enforcement: Lowell Porter, Washington State Patrol, 210 Columbia Street, Olympia, WA 98504, (360) 753-6545.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule involves rights of individuals, not businesses. There is no cost to businesses.

A cost-benefit analysis is not required under RCW 34.05.328. Per RCW 34.05.328 (5)(a)(ii) the department has elected not to make this rule subject to the provisions of RCW 34.05.328.

September 14, 2004

R. D. Fukai
Director

AMENDATORY SECTION (Amending WSR 99-19-022, filed 9/7/99, effective 10/8/99)

WAC 236-12-470 Prohibiting access to state capitol buildings and grounds while armed with dangerous weapons or with devices used to disrupt state business. (1) No person shall carry any firearm or other dangerous weapon as described in chapter 9.41 RCW on the state capitol grounds or in any building on the state capitol grounds: Provided, That this regulation shall not apply to duly authorized federal, state, and local law enforcement officers or to any federal, state, and local government employee authorized to carry firearms in the course of their public employment; (~~nor shall any~~) and: Provided, That a person with a valid Washington state concealed pistol license may carry a firearm in accordance with chapter 9.41 RCW.

(2) No person may carry into any building on the state capitol grounds any voice-amplification equipment, blow horns, sirens, or other similar noise-producing devices which may be used to disrupt the conduct of state business by state employees.

WSR 04-19-064

PROPOSED RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Filed September 15, 2004, 4:25 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-058.

Title of Rule and Other Identifying Information: Amend sport fishing rules on delivery of fish caught in Canada.

Hearing Location(s): Chelan County Auditorium, 400 Douglas, Wenatchee, WA 98801, on November 5-6, 2004, begins 8:00 a.m. on November 5, 2004.

Date of Intended Adoption: November 5, 2004.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail jacobesj@dfw.wa.gov, fax (360) 902-2930.

Assistance for Persons with Disabilities: Contact Susan Yeager by October 22, 2004, TTY (360) 902-2267 or (360) 902-2207.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Since 1992 it has been unlawful to land salmon into a Washington port if the adjacent waters are closed to salmon fishing. This rule was established to prevent day trips into Canadian waters to fish for salmon in contiguous waters when the salmon fishing was closed for conservation purposes in Washington. This rule was precipitated by the 1991 coho conservation closure, during which 7,000 angler trips were recorded as having been made into Canada from Strait of Juan de Fuca Washington ports. A recent proposed decision by Whatcom County District Court has questioned the rule, based on a void for vagueness argument that the rule defines neither "landing" nor "port." This proposal is intended to correct these defects.

Reasons Supporting Proposal: Protection of Washington salmon stocks.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Rule is necessary because of state court decision, Whatcom County Dist. Ct. Nos. L 77078, L 77079, L 77085, and L 77089.

Name of Proponent: Department of Fish and Wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, WA, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, WA, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, WA, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects recreational fishers. It has no direct regulatory effect on small businesses.

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

September 15, 2004

Evan Jacoby
Rules Coordinator

AMENDATORY SECTION (Amending Order 92-19, filed 5/12/92, effective 6/12/92)

WAC 220-56-156 ((Landing)) Delivering Canadian origin food fish and shellfish. It is unlawful to (~~land in any~~) deliver into a Washington state port, moorage, anchorage, or vessel launching facility shellfish or food fish taken for personal use from Canadian waters unless the person (~~landing~~) delivering the shellfish or food fish possesses a Canadian sport fishing license and catch record, if one is required, valid for the period when the shellfish or food fish were taken. For purposes of this section, "delivery" means transportation by a private or commercial recreational fishing vessel and delivery is complete when the vessel anchors, moors, ties to a float or pier, or is placed or attempted to be placed on a boat trailer. Fresh salmon taken for personal use from Canadian waters and (~~landed at~~) delivered to a Washington port, moorage, anchorage, or vessel launching facility must meet current salmon regulations for (~~that~~) the waters of or adjacent to that port, moorage, anchorage, or vessel launching facility.

WSR 04-19-067
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed September 16, 2004, 8:06 a.m.]

Continuance of WSR 04-18-062.

Preproposal statement of inquiry was filed as WSR 03-18-013.

Title of Rule and Other Identifying Information: Various rules in chapter 415-112 WAC, Teachers' retirement system.

Hearing Location(s): Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on October 6, 2004, at 10:00 a.m.

Date of Intended Adoption: No sooner than October 7, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This continuance is filed pursuant to WAC 1-21-050(2) to correct the time of the hearing.

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

September 15, 2004

Leslie Saeger

Rules and Contacts Coordinator

WSR 04-19-071
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed September 16, 2004, 11:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-04-080, 03-23-003, or 04-04-050.

Title of Rule and Other Identifying Information: Amends WAC 308-15-010, 308-15-020, 308-15-030, 308-15-040, 308-15-050, 308-15-060, 308-15-070, 308-15-075, 308-15-080, 308-15-100, 308-15-101, 308-15-103, 308-15-140 and 308-15-150; add new sections WAC 308-15-053 What are the specialty licenses?, 308-15-055 What are the minimum requirements to be eligible for the engineering geologist specialty license?, and 308-15-057 What are the minimum requirements to be eligible for a hydrogeologist specialty license; and repeal WAC 308-15-090 What are the specialty licensed, qualifications and processes for licensure? and 308-15-102 What records are required for a brief adjudicative proceeding (BAP)?

Hearing Location(s): Department of Licensing, 405 Black Lake Boulevard, Room 209, Olympia, WA 98502, on October 27, 2004, at 1:00 p.m.

Date of Intended Adoption: October 27, 2004.

Submit Written Comments to: Rick Notestine, P.O. Box 9045, Olympia, WA, e-mail rnotestine@dol.wa.gov, fax (360) 664-2551, by October 15, 2004.

Assistance for Persons with Disabilities: Contact Joan Robinson by October 15, 2004, TTY (360) 664-8885 or (360) 664-1387.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Chapter 308-15 WAC has not been modified since originally adopted in 2001.

Delete language no longer applicable; clarify existing language; add new sections to describe the specialty licenses (engineering geologist and hydrogeologist); and the requirements to apply for those licenses.

Anticipated effects will be to make the language consistent with the existing law since the grandfathering capability is now closed and to clarify the rule language for the applicant, registrants and the public.

Statutory Authority for Adoption: RCW 18.220.040 Directors authority.

Statute Being Implemented: Chapter 18.220 RCW.

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

Name of Proponent: Geologist Licensing Board, Department of Licensing, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Joan Robinson, Olympia, Washington, (360) 664-1387; and Enforcement: Rick Notestine, Olympia, Washington, (360) 664-1386.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Geologist Licensing Board does not regulate businesses only individuals.

A cost-benefit analysis is not required under RCW 34.05.328. This section of regulations is not a "significant legislative rule" as defined by RCW 34.05.328 (5)(c)(iii) and is exempt under the provisions of RCW 34.05.328 (5)(b)(vi).

September 16, 2004

Rick Notestine

Administrator

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-010 State board of licensing. (1) Meetings: The Washington state geologist licensing board, hereafter called the board, will hold ~~((its))~~ quarterly regular public meetings ~~((annually in March))~~ each year. Special public meetings may be held at such times and places as the board ~~((may))~~ finds necessary. Public notice of all public meetings will be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.

(2) Rules of order: The latest edition of *Robert's Rules of Order* will govern the conduct of business at meetings and sessions of the board.

(3) Officers: The board will elect a chair, a vice-chair and a secretary ~~((Beginning with the March 2002 meeting, the board will elect officers for the ensuing year))~~ at its regular ~~((annual))~~ quarterly meeting in March.

(4) Quorum: A quorum at any regular or special meeting or session will consist of four members of the board.

(5) Licensed geologists: The board will maintain a roster of licensed geologists.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-020 Definitions. (1) "Board" means the Washington state geologist licensing board.

(2) "Department" means the Washington state department of licensing.

(3) "Geologic interpretation," as applied to the practice of geology and its specialties, is the iterative process by which geologists, using generally accepted geologic principles, determine geologic history, origin and process from observation and testing of rock, soil and water characteristics, contents, distribution, orientation, lateral and vertical continuity, and resulting landforms.

(4) "Geological work of a character satisfactory to the board" means that the applicant's qualifying work history consists of professional experience in the practice of geology. Professional geological work is work performed at a professional level that requires the application of professional knowledge, principles and methods to geological problems through the exercise of individual initiative and judgment in investigating, measuring, interpreting and reporting on the physical phenomena of the earth. Implicit in this definition ((is)) are the recognition of professional responsibility and integrity and the acknowledgment of minimal supervision. Professional geological work specifically does not include routine activities by themselves such as drafting, sampling, sample preparation, routine laboratory work, or core logging, where the elements of initiative, scientific judgment and decision making are lacking, nor does it include activities which do not use scientific methods to process and interpret geologic data. It also does not include engineering or other physical sciences where geological investigation, analysis and interpretation are minimal or lacking. Professional specialty experience is considered to meet this definition.

((2)) (5) "Geologist website" means the internet website maintained by the department of licensing.

(6) "National Association of State Boards of Geology" or "ASBOG" means the organization responsible for developing, publishing and grading National Geologist Licensing Examinations.

(7) "Professional specialty practice of a character satisfactory to the board" means that the applicant has qualifying work history pertinent to the specialty that meets the standards for professional geologic work defined above. Elements, typical applications, types of projects, ((and required knowledge, skills and abilities)) for the engineering geologist and hydrogeologist specialties are outlined in WAC ((308-15-090)) 308-15-053.

((3)) (8) "Reciprocity" means the issuance of a license without examination as a geologist or specialty geologist to a person who holds a license or certificate of qualifications issued by proper authority of any state, territory, or possession of the United States, District of Columbia, or any foreign country, if the applicant meets the requirements outlined in WAC 308-15-040 for a geologist license, in WAC 308-15-055 for an engineering geologist license, and in WAC 308-15-057 for a hydrogeologist license.

(9) "Year of professional practice" means at least 1600 hours of work in the practice during a year. Examples of a "year of professional practice" include 200 eight-hour days or

160 ten-hour days during a year. Part-time work will be counted on a prorated basis.

((4)) (10) "Year of professional specialty practice" means at least 1600 hours of work in a specialty during a calendar year, per examples given in subsection ((3)) (9) of this section.

((5) "Geologic interpretation," as applied to the practice of geology and its specialties, is the iterative process by which geologists, using generally accepted geologic principles, determine geologic history, origin and process from observation and testing of rock, soil and water characteristics, contents, distribution, orientation, lateral and vertical continuity, and resulting landforms.

(6) "Geologic mapping" is the process by which geologic observations, data and interpretations are gathered, located and portrayed, such as in plan view and on cross-sections. Information and data are gathered in a format on geologic maps and cross sections, at a level of detail and at a frequency of data points appropriate for the application and the scale of the portrayal.

(7) "Grandparenting" means the issuance of a license as a geologist, engineering geologist, or hydrogeologist within one year after July 1, 2001, or for licensing in a new specialty within one year of recognition of the specialty by the board, without further written examination, if the applicant meets the requirements outlined in WAC 308-15-040 and, for a specialty, WAC 308-15-090.

(8) "Reciprocity" means the issuance of a license without examination as a geologist or specialty geologist to a person who holds a license or certificate of qualifications issued by proper authority of any state, territory, or possession of the United States, District of Columbia, or any foreign country, if the applicant meets the requirements outlined in WAC 308-15-040 and, for a specialty, WAC 308-15-090.)

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-030 How do I apply for a geologist license? (1) ((Contact the board to obtain the application forms and instructions.

(2)) Review the available options for licensure:

(a) Examination in WAC 308-15-050; and

(b) Reciprocity in WAC 308-15-060((; and

(c) Grandparenting in WAC 308-15-020(7)).

((If you are applying for licensure by examination, your application must be received by the date specified in the application instructions.

(3) Solicit references and transcripts in the format and on the forms as specified in the application instructions.

(4) Send your application forms to the address noted on the form, along with applicable fees, references and transcripts.) (2) Complete and submit your application according to the directions in the geologist application packet, which is available on the geologist website and upon request from the board office.

(3) Verify you meet minimum educational requirements by having your official sealed transcripts sent directly to the board office from your college or university. Transcripts from schools outside the United States or Canada must be

evaluated by a board-approved evaluation service. The evaluation service must send the original evaluation and a copy of the transcripts directly to the board office.

(4) Solicit personal references and verifications of experience in the format and on the forms specified in the application instructions. Verifications must be sent to the board directly from the originating source.

(5) If applying for a license by reciprocity, solicit verification of your current license or certification and your examination scores on the form provided in the application packet. Verification must be sent directly to the board from the issuing jurisdiction.

(6) If applying for a specialty license, submit a project list on the forms provided in the application packet to show you meet the minimum requirements of professional specialty practice of a character satisfactory to the board.

(7) If requested by the board, submit one or more reports you contributed to or solely prepared.

(8) If applying for a license by examination, your complete application, as described in subsection (9) of this section, must be received by the board at least sixty calendar days before the date of the examination.

(9) An application is not complete and will not be considered until all of the following are received by the board:

(a) Application, signed and dated, and without omissions;

(b) Application fee and, if applying by examination, the examination fee specified in WAC 308-15-150;

(c) Transcripts sent directly from the colleges or universities;

(d) Personal references sent directly from the originators;

(e) Verification of experience sent directly from the verifiers;

(f) If applying by reciprocity, verification of exam scores and license or certification in another jurisdiction;

(g) If applying for a specialty license, project list; and

(h) Other documentation requested by the board.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-040 What are the minimum requirements to be eligible for a geologist ((or specialty)) license? You are eligible for ((licensure as a professional geologist or specialist if you meet the following minimum requirements)) a geologist license if you submit a complete application according to WAC 308-15-030, demonstrating:

(1) **Personal references.** You are of good moral character, as attested to by two references.

(2) **Education.** You have graduated from an accredited college or university with:

(a) A degree in geology, engineering geology, hydrogeology ((or one of the related geological sciences, or educational equivalents, and completed a minimum of 30 semester/45 quarter hours or their equivalent of course work in geological science. This includes classes in physical geology, historical geology, structural geology, mineralogy/petrology and sedimentary geology/stratigraphy. If you do not meet these requirements, you must demonstrate to the board that

you have completed educational equivalents. You must document your college or university educational experience by submitting official sealed transcripts to the board)) with at least twenty-four semester/thirty-six quarter hours of upper division geology courses; or

(b) A degree in a related geological science approved by the board, and have either:

(i) Successfully completed classes in structural geology, mineralogy, petrology and sedimentary geology/stratigraphy. Twenty-four semester/thirty-six quarter hours must be upper division geology courses; or

(ii) Successfully completed coursework that is determined by the board to be educationally equivalent in content and rigor to the classes listed above. You must submit documentation that demonstrates your coursework is equivalent to the requirements in (b)(i) of this subsection acceptable to the board. Examples of documentation include course syllabi, copies of study materials, and the tables of contents of books used in the course.

(3) **Experience.** You have at least five years of professional geological ((or specialty practice or, if applying for a specialty, five years of specialty practice)) experience satisfactory to the board ((, after receipt of a bachelor's degree. The following education and experience criteria qualify toward accumulation of the required years of professional work:

(a) You will receive up to two years' credit, one year for each year of full time graduate study in geology, engineering geology, hydrogeology or one of the related geological sciences, as documented in the transcripts provided;

(b) You must have at least three years of geological experience under the supervision of state licensed geologists or specialty geologists or others who, in the opinion of the board, are qualified to have responsible charge as provided by the information supplied on forms provided by the board.

(i) Your geological experience may include geological research or teaching at the university or college level which, in the judgment of the board, is comparable to experience obtained in the practice of geology or a specialty.

(ii) If requested by the board, you may be required to submit one or more reports which were prepared by you or where you contributed to their preparation.

(c) If you are applying under the grandparenting provisions in this chapter, you may comply with this requirement by providing documentation of geological experience where you were the person in responsible charge and meet the requirements in (b) of this subsection.

(4) You must have passed a geologist examination and, if applying for a specialty, a specialty examination, unless you are eligible for licensure by grandparenting. All examinations must be adopted by or)) after completing the educational requirements in subsection (2) of this section. Experience earned prior to meeting the minimum educational requirements will not be considered. At least three years of geological experience must be obtained under the supervision of state-licensed geologists or others who, in the opinion of the board, are qualified to have responsible charge. The following may be considered qualifying experience:

(a) Geological research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of geology; and

(b) Up to two years' credit for full-time graduate study in geology, engineering geology, hydrogeology or one of the related geological sciences approved by the board.

(4) Examination. You have passed the ASBOG examination according to WAC 308-15-050, or another examination acceptable to the board.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-050 What is the examination process to be licensed as a geologist? ~~((1) Beginning July 1, 2002, you will be required to take and pass an examination to become a licensed geologist in the state of Washington.~~

~~(2) The board has adopted the national Association of State Boards of Geology (ASBOG) standardized examination. You will be notified of the date and time of the examination when you receive your application packet.~~

~~(a) Nature of the examination: Information on the examination is available on the ASBOG website. The examination currently consists of two parts: Fundamentals of Geology (FG) and Practice of Geology (PG). Each part of the examination is four hours long.~~

~~(b) Testing location and date: The location and testing date will be posted on the department of licensing's geologist website. The examination is administered every March and September.~~

~~(c) Applying for the examination: To apply for the examination, you must submit the following to the board:~~

~~(i) Completed state geologist licensing application form;~~
~~(ii) Professional and personal references required to document five years of professional experience; and~~

~~(iii) Official sealed transcripts.~~

(3)) You must take and pass the ASBOG examination. The examination currently consists of two parts: Fundamentals of Geology and Practice of Geology. Each part of the examination is four hours long. Information on the examination is available on the ASBOG website.

(1) Applying for the examination: You may either:

(a) Apply to take the Fundamentals of Geology exam after you meet the minimum educational requirements for licensure, and the Practice of Geology exam after you meet the experience requirements outlined in WAC 308-15-040.

(i) To apply to take the Fundamentals of Geology exam, you must provide the board with an application; a certified copy of your transcripts, sent directly from your college or university; and the application and examination fees listed in WAC 308-15-150. You do not need to submit employment and experience verification forms or personal references.

(ii) After you meet the minimum experience requirements, you may apply for the Practice of Geology examination by submitting the remaining application documents and applicable examination fee; or

(b) Apply to take both parts of the ASBOG examination after you meet all other licensure requirements outlined in WAC 308-15-040 by submitting a completed license application packet and applicable examination and license fees.

(2) Fees: You must ~~(send in your examination and application)~~ submit the applicable fees with your application. ~~((The application must be received by the date specified~~

~~in the application instructions.)) If you do not ~~((meet the requirements for licensing))~~ qualify to take the examination, only your examination fee((s)) will be refunded. Fees are listed in WAC 308-15-150.~~

~~((4)) (3) Special accommodations: If you have a disability, the board will provide accommodations consistent with the Americans with Disabilities Act. You ~~((should))~~ must request special accommodations at least ninety days ~~((prior to))~~ before the examination date.~~

~~((5)) (4) Notification of scoring: The board will notify you by mail of your examination score within ninety days of taking the examination.~~

~~((6)) (5) Failing the examination: ~~((If you fail the examination, for a fee you can request:~~~~

~~(a) A report showing the failed subject areas; or~~

~~(b) To review the examination, question by question, at a location specified by the board. You will be allowed to see the test and review those questions you failed and those you answered correctly. An answer key is not provided and you are not allowed to keep or copy the examination.~~

~~(7) Retake of examination: You must submit a request on a form provided by the board and the required fees to retake either part of the examination.)) (a) You may request that your examination be manually graded by submitting a written request and the fee specified in WAC 308-15-150.~~

~~(b) You may apply to retake the examination by submitting a written request and the fees specified in WAC 308-15-150.~~

NEW SECTION

WAC 308-15-053 What are the specialty licenses? The types of specialty licenses are engineering geologist and hydrogeologist.

(1) Engineering geologist.

(a) Elements of the engineering geologist specialty. The practice of engineering geology involves the interpretation, evaluation, analysis, and application of geological information and data to civil works. Geotechnical soil and rock units are designated, characterized, and classified, using standard engineering soil and rock classification systems. Relationships are interpreted between landform development, current and past geologic processes, ground and surface water, and the strength characteristics of soil and rock. Processes evaluated include both surficial processes (for example, slope, fluvial, and coastal processes), and deep-seated processes (for example, volcanic activity and seismicity). Geotechnical zones or domains are designated based on soil and rock strength characteristics, common landforms, related geologic processes, or other pertinent factors. Proposed developmental modifications are evaluated and, where appropriate, analyzed to predict potential or likely changes in types and rates of surficial geologic processes. Proposed modifications may include such things as vegetation removal, using various types of earth materials in construction, applying loads to shallow or deep foundations, constructing cut or fill slopes and other grading, and modifying ground and surface water flow. The effects of surficial and deep-seated geologic processes are evaluated and analyzed to

predict their potential effect on public health, public safety, land use, or proposed development.

(b) **Typical engineering geologic applications and types of projects.** Engineering geology is applied during all project phases, from conception through planning, design, construction, maintenance, and, in some cases, reclamation and closure. Planning-level engineering geologic work is commonly conducted in response to forest practice regulations, critical areas ordinances, and the State Environmental Policy Act. Typical planning-level engineering geologic applications include timber harvest planning, proposed location of residential and commercial developments and other buildings and facilities, and alternative route selection for roads, rail lines, trails, and utilities. Site-specific engineering geologic applications include cuts, fills, and tunnels for roads, trails, railroads, and utility lines; foundations for bridges and other drainage structures, retaining walls and shoring, dams, buildings, water towers, slope, channel and shoreline stabilization facilities, fish ladders and hatcheries, ski lifts and other structures; landings for logging and other work platforms; airport landing strips; rock bolt systems; blasting; and other major earthwork projects such as for aggregate sources and landfills.

(2) **Hydrogeologist.**

(a) **Elements of the hydrogeologist specialty.** In addition to tasks commonly performed by licensed geologists, the practice of hydrogeology involves the study of the movement of water and other fluids through geologic materials, the mechanical, physical, chemical, and thermal interaction of fluids with geologic materials, and the transport of energy and chemical constituents by fluids in the subsurface.

(b) **Typical hydrogeologic applications and types of projects.** Typical applications include regional or basin ground water resource, quantity and quality, characterization, development and protection of ground water resources, subsurface characterization; design of vadose and saturated zone cleanups; design, testing, and construction supervision of test, production, recharge, injection, remediation, dewatering and resource protection wells; fluid flow and transport modeling; dewatering system design; and evaluation of potential impacts caused by past, current, or future activities on the quantity and quality of ground water and soil gas, and the range of potential mitigations.

NEW SECTION

WAC 308-15-055 What are the minimum requirements to be eligible for an engineering geologist specialty license? You are eligible for an engineering geologist license if you submit a complete application according to WAC 308-15-030, demonstrating:

- (1) You hold a current Washington state geologist license; and
- (2) You have demonstrated knowledge of the engineering geology of Washington state; and
- (3) You have completed advanced study pertinent to engineering geology and acceptable to the board as follows:
 - (a) Eighteen semester/twenty-seven quarter hours of graded academic coursework; or

(b) Two hundred seventy hours of seminars or workshops; or

(c) Five hundred forty hours of on-the-job training under the supervision of state-licensed engineering geologists or others who, in the opinion of the board, are qualified to have responsible charge of engineering geologic projects; or

(d) A combination of (a), (b), and (c) of this subsection; and

(4) You have five years of professional engineering geology experience after completion of the advanced study requirements specified in subsection (3) of this section. At least three years of engineering geological experience must be obtained under the supervision of state-licensed engineering geologists or others who, in the opinion of the board, are qualified to have responsible charge of engineering geologic projects. The following may be considered qualifying engineering geologic experience:

(a) Engineering geological research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of engineering geology; and

(b) Up to two years' credit for full-time graduate study in engineering geology or a curriculum containing equivalent academic content approved by the board; and

(5) You have passed the Washington state engineering geologist specialty examination or an examination acceptable to the board.

NEW SECTION

WAC 308-15-057 What are the minimum requirements to be eligible for a hydrogeologist specialty license? You are eligible for a hydrogeologist license if you submit a complete application according to WAC 308-15-030, demonstrating:

- (1) You hold a current Washington state geologist license; and
- (2) You have demonstrated knowledge of the hydrogeology of Washington state; and
- (3) You have completed advanced study pertinent to hydrogeology and acceptable to the board as follows:
 - (a) Eighteen semester/twenty-seven quarter hours of graded academic coursework; or
 - (b) Two hundred seventy hours of seminars or workshops; or
 - (c) Five hundred forty hours of on-the-job training under the supervision of state-licensed hydrogeologists or others who, in the opinion of the board, are qualified to have responsible charge of hydrogeologic projects; or
 - (d) A combination of (a), (b), and (c) of this subsection; and
- (4) You have five years of professional hydrogeology experience after completion of the advanced study requirements specified in subsection (3) of this section. At least three years of hydrogeologic experience must be obtained under the supervision of state-licensed hydrogeologists or others who, in the opinion of the board, are qualified to have responsible charge of hydrogeologic projects. The following may be considered qualifying hydrogeologic experience:

(a) Hydrogeologic research or teaching at the university or college level, which, in the judgment of the board, is comparable to experience obtained in the practice of hydrogeology; and

(b) Up to two years' credit for full-time graduate study in hydrogeology or a curriculum containing equivalent academic content approved by the board; and

(5) You have passed the Washington state hydrogeology specialty examination or an examination acceptable to the board.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-060 (~~How do I obtain~~) **What are the minimum requirements for obtaining a geologist or specialty license by reciprocity?** ~~((To obtain a license as a geologist or specialty geologist without further examination, you must meet all of the following criteria:))~~ **You are eligible for a geologist or specialty license by reciprocity if you submit a complete application according to WAC 308-15-030, demonstrating:**

(1) ~~You~~ **You meet the** education and experience ~~((qualifications must meet the))~~ requirements ~~((of))~~ **in** WAC 308-15-040 and, if applying for specialty geologist license, ~~((WAC 308-15-090))~~ **the experience requirements in WAC 308-15-055 or 308-15-057;**

(2) You ~~((currently must))~~ hold a ~~((valid))~~ **current** geologist ~~((of))~~, and if applicable, a specialty geologist license, registration, or certification **in good standing**, issued by a state or jurisdiction approved by the board; and

(3) You ~~((must))~~ have passed the ~~((geologist examination adopted by or))~~ **ASBOG examination or an examination acceptable to the board**. If you are applying for a specialty geologist license, you must also **verify that you** have passed a specialty geologist examination adopted by or acceptable to the board.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-070 **Do I need a ((stamp)) seal?** Upon licensure, you must obtain a ~~((stamp))~~ **seal** bearing your name, license number, and the legend "State of Washington Licensed Geologist." If you are licensed as an engineering geologist or hydrogeologist, the specialty must be noted on the ~~((stamp))~~ **seal**. **Seals may be rubber, embossed, or digitally produced.** Facsimiles of the ~~((stamps of the))~~ **seal** designs authorized by the director are shown below. **Deviations to the authorized designs are not allowed.**

~~((Geologist stamp here~~

~~Place illustration here.~~

~~Engineering geologist stamp here~~

~~Place illustration here.~~

~~Hydrogeologist stamp here~~

~~Place illustration here.))~~

~~Place illustration here.~~

~~Reviser's note: No illustrations supplied by agency.~~

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-075 **When do I need to use my stamp/seal?** (1) You must stamp/seal, sign, and date every final geology or specialty geology report, letter report, or document that is prepared by you or prepared under your supervision or direction and submitted to other parties.

(a) All figures, maps, and plates bound within final reports or documents do not need to be individually stamped/sealed, signed and dated. Unbound final figures, maps, and plates must be individually stamped/sealed, signed and dated.

(b) Preliminary or draft geology or specialty geology work does not have to be stamped/sealed, but the documents and all associated figures, maps, and plates must be clearly marked as preliminary or draft.

(2) You must stamp/seal, sign, and date every final geology or specialty geology design and specification that is prepared by you or prepared under your supervision or direction. Preliminary or draft geology or specialty geology design and specification drawings do not have to be stamped/sealed, but each design and specification must be clearly marked as preliminary or draft.

(3) If you stamp/seal, sign and date work ~~((that you have only reviewed))~~ **performed by someone other than yourself**, you are responsible to the same extent as if you prepared the report, design or specification.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-080 **What do I need to know about renewing or reinstating my license?** (1) **Term of license:** Your license will be issued for a period of one year.

(2) ~~((Address changes: Your renewal notice will be sent to the address of record. You must notify the geologist licensing board in writing within thirty days of any address changes.))~~ **Initial license:** **Your first license will expire on your next birthday unless your next birthday falls ninety days or less after the issuance date, in which case your first license will expire on the second birthday following the issuance date.**

(3) **Renewal date:** Your license renewal date ~~((will be your birth date))~~ **is your birthday.**

~~((a))~~ **If your license is issued during the first year of the program (July 1, 2001, through June 30, 2002), your renewal date will be the first birth date to occur after July 1, 2002. However, if your next birth date is within three months of the initial date of issuance of the license, your original license will expire on the second birthday following issuance of your original license.**

~~((b))~~ **If your license is issued after June 30, 2002, your renewal after the first year of the program will be for a one-**

PROPOSED

year period, due on your birth date. However, if your next birth date is within three months of the initial date of issuance of your license, your license will expire on the second birthday following issuance of your original license.

~~(4) **Renewal fee and late fee:** You must pay the prescribed renewal fee to the department of licensing on or before the expiration date. If you fail to pay your license renewal fee within ninety days following the expiration date, you must pay the renewal fee plus a late fee equal to one additional year's renewal fee.~~

~~(5)) (4) **Timely renewal:** It is your responsibility to make a timely renewal whether or not you receive a renewal notice from the department. Your renewal is considered timely if you:~~

~~(a) Send the renewal fee to the department on or before your renewal date, as evidenced by the postmark;~~

~~(b) Deliver the renewal fee to the department before the close of business on your renewal date; or~~

~~(c) Renew your license over the internet on or before your renewal date.~~

~~(5) **Invalid license:** If you fail to renew your license according to subsection (4) of this section, your license is invalid. If your license is invalid, you are prohibited from offering and/or providing professional geologist services until the license is renewed or reinstated.~~

~~(6) **Late fee:** If you fail to pay your renewal fee within ninety days following your renewal date, you must pay the renewal fee plus a late fee equal to one year's renewal fee.~~

~~(7) **Reinstatement:** ((In addition to the fees outlined in subsection (4) of this section,)) If you fail to ((pay a renewal fee)) renew your license for a period of five years or more, you may be reinstated upon payment of ((all delinquent renewal fees,)) the current year's renewal fee((,)) and a late fee equal to ((an additional)) one year's renewal fee. In addition to the payment of ((delinquent)) fees ((and a reinstatement fee)), you must submit the following:~~

~~(a) A ((summary of)) signed statement that you are knowledgeable with the current laws and rules governing geologists in Washington state;~~

~~(b) A professional resume of your geologist activities during the delinquent period, including licensure in another jurisdiction, with sufficient detail to demonstrate to the board that ((your skills)) you have ((been)) maintained your skills; and~~

~~(c) A detailed explanation of the circumstances surrounding the reason you allowed your license to expire.~~

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-100 What is a brief adjudicative proceeding (BAP)? The board adopts RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act to administer brief adjudicative proceedings (BAP). These proceedings are conducted at the request of an applicant for reasons set out in ((subsection)) **WAC 308-15-101** or at the discretion of the board chair per RCW 34.05.482.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-101 When can a brief adjudicative proceeding (BAP) be requested? Requests for a BAP will be conducted where the matter is limited solely to one or more of the following issues:

(1) To determine whether an applicant for licensing meets the minimum criteria for licensing to practice as a geologist or specialty geologist in this state and the board proposes to deny the application;

(2) To determine whether a person is in compliance with the terms and conditions of a final order or agreement previously issued by the board;

(3) To determine whether an applicant ((for or in the examination process will be denied to sit for future examinations)) qualifies for the exam process; and

(4) To determine whether a license holder requesting renewal or reinstatement has submitted all required information and meets minimum criteria for renewal or reinstatement.

AMENDATORY SECTION (Amending WSR 01-12-023, filed 5/25/01, effective 6/25/01)

WAC 308-15-103 How are brief adjudicative proceedings (BAPs) conducted? (1) A presiding officer, designated by the ((director)) board, conducts brief adjudicative proceedings. The presiding officer will ((have agency expertise in the subject matter but will)) not have personally participated in the decision to issue the initiating document.

(2) The parties or their representatives may present written documentation. The presiding officer will designate the date by which written documents must be submitted by the parties.

(3) The presiding officer may, at ((his or her)) the presiding officer's discretion, entertain oral argument from the parties or their representatives.

(4) No witnesses may appear to testify.

(5) In addition to the record, the presiding officer may employ ((agency)) board expertise as a basis for a decision.

(6) The presiding officer will not issue an oral order. Within ten days of the final date for submission of materials or oral argument, if any, the presiding officer will enter an initial order.

AMENDATORY SECTION (Amending WSR 02-20-072, filed 9/30/02, effective 10/31/02)

WAC 308-15-140 What are the rules of professional conduct? (1) **What are the general responsibilities of a geologist?**

(a) A geologist must undertake professional service or render expert opinion only when qualified by training or experience in the technical areas involved.

(b) When serving as an expert or technical witness before a court, commission, or other tribunal, a geologist must express only those opinions founded upon adequate professional knowledge of the matters at issue.

(c) A geologist must sign and stamp/seal only professional work, including, but not limited to, maps and reports

for which the geologist has direct professional knowledge, and for which the geologist is in responsible charge.

(d) A geologist must not take credit for work conducted by others. When using the results of other geologists' work in the performance of the practice of geology, a geologist must give due credit to the other geologists by citation or acknowledgement.

(e) A geologist must not ~~((knowingly))~~ make false statements or misrepresentations, or permit the publication or use of the geologist's name or work in association with any fraudulent activities.

(f) A geologist must make full disclosure to all parties concerned of any conflict of interest in projects or properties on which the geologist performs work.

~~(g) If a ((geologist has knowledge or reasonable cause to believe another person or geologist is in violation of the licensing law, chapter 18.220 RCW, or the related administrative rules, the geologist must present such information in writing to the Washington geologist licensing board.~~

~~(h) If a geologist's professional judgment is overruled or not adhered to under circumstances where the geologist has reasonable cause to believe there is a clear and present threat to the public health or welfare or property, the geologist must immediately notify the client/employer of the possible consequences. ((i)) geologist's professional judgment is overruled or not adhered to under circumstances where the geologist has reasonable cause to believe there is an imminent threat to the public health, welfare, or property, the geologist must immediately notify the client/employer of the possible consequences. If the client/employer does not take action in a period of time consistent with the level of danger, the geologist must use best efforts to notify the apparent appropriate regulatory agency.~~

(h) A geologist must issue no statements, criticisms, or arguments on geological matters ~~((which))~~ that are inspired or paid for by interested parties, unless the geologist indicates on whose behalf the statements are made.

~~((i))~~ (i) A geologist must continue the geologist's professional development throughout the geologist's career, and must provide opportunities for the professional development of those individuals under the geologist's supervision.

(2) What are the specific responsibilities of a geologist to an employer or client?

(a) A geologist must avoid conflicts of interest with a client/employer and must disclose the circumstances to the client/employer if a conflict is unavoidable.

(b) A geologist must not, during the time of the geologist's retention or employment by a client/employer, use information developed for, or the resources of, said client/employer for private gain or in any other manner that may conflict with the client/employer's interest without the knowledge and consent of the client/employer, except as specified in subsection (1)(h) of this section. In the case of former client/employers, a geologist must honor agreements with former client/employers with regard to proprietary information, except as specified by subsection (1)(h) of this section.

(c) A geologist must either engage or advise a client/employer to engage other experts or specialists if the client/employer's interests are best served by such service.

(d) A geologist must not accept compensation concurrently from more than one client/employer on a project, unless the circumstances of payment are fully disclosed and agreed to by all financially interested parties.

(e) A geologist must advise the geologist's employers or clients when, as a result of their studies, the geologist believes a project will not be viable.

(f) A geologist must negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

(g) A geologist must not request, propose or accept professional compensation on a contingent basis under circumstances in which the geologist's professional judgment may be compromised.

(3) What are the specific responsibilities of a geologist to the board?

(a) A geologist must respond to ~~((board))~~ of the board formal requests within the time frame and in the manner specified by the board in its request.

(b) Geologists, when requested by the board, must present information and assistance to the board in pursuing violations of laws and rules relating to the practice of geology in the state of Washington.

~~(c) If a geologist has knowledge or reasonable cause to believe another person or geologist is in violation of the licensing law, chapter 18.220 RCW, or the related administrative rules, the geologist must present such information in writing to the board.~~

(4) What are prohibited acts? The prohibited acts are found in RCW 18.220.130 ~~((and))~~, 18.220.170 and 18.235.130.

AMENDATORY SECTION (Amending WSR 01-12-022, filed 5/25/01, effective 6/25/01)

WAC 308-15-150 Fees.

Type of Fee	Amount
((Geologist License	
Application fee	100.00))
Application fee—Reciprocity	200.00))
Initial License	100.00))
Examination	
Fundamentals of Geology (vendor charge)	125.00
Practice of Geology (vendor charge)	150.00
Administration fee for reexamination	65.00
Review of Examination	
Manual regrade (vendor charge)	50.00
Administrative fee for regrade	15.00

PROPOSED

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Type of Fee	Amount
Late fee (if examination is scheduled less than 30 days prior to Examination date—vendor charge)	25.00
Specialty License	
Specialty fee (if you are also applying for geologist license)	
Application fee—1 Specialty	200.00
Application fee—2 Specialties	300.00
Application fee—Reciprocity—1 Specialty	350.00
Application fee—Reciprocity—2 Specialties	500.00
Initial license—1 Specialty	185.00
Initial license—2 Specialties	270.00
Fee per Specialty (if you are a licensed geologist)	
Application fee	100.00
Application fee—Reciprocity	150.00
Initial license	85.00
Examination fee per Specialty	300.00
Examination review	100.00
Renewal Fees	
Annual Renewal fee (geologist)	100.00
Additional fee for late renewal (geologist)	100.00
Annual Renewal fee (geologist plus 1 specialty)	185.00
Additional fee for late renewal (geologist plus 1 specialty)	185.00
Annual Renewal fee (geologist plus 2 specialties)	270.00
Additional fee for late renewal (geologist plus 2 specialties)	270.00
Miscellaneous Fees	
Duplicate License or Wall Certificate	25.00
Certification of license records to other jurisdictions	45.00
Proctor Examination in another Jurisdiction	100.00))
Application fees - includes initial license	
Application fee for geologist - examination	\$100.00
Application fee for each specialty - examination	\$100.00
Application fee for geologist - reciprocity	\$200.00
Application fee for each specialty - reciprocity	\$150.00

Type of Fee	Amount
Examination fees	
Fundamentals of Geology (vendor charge)	\$125.00
Practice of Geology (vendor charge)	\$150.00
Administration fee for reexamination	\$65.00
Late fee (if scheduled less than thirty days before examination date - vendor charge)	\$25.00
Manual regrade (vendor charge)	\$50.00
Specialty examination (hydrogeologist or engineering geologist exam)	\$300.00
Administrative fee for regrade	\$15.00
Renewal fees	
Annual renewal fee for geologist	\$100.00
Annual renewal fee for each specialty	\$85.00
Annual renewal for geologist, with late fee (if paid ninety days or more after due date)	\$200.00
Annual renewal for each specialty, with late fee (if paid ninety days or more after due date)	\$170.00
Miscellaneous fees	
Duplicate license or wall certificate . . .	\$25.00
Certification of license records to other jurisdictions	\$45.00
Proctor examination for another jurisdiction	\$100.00

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 308-15-090 What are the specialty licenses, qualifications and processes for licensure?
- WAC 308-15-102 What records are required for a brief adjudicative proceeding (BAP)?

WSR 04-19-072

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 03-10—Filed September 16, 2004, 3:06 p.m.]

Continuance of WSR 04-14-094.

Preproposal statement of inquiry was filed as WSR 04-04-101.

Title of Rule and Other Identifying Information: Dangerous waste regulations, chapter 173-303 WAC.

Date of Intended Adoption: November 30, 2004.

Submit Written Comments to: Patricia Hervieux, P.O. Box 47600, Olympia, WA 98504-7600, e-mail pher461@ecy.wa.gov, fax (360) 407-6715, by September 24, 2004.

Assistance for Persons with Disabilities: Contact Marnie Black by September 21, 2004, TTY (800) 833-8973 or (360) 407-6759.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Ecology is extending the public comment period for the proposed amendments due to comments received and requests for additional time to submit comments.

Statutory Authority for Adoption: Chapters 70.105, 70.105D, and 15.54 RCW.

Statute Being Implemented: Chapter 70.105 RCW.

Rule is necessary because of federal law, 40 C.F.R. Parts 260 through 279.

Name of Proponent: Department of Ecology, governmental.

Name of Agency Personnel Responsible for Drafting: Patricia Hervieux, Lacey, Washington, (360) 407-6756; Implementation and Enforcement: Darin Rice, Lacey, Washington, (360) 407-6702.

September 15, 2004

Polly Zehm

Deputy Director

WSR 04-19-074

PROPOSED RULES

DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:13 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 02-15-185.

Title of Rule and Other Identifying Information: WAC 458-20-141 Duplicating (~~(industry)~~) activities and mailing bureaus.

Hearing Location(s): Capital Plaza Building, 4th Floor, Executive Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 29, 2004, at 10:00 a.m.

Date of Intended Adoption: November 10, 2004.

Submit Written Comments to: JoAnne Gordon, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, e-mail JoanneG@dor.wa.gov, fax (360) 664-0693, by October 29, 2004.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 458-20-141 (Rule 141) provides B&O and retail sales tax-reporting information to persons conducting duplicating or mailing bureau activities. The department proposes to revise Rule 141 to reorganize and update information to reflect current law. The proposed rule explains that duplicating activities are manufacturing, provides information about self-service copying facilities, and incorporates information about potential litter tax liabilities. The proposed rule eliminates language that

currently allows a deduction from the measure of tax for both B&O tax and the retail sales tax where a mailing bureau purchases postage for customer and charges that customer for the postage. The proposed rule explains that amounts received from a customer for postage costs incurred by the seller are, under the law, included in the measures of both taxes. The proposed rule also identifies the circumstances under which postage charges are not included in the measure of tax because the charges qualify as advances or reimbursements.

Reasons Supporting Proposal: It is the department's position that under RCW 82.04.070 and 82.08.010, there is no statutory authority for the deduction language existing in the current rule.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: Chapters 82.04 (B&O), 82.08 (retail sales tax), and 82.19 (litter tax) RCW, as they apply to duplicating and/or mailing bureau activities.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: JoAnne Gordon, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6121; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not impose any new performance requirement or administrative burden on any business not required by statute.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule is not a significant legislative rule as defined by RCW 34.05.328(5).

September 16, 2004

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending Order ET 83-17, filed 3/15/83, effective 3/14/83 [4/15/83])

WAC 458-20-141 Duplicating industry and mailing bureaus. (~~The phrase "duplicating industry" includes activities involving photostating, blueprinting, xeroxing, and other reproduction processes.~~)

~~Business and Occupation Tax~~

~~Duplicators are taxable under the retailing classification upon the gross proceeds received from sales of photostats, blueprints, copies, etc., to consumers, whether the tangible personal property on which the work is recorded is owned by the duplicator or customer.~~

~~The wholesaling all other classification applies to sales for resale in the regular course of the purchaser's business. The duplicator must secure a resale certificate in the usual form.~~

~~Neither of these classifications is applicable, however, if the article sold is delivered to an out-of-state customer at an out-of-state point or if an article is produced for commercial~~

or industrial use (see WAC 458-20-134.) In these cases tax is due under the manufacturing classification on the "value of products."

Mailing bureaus mail material for the publishing industry and also mail folders, bulletins, form letters, advertising publications, flyers, and similar material for other customers. As part of these services, the bureaus also label, fold, enclose and seal. All of these activities come within the definition of "sale at retail" (RCW 82.04.050) as constituting "labor and services rendered in respect to . . . the . . . altering, imprinting or improving of tangible personal property of or for consumers."

The gross proceeds received by mailing bureaus from charges made to consumers, whether such charges are itemized or lump sum, are taxable under the retailing classification. The gross proceeds are taxable under the wholesaling-all other classification where charges (lump sum or itemized) are for tangible personal property resold as such to the purchaser or for services rendered to tangible personal property which becomes a component of an article for resale in the regular course of the purchaser's business. In either case mailing bureaus must secure resale certificates in the usual form.

Where a mailing bureau purchases stamps, government postals or stamped envelopes for a customer and the customer is charged therefor, the amount of the postage may be deducted from the measure of the business and occupation tax.

Retail Sales Tax

Sales by duplicators and mailing bureaus of tangible personal property (for example, photostats, blueprints, copies, mailing lists, "Dick" strips, etc.) and/or services rendered to tangible personal property of or for consumers are subject to the retail sales tax. Examples of persons purchasing as "consumers" are, among others, architects, engineers, and advertising agencies.

Where a mailing bureau purchases stamps, government postals or stamped envelopes for a customer and the customer is charged therefor, the amount of the postage may be deducted from the measure of the retail sales tax due.

Vendors selling tangible personal property to duplicators and mailing bureaus which will be resold, without any intervening use, are not required to collect the retail sales tax upon taking a resale certificate in the usual form.

On the other hand, vendors selling to duplicators and mailing bureaus, equipment, supplies or materials which do not become a component part of an article produced for sale, or selling items which are subjected to intervening use before resale, are making retail sales and must collect the retail sales tax. (1) **Introduction.** This rule discusses the business and occupation (B&O) tax and retail sales and use tax reporting responsibilities of persons who engage in duplicating activities or who provide mailing bureau services in Washington. Persons engaged in printing activities should refer to WAC 458-20-144 (Printing industry).

(2) **Duplicating activities.** Duplicating is the copying of typed, written, drawn, photographed, previously duplicated, or printed materials using a photographic process such as photocopying, color copying, or blueprinting. The tax conse-

quences for persons engaged in duplicating activities and/or selling duplicated products in Washington are as follows.

(a) **Sales of duplicated products.** Income from the sale of photostats, photocopies, blueprint copies and other duplicated tangible personal property to consumers is subject to the retailing B&O tax. The measure of tax is the gross proceeds of sale. The seller is also responsible for collecting and remitting retail sales tax on the selling price when making sales to consumers, unless a specific exemption applies. The wholesaling B&O tax applies to the gross proceeds of sale when the buyer purchases the duplicated property for resale without intervening use. The seller must obtain a resale certificate from the buyer to document the wholesale nature of any sale as provided in WAC 458-20-102 (Resale certificates).

If the seller is also the manufacturer of the duplicated products, the seller may be eligible for a multiple activities tax credit. Refer to WAC 458-20-19301 (Multiple activities tax credit) for more information about the credit.

(b) **Duplicating as a manufacturing activity.** A person duplicating tangible personal property for sale or commercial or industrial use (the use of manufactured property as a consumer) is subject to the manufacturing B&O tax classification. For further information about manufacturing activities, refer to WAC 458-20-112 (Value of products), WAC 458-20-134 (Commercial or industrial use), and WAC 458-20-136 (Manufacturing, processing for hire, fabricating).

(c) **Self-service copying.** Some persons provide consumers with access to duplicating equipment to make their own copies (frequently referred to "self-service copying"). These customers are generally charged on a per page basis. The gross proceeds of sales made to consumers for self-service copying is subject to the retailing B&O tax. The seller is also responsible for collecting retail sales tax, unless a specific exemption applies. In such cases, the person providing access to duplicating equipment is not engaged in a manufacturing activity and charges for self-service copying are not subject to the manufacturing B&O tax.

(d) **Potential litter tax liability.** Chapter 82.19 RCW imposes a litter tax on manufacturers (including duplicators), wholesalers, and retailers of certain products. These products include, but are not limited to, newspapers, magazines, and household paper and paper products. Thus, persons who duplicate tangible personal property for sale or who provide facilities for self-service copying may incur a litter tax liability. The measure of the litter tax is the gross proceeds of sale. For further information about the litter tax, refer to chapter 82.19 RCW and WAC 458-20-243 (Litter tax).

(e) **Purchases for resale.** The purchase of tangible personal property for resale as tangible personal property or as a component or ingredient of duplicated property is a purchase at wholesale. Examples of items that may be purchased at wholesale include paper, ink, toner, and staples. Refer to WAC 458-20-113 (Ingredients or components, chemicals used in processing new articles for sale). Wholesale purchases are not subject to retail sales tax when the buyer provides a resale certificate to the seller as provided by WAC 458-20-102 (Resale certificates).

(f) **Purchases subject to retail sales or use tax.** A person who engages in duplicating activities and acquires tangi-

ble personal property for use as a consumer must pay retail sale tax (commonly referred to as "deferred sales tax") or use tax directly to the department when the seller fails to collect retail sales tax. Examples of purchases by a person engaged in duplicating activities that are subject to retail sales tax or use tax include photocopiers, cutting boards, computers, cash registers, and office furniture. For further information about the use tax, refer to WAC 458-20-178 (Use tax).

Persons who engage in duplicating products for sale should refer to WAC 458-20-13601 (Manufacturers and processors for hire—Sales and use tax exemption for machinery and equipment) for information about the sales and use tax exemptions for certain machinery and equipment used directly in a manufacturing operation.

(g) Example. Copy Company provides a public area with photocopying equipment and materials (paper, toner, and staples) to allow customers to make their own copies. Copy Company has a separate area in which Copy Company employees make copies for customers. The income attributable to copies made both by the customers and by Copy Company employees is subject to the retailing B&O and retail sales taxes. The value of the copies made by Copy Company employees is also subject to the manufacturing B&O tax, and Copy Company may claim a multiple activities tax credit as described above in subsection (2)(a). Litter tax may be due as explained above in subsection (2)(d).

Copy Company may purchase the paper, toner, and staples that are used or provided in both areas at wholesale, if the seller receives a resale certificate. Retail sales or use tax applies to the purchase of photocopying equipment in both areas, though the purchase and/or use of the equipment in the area in which Copy Company employees make copies may qualify for the machinery and equipment exemption described in WAC 458-20-13601.

(3) Mailing bureau services. Mailing bureaus, also referred to as mail houses, prepare for distribution mail pieces such as bulletins, form letters, advertising material, political publications, and flyers as directed by their customers. The customer may provide the mail pieces to be prepared for distribution or the mailing bureau itself may sell the material to the customer.

(a) Mailing bureau activities. Activities conducted by mailing bureaus include, but are not limited to, picking up, presorting, addressing, labeling, binding, folding, enclosing, sealing, tabbing, and delivering mail pieces to the United States Postal Services or other delivery service provider. The mailing bureau generally charges the customer on a per-piece basis for each separate service provided plus the actual cost of any postage.

(i) Addressing, labeling, binding, folding, enclosing, sealing, and tabbing services. Labor and services rendered in respect to altering, imprinting, or improving tangible personal property of or for consumers are retail sales. RCW 82.04.050 (2)(a). Thus, the retailing B&O tax applies to income received from consumers for services that include addressing, labeling, binding, folding, sealing, and tabbing. Mailing bureau businesses are also responsible for collecting and remitting retail sales tax when making sales to consumers, unless a specific exemption applies.

(ii) Presort Services. Mailing bureaus receive mail pieces that are already printed, addressed, pre-folded or inserted into envelopes from customers who wish to receive United States Postal Service presorted or bulk mail rates. Mailing bureaus commingle and sort mail pieces according to postal regulations and, as necessary, apply postage and routing bar code information. Although mailing bureaus may apply postage and/or bar code information using electronic or mechanical means, the application of such is not a retail sale because the mailing bureau does not alter, imprint, or otherwise improve the mail pieces. The bar code is the physical representation of the sorting services provided by the mailing bureau to ensure that mail pieces comply with the postal service requirements for bulk mail rates. Income from presort services is subject to the service and other activities B&O tax.

When presort services are performed in conjunction with activities as described in subsection (3)(i) above, the income is subject to the retailing B&O tax and the mailing bureau is responsible for collecting retail sales tax from the consumer.

(b) Measure of tax. The measure of the B&O and retail sales taxes is the gross proceeds of sale and selling price, respectively. These terms include all consideration paid by the buyer, however identified, without any deduction for costs of doing business, such as material, labor, and delivery costs. RCW 82.04.070 and 82.08.010.

(i) Postage. Amounts attributed to postage and other delivery costs are included in the measure of tax for both B&O tax and retail sales tax if the costs are part of the consideration paid by the customer. It is immaterial if the amounts charged for postage are stated or shown separately on the sales invoice or reflect actual mailing costs to the mailing bureau. Amounts charged for postage and other delivery costs are not included in the measure of tax only if the amounts are not part of the consideration paid by the customer.

(A) When is postage part of the consideration paid? Charges for postage costs are considered part of the consideration paid if the permit to use precancelled stamps, a postage meter, or an imprint account for bulk mailings is in the name of the mailing bureau. The mailing bureau is liable to the post office for payment and the customer's payment of such amounts represents a payment on the cost of the services provided. For further information, refer to WAC 458-20-111 (Advances and reimbursements).

(B) When is postage not part of the consideration paid? Charges for postage are not considered part of the consideration paid if the permit to use precancelled stamps or a permit imprint account for bulk mailings is in the customer's name.

(ii) Examples. The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all of the facts and circumstances.

(A) Example 1. Mailing Bureau receives mail pieces from Department Store to presort, apply bar code and permit imprint, and deliver the pieces to the post office. Department Store deposits an amount equal to the estimated cost of postage in its own permit imprint account. The estimated postage is not part of the total consideration paid because the Depart-

ment Store is personally liable to the post office for postage. The total charge, excluding postage, is subject to the service and other activities B&O tax.

(B) **Example 2.** Assume facts as described above in Example 1. Upon delivery of mail pieces, post office determines that the actual cost of postage exceeds the estimated amount deposited by Department Store in its permit imprint account. Post office deducts the additional postage due from Mailing Bureau's account and Mailing Bureau invoices Department Store for the additional amount. The additional postage is part of the total consideration paid because Mailing Bureau is personally liable for the additional postage. Thus, the total charge for all services and additional postage is subject to the service and other activities B&O tax.

(C) **Example 3.** Mailing Bureau picks up preaddressed mail pieces from Political Candidate A. The mail pieces require presorting and delivery to the office only because the mailing pieces were printed with county party's imprint permit. Postage is not a part of the total consideration paid by Candidate A because the county party is personally liable for the postage. Income from services provided to Candidate A is subject to the service and other activities B&O tax.

(D) **Example 4.** Mailing Bureau receives from Political Candidate B mail pieces that require presorting, bar coding, and metered postage. Postage is a part of the total consideration paid by Candidate B because Mailing Bureau is personally liable to the post office for payment of the postage. Income from services provided to Candidate B, including a charge for the cost of postage, is subject to the service and other activities B&O tax.

(E) **Example 5.** Mailing Bureau receives mail pieces from Medical Clinic that are preaddressed and stamped with single-piece rate stamps. Mailing Bureau presorts and applies bar codes to the mail pieces, which qualifies the mail pieces for the lower bulk mail rates. The post office refunds the difference between single piece rate and the bulk mail rate to Mailing Bureau. Mailing Bureau retains the amount due for services rendered and remits the balance of excess postage to Medical Clinic. Postage is not a part of the consideration paid because Medical Clinic is personally liable to the post office for postage. Income from services provided to Medical Clinic is subject to service and other activities B&O tax.

(F) **Example 6.** Mailing Bureau prints and prepares mail pieces for Non-Profit Organization's fundraising drive. Mailing Bureau prints and inserts literature into envelopes, addresses and seals envelopes, applies metered postage and bar code information to envelopes, and delivers the presorted mail pieces to the post office. Mailing Bureau is rendering labor and services rendered in respect to altering, imprinting, or improving tangible personal property of or for consumers. Postage is a part of the total consideration paid because Mailing Bureau is personally liable to the post office for payment of the postage. Income from services provided to Non-Profit Organization is subject to the retailing B&O tax. In addition, Mailing Bureau is responsible for collecting sales tax on the selling price, including postage, from Non-Profit Organization.

(G) **Example 7.** Mailing Bureau prints, inserts, folds, applies bar code and precancelled stamps, and presorts adver-

tising for Restaurant. Mailing Bureau is rendering labor and services rendered in respect to altering, imprinting, or improving tangible personal property of or for consumers. Postage is a part of the total consideration paid because Mailing Bureau is personally liable to the post office for payment of the precancelled stamps. Income from services provided to Restaurant is subject to the retailing B&O tax. In addition, Mailing Bureau is responsible for collecting sales tax on the selling price, including postage, from Restaurant.

(H) **Example 8.** Assume facts as described in Example 7 above. However, Restaurant has obtained a permit to use precancelled stamps and has purchased a supply of precancelled stamps that it provides to Mailing Bureau. Mailing Bureau is rendering labor and services rendered in respect to altering, imprinting, or improving tangible personal property of or for consumers. Postage is not a part of the total consideration paid because Restaurant is personally liable to the post office for payment of the precancelled stamps. Income from services provided to Restaurant is subject to the retailing B&O tax. In addition, Mailing Bureau is responsible for collecting sales tax on the selling price, excluding postage, from Restaurant.

(I) **Example 9.** Assume facts as described in Example 8 above. Upon Mailing Bureau's delivery of mail pieces, post office determines that actual cost of postage exceeds the amount of precancelled stamps purchased and provided by Restaurant. Post office deducts the additional postage due from Mailing Bureau's advance deposit account and Mailing Bureau invoices Restaurant for the additional amount. The additional postage is part of the total consideration paid because Mailing Bureau is personally liable for the additional postage. Income from services provided to Restaurant, including amount invoiced for additional postage, is subject to the retailing B&O tax. Mailing Bureau is also responsible for collecting sales tax on the selling price, including additional postage, from Restaurant.

(J) **Example 10.** Mailing bureau picks up mailing pieces from Washington City for presorting and delivery to post office. Mailing bureau applies bar code, metered postage, and presorts mail pieces before delivering mail pieces to post office. Postage is a part of the consideration paid by Washington City because Mailing Bureau is personally liable to post office for payment of the postage. Income from services provided to Washington City, including charges for postage costs, is subject to the service and other activities B&O tax.

(c) **Retail sales tax exemption.** RCW 82.08.0265 provides a retail sales tax exemption for sales of or charges made for labor and services rendered in respect to any installing, repairing, cleaning, altering, or improving tangible personal property of or for a nonresident when the seller agrees to and does deliver the property to the purchaser at a point outside this state or delivers the property to a common or bona fide private carrier consigned to the purchaser at a point outside this state. RCW 82.12.0251 provides a comparable use tax exemption.

(d) **Purchases for resale.** The purchase of tangible personal property for resale as tangible personal property or to become a component or ingredient of property upon which mailing bureau services will be performed is a purchase at wholesale. Examples of items that may be purchased at

wholesale include paper, printing ink (except ink used for bar coding and postage metering equipment), envelopes, and staples. Wholesale purchases are not subject to retail sales tax when the buyer provides a resale certificate to the seller as provided by WAC 458-20-102 (Resale certificates). Refer to WAC 458-20-113 (Ingredients or components, chemicals used in processing new articles for sale) for further information regarding ingredients and components.

(e) Purchases subject to retail sales or use tax. A mailing bureau business that purchases, leases, or otherwise acquires tangible personal property for use as a consumer must pay retail sale tax (commonly referred to as "deferred sales tax") or use tax directly to the department when the seller fails to collect the retail sales tax. Examples of such property include photocopiers, cutting boards, computers, office furniture, ink and other supplies for bar coding and postage metering equipment, and equipment to address, label, fold, seal, insert, meter, stamp, or sort. For further information about the use tax, refer to WAC 458-20-178 (Use tax).

(f) Purchases of mailing lists. Persons acquiring mailing lists are purchasing an information service regardless of the medium used to provide or transfer the information. Thus, the purchase of a mailing list by a mailing bureau business is not subject to either retail sales or use tax.

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

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

WSR 04-19-076
PROPOSED RULES
DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-14-031.

Title of Rule and Other Identifying Information: WAC 458-20-110 Delivery charges.

Hearing Location(s): Capital Plaza Building, 4th Floor, L&P Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 28, 2004, at 1:30 p.m.

Date of Intended Adoption: November 4, 2004.

Submit Written Comments to: Gayle Carlson, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, e-mail Gaylec@dor.wa.gov, fax (360) 664-0693, by October 28, 2004.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing a revision to this rule to update the information to reflect changes in the law. Changes include implementing the provisions of the national streamlined sales and use tax agreement, and chapter 367, Laws of 2002, regarding treat-

ment of delivery charges for purposes of use tax. The rule has also been written in a more user friendly style.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: Chapters 82.08 and 82.12 RCW, as they apply to delivery charges.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Gayle Carlson, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6126; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; and Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule does not impose any new performance requirement or administrative burden on any small business not required by statute.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule is not a significant legislative rule as defined by RCW 34.05.328.

September 16, 2004

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending WSR 91-23-037, filed 11/13/91, effective 12/14/91)

WAC 458-20-110 ((Freight and)) Delivery charges.

(1) **Introduction.** ~~((This rule explains that freight and delivery costs charged to the buyer are generally part of the selling price. Chapter 82.04 RCW in defining "gross proceeds of sales" and "gross income of the business" states that delivery costs may not be deducted from the measure of the B&O tax. Sellers who are making deliveries from an out of state location to customers in Washington should refer to WAC 458-20-193 to determine if they have sufficient nexus to require the payment of the B&O tax or collection of retail sales or use tax on the "gross proceeds of sales."))~~

(2) ~~Amounts received by a seller from a purchaser for freight and delivery costs incurred by the seller prior to completion of sale constitute recovery of costs of doing business and must be included in the selling price or gross proceeds of sales reported by the seller regardless of whether charges for such costs are billed separately or whether the seller is also the carrier. The sale is complete when the purchaser or the purchaser's agent has received the goods.~~

~~(a) "Purchaser's agent" means a person authorized to receive goods for the purchaser with the power to inspect and accept or reject them.~~

~~(b) "Received" or "receipt" means the purchaser or its agent first either taking physical possession of the goods or having dominion and control over them.~~

~~(c) It is presumed that the person who is shown as the consignor (or other designation of the person from whom the goods are sent) on the bill of lading has control over the goods while the goods are in the hands of the carrier. It also will be presumed that the sale is not complete at the time of~~

delivery to the carrier if the seller has personal liability to pay or has paid the carrier.

(3) Freight and delivery costs incurred by a lessor, regardless of whether billed separately to a lessee or not, are costs of doing business to the lessor in every case and must be included in the selling price or gross proceeds of sales reported by the lessor.

(4) Delivery costs incurred after the buyer has taken receipt of the goods are not part of the selling price when the seller is not liable to pay or has not paid the carrier. It must be clearly shown that the buyer alone is responsible to pay the carrier for the delivery costs to be excluded from the taxable value of the selling price. See WAC 458-20-112 for the deduction of out-of-state freight and delivery charges from "value of products." Also see WAC 458-20-111 for a further discussion of "advances and reimbursements."

(5) Examples. The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax status of each situation must be determined after a review of all of the facts and circumstances:

(a) XYZ Corporation in Seattle orders a repair part for its machine from ABC Distributors located in Spokane. XYZ Corporation requests that the part be shipped by next day air and agrees to pay the additional shipping costs. The seller bills the buyer the exact amount of shipping costs. ABC Distributors is subject to the business and occupation tax and also is required to collect and report the retail sales tax on the amounts billed as shipping charges. The seller was liable to pay the air carrier and the buyer had not taken receipt at the time the part was given to the carrier.

(b) Jane Doe orders a life vest from Marine Sales in Seattle and she requests that the vest be shipped by United States mail to her home in Bellingham. The seller places the correct postage on the package using a postage meter and charges the buyer the exact amount of postage. The reimbursement of the postage is taxable to the seller. The seller had liability for payment of the postage to the postal service and was required to effect delivery to the buyer.

(c) L&M Machinery of Spokane ordered a large piece of equipment from ACE Equipment in Renton. L&M specified that the equipment was to be shipped by prepaid freight and free on board (FOB) the seller's dock. L&M requested that the seller use M&T Trucking as the carrier. The transportation charge billed to the buyer is taxable to the seller. The FOB point or other shipping terms are not controlling. The seller was required to deliver the equipment to the buyer. Delivery was not completed until the equipment arrived in Spokane.

(d) ABC Construction in Seattle ordered replacement parts for a saw from XYZ Parts, Inc., an unregistered business located in Chicago. ABC Construction requested that the parts be shipped freight collect from Chicago and that ABC be shown as the shipper/consignor and also as the consignee on the bill of lading. The seller had no liability to pay the carrier. ABC Construction is subject to use tax on the purchase price of the parts. ABC Construction may exclude the cost of the transportation from the value on which use tax is due.

(e) Jones Computer Supply, a distributor located in Seattle, sells computer products primarily by mail order. It is the

practice of Jones Computer Supply to make a three-dollar handling charge for each order. No separate charge is made for the transportation. The handling charge is part of the measure of the selling price of the product and fully subject to the wholesaling or retailing and retail sales tax.) This rule explains the manner in which delivery charges are considered for purposes of business and occupation (B&O), retail sales, and use taxes. For information about delivery charges with regard to promotional materials, see WAC 458-20-17803 (Use tax on promotional materials).

(2) What are delivery charges? "Delivery charges" means charges by the seller for preparation and delivery to a location designated by the purchaser of tangible personal property or services including, but not limited to, transportation, shipping, postage, handling, crating, and packing. RCW 82.08.010 and chapter 168, Laws of 2003, adopted the national Streamlined Sales and Use Tax Agreement definition of "delivery charges."

(3) Do the business and occupation (B&O) and retail sales taxes apply to delivery charges? The measure of the tax is "gross proceeds of sales" for B&O tax (RCW 82.04.070) and "selling price" for retail sales tax (RCW 82.08.010). Gross proceeds of sales and selling price include all consideration paid by the buyer, without any deduction for costs of doing business such as material, labor, and transportation costs, including delivery charges. Thus, delivery charges by the seller are a component of these tax measures.

(a) What if delivery charges are separately itemized on the sales invoice? Amounts received by a seller from a buyer for delivery charges are included in the measure of tax regardless of whether charges for such costs are billed separately, itemized, or whether the seller is also the carrier. Limiting delivery charges to the actual cost of delivery to the seller does not affect taxability.

(b) Does retail sales tax apply to all delivery charges by the seller? Delivery charges by the seller making a retail sale are a component of the selling price. If the sale of the tangible personal property or service is exempt from retail sales tax, such as certain "food and food ingredients," retail sales tax does not apply to the selling price, including delivery charges, associated with that sale. Similarly, if the product is sold at wholesale, retail sales tax does not apply to the delivery charges of that sale.

(c) Are there any situations in which delivery charges by the seller may be excluded from the measure of tax? There is no specific exclusion from the measure of tax for delivery charges by the seller. Actual delivery costs, regardless of whether separately charged, may be excluded from the measure of the manufacturing and extracting B&O taxes when the products are delivered outside the state. For further discussion, refer to WAC 458-20-112 (Value of products). WAC 458-20-13501 (Timber harvest operations) provides guidance regarding this issue for persons engaged in activities associated with timber harvesting.

(d) Delivery charges in cases of payments to third parties. Delivery charges incurred after the buyer takes delivery of the goods are not part of the selling price when the seller is not liable for payment of the delivery charges. To be excluded from the gross proceeds of sales for B&O tax and selling price for retail sales tax, the seller must document that

the buyer alone is responsible to pay the carrier for the delivery charges.

(e) Examples. The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all of the facts and circumstances.

(i) Example 1. Jane Doe orders a life vest from Marine Sales and requests that the vest be mailed by the United States Postal Service to her home. Marine Sales places the correct postage on the package using its postage meter and separately itemizes a charge on the sales invoice to Jane at the exact amount of the postage cost. Marine Sales is subject to the retailing B&O tax on the gross proceeds of the sale and must collect retail sales tax on the selling price, both of which measures of tax include the charge for postage.

(ii) Example 2. XYZ Corporation orders equipment from ABC Distributors and provides ABC with a properly completed resale certificate. ABC ships the equipment using overnight air delivery and itemizes the actual amount of its shipping costs on the sales invoice. ABC must remit wholesaling B&O tax on the gross proceeds of sale, which includes the amount billed as shipping charges. Since the equipment is purchased for resale, ABC does not collect or report retail sales tax.

(iii) Example 3. The facts in this example are the same as those in (ii) of this subsection except that XYZ provides ABC with a properly completed exemption certificate. Retail sales tax does not apply to the delivery charge because the selling price, of which the delivery charge is a component, is exempt from retail sales tax. However, the delivery charge is included in the gross proceeds of the sale, and thus, is subject to retailing B&O tax.

(iv) Example 4. Jones Computer Supply, a distributor, makes retail sales of computer products primarily by mail order. It is the practice of Jones Computer Supply to add a ten-dollar handling charge for each order. No separate charge is made for actual transportation. The handling charge is part of the measure of tax for the retailing B&O and retail sales taxes.

(v) Example 5. ABC Construction in Seattle purchased a new saw from XYZ, Inc., a Spokane business. The sales contract specifies that ABC will contract with MNO, Inc. for shipping to Seattle and that MNO, Inc. will pick up the saw in Spokane. ABC does contract with MNO for the shipping and is shown as the consignor on the bill of lading. The transportation charge is not included in the measure of tax for purposes of the retailing B&O and retail sales taxes because ABC, the buyer, is liable for payment to MNO, for shipping the new saw.

(4) Delivery charges and use tax. Beginning June 1, 2002, "value of article used," which is the measure of the use tax for tangible personal property, includes the amount of any delivery charge paid or given to the seller or on behalf of the seller with respect to the purchase or servicing of such article. Beginning July 1, 2004, both the "value of the article used" and the "value of the service used" will be the "purchase price" in instances where the seller is required to collect use tax from the purchaser. RCW 82.12.010. "Purchase price" has the same meaning as "selling price" as described in sub-

section (3) of this rule. Consumers responsible for remitting use tax directly to the department should refer to WAC 458-20-178 (Use tax).

The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax results of other situations must be determined after a review of all of the facts and circumstances. Presume that all transactions in the following examples occur July 1, 2004, or later.

(a) Example 1. ABC Construction ordered replacement parts for a saw from XYZ, Inc., a business located in Chicago that is not required to collect Washington taxes. XYZ contracted with MNO Freight to ship the parts from Chicago. ABC is subject to use tax on the value of the article used (presumed to be the purchase price of the parts) including the cost of the transportation, regardless of whether the transportation costs are itemized.

(b) Example 2. The facts in this example are the same as those in (a) of this subsection except that instead of ordering a replacement part, ABC Construction sends a broken part to XYZ, Inc. in Chicago for repair. ABC is subject to use tax on the repair service. The cost of transportation is included in the value of the service used, regardless of whether the transportation costs are itemized.

(c) Example 3. ABC Construction ordered replacement parts for a saw from XYZ, Inc., a business located in Chicago that is not required to collect Washington taxes. ABC hired MNO Freight to ship the parts from Chicago and was responsible for payment. ABC may exclude the cost of the transportation from the value on which use tax is due. The transportation costs ABC pays MNO are not a component of the value of the article used because the cost is not part of the consideration paid to XYZ for the replacement parts. ABC is subject to use tax on the value of the parts, which is presumed to be their purchase price.

WSR 04-19-079

PROPOSED RULES

DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 02-15-184.

Title of Rule and Other Identifying Information: WAC 458-20-17803 Use tax on promotional materials.

Hearing Location(s): Capital Plaza Building, 4th Floor, Executive Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 29, 2004, at 10:00.

Date of Intended Adoption: November 10, 2004.

Submit Written Comments to: Joanne Gordon, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, e-mail JoanneG@dor.wa.gov, fax (360) 664-0693, by October 29, 2004.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Persons who dis-

PROPOSED

tribute or cause to be distributed any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services, are subject to use tax on the value of the property. RCW 82.12.010, 82.12.020, and chapter 367, Laws of 2002. The department proposes to adopt a new administrative rule, WAC 458-20-17803, to explain how use tax applies when such property is delivered to persons other than the consumer from outside Washington. The proposed rule explains what are considered to be promotional materials, who is liable for the use tax, the measure of the use tax, and how to determine the appropriate local use tax rate/jurisdiction.

Reasons Supporting Proposal: To explain the use tax reporting responsibilities of persons distributing or causing the distribution of promotional material.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(1).

Statute Being Implemented: RCW 82.12.010, 82.12.020, as they apply to the distribution of property to promote sales of products or services.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: JoAnne Gordon, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6121; **Implementation:** Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; and **Enforcement:** Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not impose any new performance requirement or administrative burden on any small business not required by statute.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule is not a significant legislative rule as defined by RCW 34.05.328.

September 16, 2004

Alan R. Lynn
Rules Coordinator

NEW SECTION

WAC 458-20-17803 Use tax on promotional material. (1) **Introduction.** Persons who distribute or cause to be distributed any article of tangible personal property, except newspapers, the primary purpose of which is to promote the sale of products or services, are subject to use tax on the value of the property. RCW 82.12.010, RCW 82.12.020, and chapter 367, Laws of 2002. This rule explains the use tax reporting responsibilities of consumers when such property is delivered directly to persons other than the consumer from outside Washington. For the purposes of this rule, the term "promotional material" is used in describing such property where applicable.

This rule provides numerous examples that identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of

all facts and circumstances. For purposes of these examples, presume the promotional material is delivered to persons within Washington.

(2) **What is the use tax?** The use tax compliments the retail sales tax by imposing a tax of a like amount when a consumer uses tangible personal property or certain retail services within this state. RCW 82.12.020. The tax does not apply to the use of any property or service if the present user, donor, or bailor previously paid retail sales tax under chapter 82.08 RCW with respect to the property used or the service obtained. See WAC 458-20-178 (Use tax) for an explanation of the use tax and use tax reporting requirements.

(3) **Who is liable for the use tax on promotional material?** The use tax is imposed on the consumer. The law provides that with respect to promotional material distributed to persons within this state, the consumer is the person who distributes or causes the distribution of the promotional material. A consumer as defined in this rule is responsible for remitting use tax only if the consumer has nexus in Washington.

(a) **Example 1.** Department Store contracts with Printer in Idaho, to print promotional material advertising sale merchandise available at Department Store's Washington locations. Printer delivers promotional material to Seattle Mailing Bureau, with whom Department Store has contracted to prepare the material for distribution to Department Store's customers. Department Store is the consumer of the promotional material and is liable for use tax on promotional material distributed within Washington. Neither Printer, Seattle Mailing Bureau, nor Department Store's customers are consumers of this promotional material.

(b) **Example 2.** Retailer contracts with Seattle Advertising Agency for advertising services. Advertising Agency makes a single charge for all services, which includes designing, printing, and distributing catalogs to potential customers. Advertising Agency contracts with a California Printer to print and prepare for distribution promotional material advertising a new Washington location. Retailer is the consumer of the catalogs and is liable for use tax on the promotional material sent to Washington addresses. Neither Advertising Agency nor potential customers are consumers of this promotional material.

(4) **What is promotional material?** Promotional material is any tangible personal property, except newspapers, displayed or distributed in the State of Washington for the primary purpose of promoting the sale of products or services. Examples of promotional material include, but are not limited to, advertising literature, circulars, catalogs, brochures, inserts (but not newspaper inserts), flyers, applications, order forms, envelopes, folders, posters, coupons, displays, signs, free gifts, or samples (such as carpet or textile samples).

(a) **Is advertising contained on billing statements promotional material?** It is presumed that the primary purpose of billing statements and statements of account is to secure payment for goods or services previously purchased. Thus, unless the facts and circumstances indicate that the primary purpose of the property is to promote the sale of goods and services, billing statements and statements of account are not considered promotional material. Attaching, affixing, or otherwise incorporating property promoting the sale of goods or services does not alter the primary purpose of billing state-

ments and statements of account. However, flyers, inserts, or other separate property enclosed with billing statements or statements of account that promote the sale of goods or services are promotional material and subject to use tax.

(i) **Example 1.** Richland Attorney contracts with Oregon Printer to print and prepare for distribution monthly billing statements and return remittance envelopes to Attorney's clients. The contract also includes printing and inserting flyers promoting Attorney's estate planning services. The primary purpose of the flyers is to solicit the sale of services. Consequently, the flyers are promotional material. The primary purpose of the billing statements is to secure payment for services rendered. The billing statements are not promotional material.

(ii) **Example 2.** Department Store prints the monthly billing statements for its store credit card in Atlanta, Georgia, and mails them to customers located in Washington. Although the billing statement includes three sentences noting an upcoming sale, this information does not alter the primary purpose of the billing statement, which is to secure payment for services rendered. The billing statements are not promotional material.

(iii) **Example 3.** The following month, Department Store's billing statement includes a detachable coupon for fifteen percent (15%) off selected items purchased during a specified period. Although the detachable coupon solicits the sale of goods or services, it does not alter the primary purpose of the billing statement, which is to secure payment for goods or services already purchased. The billing statement and detachable coupon are not promotional material.

(iv) **Example 4.** In the third month, Department Store lengthens the billing statement to include information promoting the grand opening of a location. Although the lengthened portion of the billing statement contains information promoting the sale of goods or services, it does not alter the primary purpose of the billing statement, which is to secure payment for goods or services already purchased. The lengthened billing statement is not promotional material.

(b) **When are envelopes considered promotional material?** Envelopes used solely to mail property to promote the sale of goods or services are considered promotional material and subject to use tax.

Envelopes used to mail nonpromotional material, such as billing statements and statements of account, are used to secure payment for goods purchased or services rendered. The same is true of return envelopes that are enclosed for submitting payment. Unless the facts and circumstances indicate otherwise, the presumption is that the primary purpose of envelopes used for mailing both promotional and nonpromotional material in the same envelope is not to promote the sale of goods and services. Thus, envelopes and return envelopes used for dual purposes are not subject to use tax, even though promotional material may be printed on or attached to the envelopes. Although the imprinted or attached material promotes the sale of goods or services, it does not alter the primary purpose of the envelopes.

(i) **Example 1.** Bank mails brochures, applications, and return envelopes from Atlanta, Georgia, to Washington addresses promoting Bank's credit card. The primary purpose of envelopes used to mail the brochures, applications,

and return envelopes is to solicit the sale of services. The envelopes, brochures, and applications are promotional material.

(ii) **Example 2.** Telephone Company mails monthly billing statements to Washington customers from St. Louis, Missouri. Inserts promoting the sale of various telephone accessories are included. Return envelopes to be used in making payment of the statement amount are also enclosed. The primary purpose of the envelopes used to mail the billing statements and the return envelopes is to secure payment. Neither the mailing envelopes nor the return envelopes are promotional material.

(iii) **Example 3.** Mortgage Company mails monthly billing statements to Washington residents from its administrative offices in Nevada. The enclosed return envelope for customers to use in making payment includes an attachment promoting additional banking services. Although the attachment to the return envelopes contains advertising information, it does not alter the primary purpose of the envelope which is to obtain payment. Neither the mailing envelopes nor the return envelopes are promotional material.

(5) **What is the measure of tax?** The measure of the use tax is the value of the article used. For the purposes of computing the use tax due on promotional material, the measure of tax is the amount of consideration paid for the promotional material without deduction for the cost of materials, labor, or other service charges, even though such charges may be stated or shown separately on invoices. It also includes the amount of any freight, delivery, or other like transportation charge paid or given by the consumer to the seller. The value of the promotional material also includes any tariffs or duties paid. If the total consideration paid does not represent the true value of the article used, the value must be determined as nearly as possible according to the retail selling price at place of use of similar materials of like quality and character. RCW 82.12.010.

A consumer who has paid retail sales or use tax that is due in another state with respect to promotional material that is subject to use tax in this state may take a credit for the amount of tax so paid. RCW 82.12.035. For further information, refer to WAC 458-20-178 (Use tax).

(a) **Does the measure of tax include delivery charges?** The measure of tax includes all delivery charges. Postage is a delivery charge and is therefore included in the measure of tax if the cost is part of the consideration paid by the consumer to the seller. RCW 82.08.010 and RCW 82.12.010. It is immaterial if amounts charged for postage are stated or shown separately on invoices. Amounts charged for postage and other delivery costs are not included in the measure of tax only if the amounts are not part of the consideration paid. For discussion about when postage is and is not considered part of the consideration paid, please refer to WAC 458-20-141 (Duplicating industry and mailing bureaus).

(b) **What is the measure of tax when a consumer contracts with one party for the promotional material and a third party to prepare the material for distribution?** The use tax is imposed on consumers of certain services rendered in respect to tangible personal property for use in this state when the retail sales tax has not been paid. RCW 82.12.020. These services generally include labor and services rendered

in respect to altering, imprinting, or improving tangible personal property and include activities performed typically by mailing bureaus or houses, such as addressing, labeling, binding, folding, sealing, and tabbing.

A consumer of promotional material is subject to use tax on the value of the promotional material and the value of the services used. The value of the service used is the amount of consideration paid for the service and includes delivery charges such as postage. RCW 82.12.010 and RCW 82.08.010.

(c) **What is the measure of tax when a consumer manufactures its own promotional materials?** The measure of use tax is the value of the promotional material. Refer to WAC 458-20-112 (Value of products). A consumer who manufactures its own promotional material may also be conducting manufacturing activities and should refer to WAC 458-20-134 (Commercial or industrial use) and WAC 458-20-136 (Manufacturing, processing for hire, fabricating).

(6) **Determining the applicable local use tax rate.** For purposes of determining the applicable rate of local use tax for promotional material, the following guidelines must be followed unless the consumer obtains prior written approval from the department to use an alternative method. Refer to (c) of this subsection for an explanation of the circumstances under which the department will consider approving alternate methods and how to obtain such approval.

(a) **Operations directed from within Washington.** The applicable local taxing jurisdiction and tax rate is the in-state location from where the consumer directs or manages its Washington operations.

(i) **Example 1.** Department Store operates ten locations in western Washington. Department Store's corporate headquarters, the location from where it manages its in-state operations, is in Seattle. The local use tax rate for Seattle is the applicable rate.

(ii) **Example 2.** Retailer, a national company with headquarters in Chicago, Illinois, operates multiple locations in Washington. Retailer manages its Washington operations from a location in Spokane. The local use tax rate for Spokane is the applicable rate.

(b) **Operations directed from outside Washington.** A consumer that manages or directs its Washington activities from outside the state must equally apportion the value of the promotional material among the local tax jurisdictions where the consumer conducts its business activities. Promotional material that is targeted to specific business locations of the consumer must be apportioned solely between those business locations. Targeted material is material specifically distributed to promote sales of products or services solely at a specific location(s) and at a different price(s) or terms than those offered at all other Washington locations.

(i) **Example 1.** Bank directs the operations of its four Washington branches from its headquarters in Sacramento, California. The branches are in Seattle, unincorporated King County, Tacoma, and Everett. For purposes of determining use tax liability, twenty-five percent (25%) of the value of the promotional material must be equally apportioned to Seattle, unincorporated King County, Tacoma, and Everett.

(ii) **Example 2.** Furniture Store, headquartered in Nevada, orders 100,000 flyers from a Portland, Oregon,

printer to be mailed to Washington households announcing the opening of its new store in Spokane. Customers will receive a ten percent (10%) discount on all items purchased at the Spokane store. This discount will not apply to purchases made at Store C's other Washington locations. The local use tax rate for Spokane is the applicable rate.

(iii) **Example 3.** Restaurant manages the operations of its Washington locations from Portland, Oregon. Restaurant contracts to have coupon books printed and mailed to households in Clark and Cowlitz counties. The coupons are accepted only at the Vancouver and Longview locations. The value of the promotional material must be equally apportioned to both locations.

(iv) **Example 4.** Ohio Manufacturer has no offices, warehouses, or storefront locations in Washington. A salesperson operating from the person's Kent home solicits sales from Washington distributors for the manufacturer. Manufacturer mails promotional material to its distributors' customers in Washington. The local use tax rate for Kent is the applicable rate.

(v) **Example 5.** Michigan Wholesaler without offices, warehouses, or storefront locations in Washington sends salesperson into Washington to solicit sales. Wholesaler mails promotional material to potential customers in Washington. The applicable local use tax rate is a uniform statewide local rate of .005.

(c) **Are there alternative methods for determining the place of first use?** For purposes of reporting use tax on promotional material, the Department may agree to allow a consumer to use another method of determining the applicable local use tax rate provided that the method proposed by the consumer results in an equal or more equitable distribution of the tax. A consumer may request written approval for the use of an alternative method by contacting the department's taxpayer services division at:

Department of Revenue
Taxpayer Services
P.O. Box 47478
Olympia, WA 98504-7478

Reviser's note: The unnecessary strike through 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 04-19-080
PROPOSED RULES
DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:21 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: WAC 458-20-144 Printing industry.

Hearing Location(s): Capital Plaza Building, 4th Floor, Executive Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 29, 2004, at 10:00.

Date of Intended Adoption: November 10, 2004.

Submit Written Comments to: Alan R. Lynn, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-

7453, e-mail alanl@dor.wa.gov, fax (360) 664-0693, by October 29, 2004.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 458-20-144 (Rule 144) discusses the business and occupation (B&O) and retail sales tax responsibilities of persons engaging in printing activities. The department is proposing to modify the instructions regarding amounts charged for postage costs to identify the Washington state statutory cites to be used to determine whether such amounts are included or excluded from the measure of tax. The actual changes to the rule language is as follows (underlined language being added and struck-out language being removed):

RCW 82.04.070 and 82.08.010, respectively, define "gross proceeds of sales" and "selling price" to include "delivery costs." Where stamped envelopes or government postals are purchased and printed for customers or where stamps are provided, the amount of the postage (~~may be deducted from the total charge to the customer in determining the selling price for business tax and sales tax~~) is included in or excluded from the measure of B&O or retail sales tax consistent with these statutes and any other provisions of chapters 82.04 and 82.08 RCW.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: Provisions of chapter 82.04 and 82.08 RCW as they relate to printers.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; and Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule does not impose any new performance requirement or administrative burden on any small business not required by statute.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed rule is not a significant legislative rule as defined by RCW 34.05.328.

September 16, 2004

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending Order ET 70-4, filed 6/12/70, effective 7/12/70)

WAC 458-20-144 Printing industry. ~~((Note: This rule contains the material previously included in WAC 458-20-145 which is not currently incorporated in WAC 458-20-141.))~~

(1) Introduction. This rule discusses the taxability of the printing industry. For information on the taxability of

mailing bureau services, refer to WAC 458-20-141, Duplicating industry and mailing bureaus.

(2) Definition. The phrase "printing industry" includes letterpress, offset-lithography, and gravure processes as well as multigraph, mimeograph, autotyping, addressographing and similar activities.

(3) Business and Occupation Tax. Printers are subject to the business and occupation tax under the printing and publishing classification upon the gross income of the business.

(4) Retail Sales Tax. The printing or imprinting of advertising circulars, books, briefs, envelopes, folders, posters, racing forms, tickets, and other printed matter, whether upon special order or upon materials furnished either directly or indirectly by the customer is a retail sale and subject to the retail sales tax, providing the customer either consumes, or distributes such articles free of charge, and does not resell such articles in the regular course of business. The retail sales tax is computed upon the total charge for printing, and the printer may not deduct the cost of labor, author's alterations, or other service charges in performing the printing, even though such charges may be stated or shown separately on invoices.

RCW 82.04.070 and 82.08.010, respectively, define "gross proceeds of sales" and "selling price" to include "delivery costs." Where stamped envelopes or government postals are purchased and printed for customers or where stamps are provided, the amount of the postage (~~may be deducted from the total charge to the customer in determining the selling price for business tax and sales tax~~) is included in or excluded from the measure of B&O or retail sales tax consistent with these statutes and any other provisions of chapters 82.04 and 82.08 RCW.

Sales of printed matter to advertising agencies who purchase for their own use or for the use of their clients, and not for resale in the regular course of business, are sales for consumption and subject to the retail sales tax.

Sales of tickets to theater owners, amusement operators, transportation companies and others are sales for consumption and subject to the retail sales tax. Such tickets are not resold by the theater owners or amusement proprietors as tangible personal property but are used merely as a receipt to the patrons for payment and as evidence of the right to admission or transportation.

Sales of school annuals and similar publications by printers to school districts, private schools or student organizations therein are subject to the retail sales tax.

Sales by printers of books, envelopes, folders, posters, racing forms, stationery, tickets and other printed matter to dealers for resale in the regular course of business are wholesale sales and are not subject to the retail sales tax.

Charges made by bookbinders or printers for imprinting, binding or rebinding of materials for consumers are subject to the retail sales tax.

Sales to printers of equipment, supplies and materials which do not become a component part or ingredient of the finished printed matter sold or which are put to "intervening use" before being resold are subject to the retail sales tax. This includes, among others, sales of fuel, furniture, lubricants, machinery, type, lead, slugs and mats.

Sales to printers of paper stock and ink which become a part of the printed matter sold are sales for resale and are not subject to retail sales tax.

(5) Commissions and discounts. There is a general trade practice in the printing industry of making allowances to advertising agencies of a certain percentage of the gross charge made for printed matter ordered by the agency either in its own name or in the name of the advertiser. This allowance may be a "commission" or may be a "discount."

A "commission" paid by a seller constitutes an expense of doing business and is not deductible from the measure of tax under either business and occupation tax or retail sales tax. On the other hand, a "discount" is a deduction from an established selling price allowed to buyers, and a bona fide discount is deductible under both these classifications.

In order that there may be a definite understanding, printers, advertising agencies and advertisers are advised that tax liability in such cases is as follows:

((1)) a) The allowance taken by an advertising agency will be deductible as a discount in the computation of the printer's liability only in the event that the printer bills the charge on a net basis; i.e., less the discount.

((2)) a) Where the printer bills the gross charge to the agency, and the advertiser pays the sales tax measured by the gross charge, no deduction will be allowed, irrespective of the fact that in payment of the account the printer actually receives from the agency the net amount only; i.e., the gross billing, less the commission retained by the agency. In all cases the commission received is taxable to the agency.

((Revised June 1, 1970:))

**WSR 04-19-081
PROPOSED RULES
BOARD OF
INDUSTRIAL INSURANCE APPEALS**

[Filed September 17, 2004, 2:10 p.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Chapter 263-12 WAC, Practice and procedure before the Board of Industrial Insurance Appeals.

Hearing Location(s): Board of Industrial Insurance Appeals, Main Conference Room, 2430 Chandler Court S.W., Olympia, WA 98502, on October 26, 2004, at 11:00 a.m.

Date of Intended Adoption: October 27, 2004.

Submit Written Comments to: David E. Threedy, P.O. Box 42401, Olympia, WA 98504-2401, e-mail threedy@biia.wa.gov, fax (360) 586-5611, by October 22, 2004.

Assistance for Persons with Disabilities: Contact Donald Ball by October 15, 2004, (360) 759-6823 ext. 183.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To revise the board's rules of practice and procedure by amending WAC 263-12-01501.

The proposed revisions make housekeeping changes by clarifying that with the permission of the industrial appeals judge assigned to the appeal, certain documents may be filed with the board's regional facilities.

Reasons Supporting Proposal: Rule is being modified to meet current business needs. Allowing documents to be filed in regional offices may reduce unnecessary delay experienced when all documents must be routed through Olympia.

Statutory Authority for Adoption: RCW 51.52.020.

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

Name of Proponent: Board of Industrial Insurance Appeals, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: David E. Threedy, 2430 Chandler Court S.W., Olympia, WA 98502, (360) 753-6823.

No small business economic impact statement has been prepared under chapter 19.85 RCW. There is no impact on financial issues in the amendments being made. They are basically clarification of procedural rules relating to administrative hearings.

A cost-benefit analysis is not required under RCW 34.05.328. These rule changes are not legislative; they relate to procedures related to agency hearings or clarify language of a rule without changing its effect.

September 17, 2004

David E. Threedy

Executive Secretary

AMENDATORY SECTION (Amending WSR 04-16-097, filed 8/3/04, effective 9/3/04)

WAC 263-12-01501 Communications and filing with the board. (1) Communications with the board.

(a) **Where to file.** All written communications (~~by parties pertaining to a particular case, including notices of appeal, applications, notices of appearance, briefs, memoranda, motions, requests, or petitions for review~~), except those listed below, shall be filed with the board at its headquarters in Olympia, Washington. With permission of the industrial appeals judge assigned to an appeal, depositions, witness confirmations, motions, briefs, stipulations, agreements, and general correspondence may be filed in the appropriate regional board facilities located in Tacoma, Spokane, or Seattle.

(b) **Methods of filing.** Unless otherwise provided by statute or these rules any written communication may be filed with the board personally, by mail, or by telephone facsimile.

(i) **Filing personally.** The filing of a written communication with the board personally is perfected by delivering the written communication to an employee of the board at the board's headquarters in Olympia during customary office hours.

(ii) **Filing by mail.** The filing of a written communication with the board is perfected by mail when the written communication is deposited in the United States mail, properly addressed to the board's headquarters in Olympia and with postage prepaid. Where a statute or rule imposes a time limitation for filing the written communication, the party filing the same should include a certification demonstrating the

date filing was perfected as provided under this subsection. Unless evidence is presented to the contrary, the date of the United States postal service postmark shall be presumed to be the date the written communication was mailed to the board.

(iii) Filing by telephone facsimile.

(A) The filing of a written communication with the board by telephone facsimile is perfected when a legible copy of the written communication is reproduced on the board's telephone facsimile equipment in Olympia. The hours of operation of the board's telephone facsimile equipment are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays. If a transmission of a written communication commences after these hours of operation the written communication shall be deemed filed on the next succeeding business day.

(B) Any written communication filed with the board by telephone facsimile should be preceded by a cover page identifying the party making the transmission, listing the address, telephone and telephone facsimile number of such party, referencing the appeal to which the written communication relates, and indicating the date of, and the total number of pages included in, such transmission.

(C) No written communication should exceed fifteen pages in length, exclusive of the cover page required by this rule.

(D) The party attempting to file the written communication by telephone facsimile bears the risk that the written communication will not be legibly printed on the board's telephone facsimile equipment due to error in the operation or failure of the equipment being utilized by either the party or the board.

(E) The board may require a party to file an original of any document previously filed by telephone facsimile.

(iv) Electronic filing of a notice of appeal. A notice of appeal may be filed electronically when using the appropriate form for electronic filing of appeals as provided on the board's internet site. An electronic notice of appeal is filed when it is received by the board's designated computer during the board's customary office hours pursuant to WAC 263-12-015. Otherwise the notice of appeal is considered filed at the beginning of the next business day. The board shall issue confirmation to the filing party that an electronic notice of appeal has been received. The board may reject a notice of appeal that fails to comply with the board's filing requirements. The board must notify the filing party of the rejection.

(c) Sending written communication. All correspondence or written communication filed with the board pertaining to a particular case, before the entry of a proposed decision and order, should be sent to the attention of the industrial appeals judge assigned to the case. Interlocutory appeals should be sent to the attention of the chief industrial appeals judge. In all other instances, written communications shall be directed to the executive secretary of the board.

(d) Form requirements. Any written communications with the board concerning an appeal should reference the docket number which was assigned by the board to the appeal, if known. Copies of any written communications filed with the board shall be furnished to all other parties or their representatives of record, and the original shall demon-

strate compliance with this requirement. All written communications with the board shall be on paper 8 1/2" x 11" in size.

WSR 04-19-090

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 20, 2004, 2:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-029.

Title of Rule and Other Identifying Information: WAC 308-96A-076 Law enforcement memorial special vehicle license plate series.

Hearing Location(s): Department of Licensing, Conference Room, 1125 Washington Street S.E., Olympia, WA 98507, on October 26, 2004, at 10:30 a.m.

Date of Intended Adoption: November 23, 2004.

Submit Written Comments to: Dale R. Brown, P.O. Box 2957, 1125 Washington Street S.E., Olympia, WA 98507-2957, e-mail dbrown@dol.wa.gov, fax (360) 902-3827, by October 25, 2004.

Assistance for Persons with Disabilities: Contact Dale R. Brown by October 25, 2004, TTY (360) 664-8885.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose is to establish terms and conditions for the use of law enforcement memorial special vehicle license plate series license plates. It will provide what is needed for an applicant to qualify for these plates.

Reasons Supporting Proposal: The legislature has authorized law enforcement memorial special plate. Rules are needed to effectively administer the law allowing for these license plates.

Statutory Authority for Adoption: RCW 46.16.316.

Statute Being Implemented: RCW 46.16.316.

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

Name of Agency Personnel Responsible for Drafting: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, WA, (360) 902-3718; Implementation and Enforcement: Jennifer Dana, 1125 Washington Street S.E., Olympia, WA, (360) [902-]3710.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in the industry.

A cost-benefit analysis is not required under RCW 34.05.328. The contents of the proposed rules are explicitly and specifically dictated by statute.

September 20, 2004

Steve Boruchowitz

Policy and Projects Office

PROPOSED

NEW SECTION

WAC 308-96A-076 Law enforcement memorial special vehicle license plate series. (1) When ownership of a vehicle issued a law enforcement memorial license plate(s) changes, what happens to the plate(s)? The special license plate owner may relinquish the plate(s) to the new vehicle owner or remove the plate(s) from the vehicle for transfer to a replacement vehicle. License plate transfer fees apply.

(2) Will any new fees be charged when the law enforcement memorial license plate(s) are transferred? If the registration expiration date for the new vehicle is later than registration expiration date of the previous vehicle, an additional fee for the law enforcement memorial license plate will be charged at the rate of one-twelfth of the annual law enforcement memorial license plate(s) fee for each additional month and partial month beyond the registration expiration date of the previous vehicle. If the new registration expiration date is sooner than the previous registration expiration date, a refund will not be made for the remaining registration period.

(3) May law enforcement memorial license number plates be replaced with the same number if they become lost, defaced, or destroyed? Yes. Upon the loss, defacement, or destruction of one or both plate(s), the owner must make application for new law enforcement memorial or other license plate(s) and pay the fees described in RCW 46.16-270. See subsection (5) of this section.

(4) Are law enforcement memorial license plate(s) subject to the vehicle license plate replacement schedule? Yes, the law enforcement memorial license plate(s) are subject to the mandatory vehicle license plate replacement schedule in WAC 308-96A-021(8).

(5) When replacing law enforcement memorial license plate(s), is same license plate number/letter combination issued? Yes. If the vehicle owner requests and pays the fees in RCW 46.16.233, the law enforcement memorial license plate(s) will be replaced with the same number/letter combination as shown on the vehicle computer record.

(6) Will my license plates that have been reported stolen be replaced with new license plates with the same number/letter combination? If the license plate(s) have been reported as stolen or if the department record indicates the plate has been stolen, the same number/letter combination will not be issued. This is a law enforcement issue for the protection of the public.

WSR 04-19-091**PROPOSED RULES****DEPARTMENT OF LICENSING**

[Filed September 20, 2004, 2:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-030.

Title of Rule and Other Identifying Information: WAC 308-96A-078 Professional fire fighters and paramedics special vehicle license plate series.

Hearing Location(s): Department of Licensing, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on October 26, 2004, at 10:30 a.m.

Date of Intended Adoption: November 23, 2004.

Submit Written Comments to: Dale R. Brown, P.O. Box 2957, 1125 Washington Street S.E., Olympia, WA 98507-2957, e-mail dbrown@dol.wa.gov, fax (360) 902-3827, by October 25, 2004.

Assistance for Persons with Disabilities: Contact Dale R. Brown by October 25, 2004, TTY (360) 664-8885.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose is to establish terms and conditions for the use of professional fire fighters and paramedics special vehicle license plate series license plates. It will provide what is needed for an applicant to qualify for these plates.

Reasons Supporting Proposal: The legislature has authorized law enforcement memorial special plate. Rules are needed to effectively administer the law allowing for these license plates.

Statutory Authority for Adoption: RCW 46.16.316.

Statute Being Implemented: RCW 46.16.316.

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

Name of Agency Personnel Responsible for Drafting: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, WA, (360) 902-3718; Implementation and Enforcement: Jennifer Dana, 1125 Washington Street S.E., Olympia, WA, (360) [902-]3710.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in the industry.

A cost-benefit analysis is not required under RCW 34.05.328. The contents of the proposed rules are explicitly and specifically dictated by statute.

September 20, 2004

Steve Boruchowitz

Policy and Projects Office

NEW SECTION

WAC 308-96A-078 Professional fire fighters and paramedics special vehicle license plate series. (1) Who may apply for the professional fire fighters and paramedics (PFFP) license plate(s)? Only members of the Washington state council of fire fighters who are indicated on the vehicle record as a registered or coregistered owner of a vehicle may apply. The professional fire fighters and paramedics license plate(s) will be issued upon proof of eligibility and receipt of all applicable fees.

(2) What must be provided as proof that the applicant is a current member to the Washington state council of fire fighters (WSCFF)? A member of the Washington state council of fire fighters must provide a current letter from the WSCFF and either a valid Washington state drivers license or identification card, or International Federation of Fire Fighters identification showing current membership.

(3) **When is proof of WSCFF membership required?** Upon initial application or vehicle registration renewal.

(4) **When ownership of a vehicle issued professional fire fighters and paramedics license plate(s) is transferred, what happens to the plate(s)?** The special license plate owner must remove the plate(s) from the vehicle. The plate owner may transfer the special plate(s) to a replacement vehicle. License plate transfer fees apply.

(5) **Will any new fees be charged when the professional fire fighters and paramedics license plate(s) are sold, traded, or otherwise transferred?** If the registration expiration date for the new vehicle is later than registration expiration date of the previous vehicle, an abated fee for the professional fire fighters and paramedics license plate will be charged at the rate of one-twelfth of the annual professional fire fighters and paramedics license plate(s) fee for each succeeding month and partial month. If the new registration expiration date is sooner than the previous registration expiration date, a refund will not be made for the remaining registration period.

(6) **Will professional fire fighters and paramedics license plate(s) ever need replacing?** Yes, the professional fire fighters and paramedics license plate(s) are subject to the mandatory vehicle license plate replacement schedule.

(7) **When replacing professional fire fighters and paramedics license plate(s), is same license plate number/letter combination issued?** Yes. If the vehicle owner requests and pays the fees described in RCW 46.16.233, the professional fire fighters and paramedics license plate(s) may be replaced with the same number/letter combination as shown on the vehicle computer record.

(8) **Will my license plates that have been reported stolen be replaced with new license plates with the same number/letter combination?** If the license plate(s) has been reported as stolen or if the department record indicates the plate has been stolen, the same number/letter combination will not be issued. This is a law enforcement issue and is for the protection of the public.

WSR 04-19-092

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 20, 2004, 2:08 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-13-078.

Title of Rule and Other Identifying Information: WAC 308-96A-048 Distribution of the first twenty-five sequential special license plates.

Rule making is a required mechanism for the initial issuance of a limited number, up to the first twenty-five sequential special license plates to sponsoring organizations.

Hearing Location(s): Department of Licensing, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on October 26, 2004, at 10:30 a.m.

Date of Intended Adoption: November 23, 2004.

Submit Written Comments to: Dale R. Brown, P.O. Box 2957, 1125 Washington Street S.E., Olympia, WA 98507-

2957, e-mail dbrown@dol.wa.gov, fax (360) 902-3827, by October 25, 2004.

Assistance for Persons with Disabilities: Contact Dale R. Brown by October 25, 2004, TTY (360) 664-8885.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The rule will specify the process the department will use to assign up to the first twenty-five sequential special license plates, and specify the information a sponsoring organization must provide to have these plates assigned.

Reasons Supporting Proposal: Sponsoring organizations have asked the department for the ability to assign a limited number of plates.

Statutory Authority for Adoption: RCW 46.01.110.

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

Name of Agency Personnel Responsible for Drafting: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, WA, (360) 902-3718; Implementation and Enforcement: 1125 Washington Street S.E., Olympia, WA.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on businesses in the industry.

A cost-benefit analysis is not required under RCW 34.05.328. The contents of the proposed rules are explicitly and specifically dictated by statute.

September 20, 2004

Steve Boruchowitz

Policy and Projects Office

NEW SECTION

WAC 308-96A-048 Distribution of the first twenty-five sequential special license plates. (1) What is required for obtaining the distribution of the first twenty-five sequential plates of each special license plate series?

(a) The organizational sponsor liaison that signed the original special license plate series application (or their successor) may submit a list of registered owners and vehicle information to be recipients of up to the first twenty-five special license plates issued. Only vehicles required to display two license plates may be considered. The list must be submitted to the vehicle services special plate manager at least one month before the release date of the initial plate series. Plates will be issued in sequential order in the order specified on the list.

(b) If fewer than twenty-five names are provided on the list, the remainder of those plates will be made available to other applicants in sequential order.

(c) All applicable fees and taxes, as well as any required documentation, are due and must be submitted for each individual vehicle when the plates are issued.

(2) **Where and when are the plates distributed?** The license plates will only be distributed from the Olympia headquarters vehicle licensing office and only on the first release date of the new special license plate series.

(3) **Who may pick up the plates?** The registered owner or a person authorized by the registered owner may take delivery of the special license plates.

(4) **Are there restrictions on issuing the special plates?** Yes, the first twenty-five special plates will only be issued to vehicles requiring two license plates.

PROPOSED

WSR 04-19-093
PROPOSED RULES
GAMBLING COMMISSION

[Filed September 20, 2004, 2:46 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-052.

Title of Rule and Other Identifying Information: WAC 230-30-033 Event pull-tabs—Definitions—Restrictions.

Hearing Location(s): Red Lion Hotel, Yakima Center, 607 East Yakima Avenue, Yakima, WA 98901, (509) 248-5900, on November 19, 2004, at 9:30 a.m.

Date of Intended Adoption: November 19, 2004.

Submit Written Comments to: Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2004.

Assistance for Persons with Disabilities: Contact Shirley Corbett by November 1, 2004, TTY (360) 486-3637 or (360) 486-3447.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Ronnie Strong has submitted a petition for rule change to amend WAC 230-30-033. This rule sets operating requirements for event pull-tab series. These pull-tab series are only offered by charitable or nonprofit organizations and are operated in conjunction with bingo games. Mr. Strong is requesting that the name "event pull-tab series" be changed to "event bingo ticket."

Reasons Supporting Proposal: At the September meeting, the commission filed the petition and anticipate staff providing a recommendation on whether to support the petition or not at the next meeting.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington State Gambling Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Neal Nunamaker, Deputy Director, Lacey, (360) 486-3452.

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

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

September 14, 2004

Susan Arland

Rules Coordinator

AMENDATORY SECTION [(Amending Order 432, filed 7/13/04)]

WAC 230-30-033 (~~(Event pull-tab))~~ Bingo ticket series—Definitions—Restrictions. Charitable or nonprofit bingo operators may use (~~(event pull-tab))~~ bingo ticket series under the following definitions and restrictions.

Definitions.

(1) The following definitions apply to this section:

(a) "~~((Event pull-tab))~~ bingo ticket series" means a pull-tab series that includes a predetermined number of pull-tabs which allow a player to advance to an event round;

(b) "~~((Event))~~ Bingo ticket round" means a secondary element of chance where the prizes are determined based on pull-tabs which match specific winning numbers drawn in a bingo game. The winning numbers must fall within numbers 1 through 75.

Manufacturing restrictions.

(2) The following manufacturing restrictions apply to this section:

(a) (~~(An event pull-tab))~~ A bingo ticket series shall be manufactured meeting all standards of construction included in WAC 230-30-103;

(b) (~~(An event pull-tab))~~ A bingo ticket b series may include instant winning prizes in addition to event round prizes;

(c) The flare shall clearly set out the following:

(i) All prizes available, in accordance with WAC 230-30-106;

(ii) The number of chances available to advance to the event round;

(iii) How the (~~(event))~~ bingo ticket round winner is to be determined; and

(iv) The number of winning pull-tabs at the instant winner level, and the number of winning pull-tabs at the (~~(event))~~ bingo ticket round level.

Operational restrictions.

(3)(a) The (~~(event pull-tab))~~ bingo ticket series must be played in a charitable or nonprofit bingo hall and must be played and completed within one bingo session;

(b) Prior to putting (~~(an event pull-tab))~~ a bingo ticket series into play, the operator must fully disclose, in plain view, when the (~~(event))~~ bingo ticket round (which involves the second element of chance) will take place;

(c) (~~(Event pull-tab))~~ Bingo ticket series must be available for purchase until immediately prior to the (~~(event round))~~ bingo ticket, unless the game has been completely sold out;

(d) A licensed manager must be present at all times an (~~(event pull-tab))~~ bingo ticket series is in play, including sales of tickets and selection of winners;

(e) (~~Event pull-tab~~) bingo tickets may be sold by floor workers (for example, from aprons). This method of selling pull-tabs only applies to an (~~event pull-tab~~) bingo ticket series. Detailed accounting records shall be maintained as prescribed by commission staff to track the (~~event pull-tab~~) bingo tickets issued to each floor worker.

(f) (~~Event pull-tab~~) Bingo ticket series that offer a carry-over jackpot shall meet the requirements set forth in WAC 230-30-045.

(g) Substitute flares and bonus pull-tab series are prohibited for use with (~~event pull-tab~~) bingo ticket series.

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 04-19-094

PROPOSED RULES

GAMBLING COMMISSION

[Filed September 20, 2004, 2:47 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-050.

Title of Rule and Other Identifying Information: WAC 230-40-610 Player—Supported jackpots—Restrictions—Manner of conducting—Approval.

Hearing Location(s): Red Lion Hotel, Yakima Center, 607 East Yakima Avenue, Yakima, WA 98901, (509) 248-5900, on November 19, 2004, at 9:30 a.m.

Date of Intended Adoption: November 19, 2004.

Submit Written Comments to: Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2004.

Assistance for Persons with Disabilities: Contact Shirley Corbett by November 1, 2004, TTY (360) 486-3637 or (360) 486-3447.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Currently, logo cards are required in all house-banked card rooms and by E5 or higher poker licensees. During the past year, licensees have had difficulty finding a manufacturer of logo poker cards and brought the situation to the attention of staff. In response to the lack of logo cards, staff put forward an amendment to require only house-banked card games and poker games offering player-supported jackpots (PSJ) to use logo cards. The proposal was filed at the April 2004, commission meeting. At the July meeting, a licensee requested that logo cards not be required for PSJ games. Staff did not have regulatory concerns allowing this as long as an amendment was made to WAC 230-40-610 requiring cards to be verified by the dealer when PSJs were paid out. At the August meeting, the commission adopted an amendment to WAC 230-40-070 to require only house-banked card games to use logo cards. At that time, staff recommended filing an amendment to WAC 230-40-610 at the September meeting to

become effective at the same time poker games are allowed to be played with nonlogo cards (January 1, 2005).

Reasons Supporting Proposal: To maintain the integrity of card games, the proposed amendment would require dealers to verify, under surveillance, that the correct cards are in the deck when a PSJ is paid out. Housekeeping subsection (5)(c): "fan" clarified to "display the value and suit of each card in the winning hand."

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington State Gambling Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Neal Nunamaker, Deputy Director, Lacey, (360) 486-3452.

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

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

September 14, 2004

Susan Arland

Rules Coordinator

AMENDATORY SECTION (Amending Order 414, filed 8/13/02, effective 1/1/03)

WAC 230-40-610 Player-supported jackpots—Restrictions—Manner of conducting—Approval. A player-supported jackpot (PSJ) is a separate contest of chance directly related to the play and/or outcome of authorized non-house-banked card games but which is not the card game itself. Card rooms with a Class F or house-banked license may establish a prize fund for the purpose of operating a PSJ for nonhouse-banked card games. Any PSJ must be approved in writing by the director or the director's designee prior to play. A PSJ must meet the following requirements:

Funding a PSJ.

(1) A licensee may provide house funds to establish a PSJ. The licensee shall issue a check from the general business account into the PSJ account to start the prize fund. Recouping of start up funds shall be done by issuing a check from the PSJ account to the business general account. Electronic bank transfers shall satisfy this requirement. Start up funds shall not exceed five thousand dollars per PSJ.

Using a rake to fund a PSJ.

(2) A licensee may assess a portion of players' wagers for a jackpot prize. Such amount shall not exceed one dollar per hand or game for each PSJ. This assessment shall be separately collected using the rake method.

PSJ funds are player funds - exception from administrative fee.

(3) The licensee acts only as the custodian of the PSJ funds, including any interest earned on this money, and main-

tains no legal right to the funds. All PSJ funds shall be awarded as prizes, based upon a format approved by commission staff. An administrative fee not to exceed ten percent of the amount collected for a PSJ may be imposed by the licensee. This administrative fee includes all expenses incurred by the licensee, including banking fees. No other expenses beyond the ten percent administrative fee shall be deducted from the PSJ account.

Prize fund custodian.

(4) Each licensee shall designate at least one "prize fund custodian" who shall be responsible for safeguarding and disbursing funds to winners. A prize fund custodian may be an owner, partner, officer, or licensed individual designated by a card room owner, partner, or officer. The custodian shall have signature authority for prize fund bank accounts and ensure accountability of all funds collected for use in a PSJ. The licensee shall meet the deposit requirements of WAC 230-40-608.

Payout of prizes.

(5) Prize amounts paid in cash shall not exceed five hundred dollars. Prize amounts not awarded in cash shall be paid within twenty-four hours, by check, the type which provides a duplicate copy, which shall not be cashed on the licensee's premises. A record of all prizes paid shall be maintained in the format prescribed by commission staff and shall include:

(a) For prizes less than one hundred dollars, a system of accounting denoting each individual prize may be utilized.

(b) For prizes one hundred dollars and above, the following information shall be recorded on a prize record:

- (i) Full printed name;
- (ii) Date of birth;
- (iii) Street address;
- (iv) Type of identification reviewed;
- (v) Amount of the prize awarded;
- (vi) Description of the winning hand;
- (vii) Time and date awarded; and
- (viii) The supervisor's and dealer's initials.

(c) ~~((Upon))~~ When awarding a prize of five hundred dollars or more, the dealer ((shall fan)), in view of the surveillance camera, must display the value and suit of each card in the winning hand ((in view of the surveillance camera)), and the remaining cards in the deck must be counted and put in numerical order by suit to confirm a complete deck. The hand shall be collected and sealed with the prize record. The winning hand and remaining deck shall be maintained on the premises as part of daily card room records for a period of seven days, unless released by a commission agent.

Owners and employees competing for a PSJ.

(6) Owners, custodians and on-duty card room employees may participate in card games that offer a PSJ, but may not share in the winnings of any prize awarded. Any prize winnings an owner or on-duty employee may be entitled to under game rules, must be divided equally among the other players at the table: Provided, That off-duty employees may participate in card games that offer a PSJ and share in the prize winnings.

Owners and employees showing cards.

(7) Owners and on-duty card room employees must turn their cards face up at the end of each game so they may be observed by other players at the table and surveillance if:

- (a) Playing in a game with a PSJ;
- (b) The prize is not based upon a predetermined hand; and
- (c) There is a qualifying hand at the end of a game (such as a "bad beat" hand).

House dealer required.

(8) All card games offering a PSJ must utilize a house dealer.

Security requirements.

(9) Each gaming table offering a PSJ shall be required to install a closed circuit television system as outlined in WAC 230-40-625: Provided, That licensees operating any house-banked card games shall follow the security requirements set forth in WAC 230-40-825 for all tables in the card room, including those offering a PSJ.

Removing a PSJ from play.

(10) The following procedures shall be followed for all discontinued player-supported jackpots:

Discontinued.

(a) In the event a licensee elects to discontinue a PSJ, the balance, less any nonrecouped seed money, shall be distributed to players within sixty days of discontinuance by offering an approved promotion or card tournament of the same game under which the PSJ was originally accrued.

Closure of business.

(b) In the event a licensee ceases to operate a card room, or fails to maintain a valid card room license, all funds associated with the PSJ shall be distributed to the Washington state council on problem gambling.

Posting rules.

(c) The licensee shall conspicuously post a sign stating how PSJ money will be distributed in the event the PSJ is discontinued or the business closes. The sign must be posted at the inception of the PSJ.

House rules.

(11) House rules, to include administrative fees shall be posted in a location readily visible by all players and disclose the conditions under which prizes may be won, the prize amount, cost to participate, and any other conditions which may affect the outcome of the game.

Dispute resolution.

(12) If a dispute arises involving the outcome of a PSJ, the licensee shall preserve the video recording, the winning hand and remaining deck, and all records for the game where the dispute occurred and shall notify commission staff within twenty-four hours. The licensee shall document all information pertaining to the dispute including:

(a) The names, addresses, and phone numbers of all players, card room staff, and any witnesses involved;

(b) Amount of the advertised PSJ; and

(c) A full description of the circumstances surrounding the dispute.

(13) All disputes involving a PSJ will be investigated by commission staff, with a report submitted to the director. A written decision will be issued by the director, or the director's designee, and such decision shall be final.

(14) During the course of dispute resolution, the commission may become the temporary custodian of any and all prize funds. The PSJ will be suspended until the dispute is resolved.

WSR 04-19-095
PROPOSED RULES
GAMBLING COMMISSION
[Filed September 20, 2004, 2:48 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-024.

Title of Rule and Other Identifying Information: WAC 230-40-554 Chief executive officer or chief operations officer defined.

Hearing Location(s): Red Lion Hotel, Yakima Center, 607 East Yakima Avenue, Yakima, WA 98901, (509) 248-5900, on November 19, 2004, at 9:30 a.m.

Date of Intended Adoption: November 19, 2004.

Submit Written Comments to: Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625, by November 1, 2004.

Assistance for Persons with Disabilities: Contact Shirley Corbett by November 1, 2004, TTY (360) 486-3637 or (360) 486-3447.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Gary Murray, on behalf of the Recreational Gaming Association, requested that staff consider an amendment to allow a card room's chief executive officer (CEO) or chief operations officer (COO) (commonly referred to as the general manager) to also act as the gaming operations department manager (commonly referred to as the casino manager). Currently, agency rules require these positions to be held by two separate people. Requiring separate employees for each of these positions is a safeguard that was established when house-banked card rooms were first introduced in the state to protect a card room from a person performing "incompatible functions" (defined below). Mr. Murray states that if a card room owner is comfortable with a CEO performing both jobs, they should be allowed to hold both positions. He feels if a card room owner wants to eliminate the casino manager position and have the general manager oversee the gaming operations department in order to save money, they should be able to make that business decision.

Reasons Supporting Proposal: Staff believe allowing the CEO to also perform the duties of the gaming operations department manager would not compromise players and not

necessarily compromise a card room if proper internal controls are in place. Therefore, staff proposes an amendment to WAC 230-40-544 to allow the CEO/COO to also act as the gaming operations department manager.

Statutory Authority for Adoption: RCW 9.46.070.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington State Gambling Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Susan Arland, Rules Coordinator, Lacey, (360) 486-3466; Implementation: Rick Day, Director, Lacey, (360) 486-3446; and Enforcement: Neal Nunamaker, Deputy Director, Lacey, (360) 486-3452.

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

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

September 20, 2004

Susan Arland

Rules Coordinator

AMENDATORY SECTION [(Amending Order 383, filed 4/14/00)]

WAC 230-40-554 Chief executive officer or chief operations officer defined. The chief executive officer (CEO) or chief operations officer (COO) is the executive who has been designated by the owner, partners, or board of directors as the individual with overall responsibility for the business licensed to conduct card games. The CEO or COO may perform the duties of a gaming operation department manager as defined in WAC 230-40-556.

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

WSR 04-19-098
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed September 20, 2004, 3:39 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-13-040.

Title of Rule and Other Identifying Information: Amending WAC 458-20-190 Sales to and by the United States (~~(-its departments, institutions and instrumentalities—Sales))~~—Doing business on federal reservations—Sales to foreign governments; and repealing WAC 458-20-191 Federal reservations and 458-20-99999 Appendix—The Buck Act.

Hearing Location(s): Capital Plaza Building, 4th Floor, L&P Large Conference Room, 1025 Union Avenue S.E., Olympia, WA, on October 28, 2004, at 9:30 a.m.

Date of Intended Adoption: November 4, 2004.

Submit Written Comments to: Cindy Evans, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-

7453, e-mail cindyev@dor.wa.gov, fax (360) 586-2163, by October 28, 2004.

Assistance for Persons with Disabilities: Contact Sandy Davis no later than ten days before the hearing date, TTY 1-800-451-7985 or (360) 725-7499.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: WAC 458-20-190 (Rule 190) explains the tax reporting responsibilities of persons making sales to the United States and to foreign governments. The proposed rule also explains the tax reporting responsibilities of persons engaging in business activities within federal reservations, which is currently addressed in WAC 458-29-191 (Rule 191). Tax reporting guidance regarding the preferential tax rate for cleaning up radioactive waste and other byproducts of weapons production for the United States has been included in the proposed rule. Pertinent information from interpretive statements has been incorporated.

The department anticipates canceling the following interpretive statements in conjunction with the effective date of a revised Rule 190:

- Excise Tax Advisory (ETA) 2007.04.190 (Taxability of federal instrumentalities and federally created corporate entities);
- ETA 350.04.190 (Business and Occupation Tax—Medical Service Associations); and
- ETA 258.08.190 (National Guard Post Exchange Sales).

Reasons Supporting Proposal: To update and consolidate information provided in multiple rules and interpretive statements into a single document. The rule's organization has been updated to make it more reader friendly.

Statutory Authority for Adoption: RCW 82.32.300, 82.01.060(1), and 34.05.230.

Statute Being Implemented: RCW 82.04.4286 and 82.04.263 and other statutes that affect those doing business with the United States government.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Cindy Evans, 1025 Union Avenue S.E., Suite #300, Olympia, WA, (360) 570-5524; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; and Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The rule does not impose any new performance requirement or administrative burden on any small business.

A cost-benefit analysis is not required under RCW 34.05.328. This rule is an interpretive rule as defined in RCW 34.05.328.

September 20, 2004
Alan R. Lynn
Rules Coordinator

AMENDATORY SECTION (Amending Order ET 83-16, filed 3/15/83)

WAC 458-20-190 Sales to and by the United States(~~(, its departments, institutions and instrumentalities)~~)—Doing business on federal reservations—Sales to foreign governments.

~~((Business and Occupation Tax~~

~~The United States, its departments, institutions and instrumentalities, including corporate instrumentalities, are not subject to tax under chapter 82.04 RCW.~~

~~In computing business tax liability of others, no deduction from value of products, gross sales or gross income is allowed in respect to business transacted with the United States, its departments, institutions or instrumentalities.~~

~~Retail Sales Tax~~

~~The retail sales tax does not apply to sales to the United States, its departments, institutions and instrumentalities, except sales to such institutions as have been chartered or created under federal authority, but which are not directly operated and controlled by the government for the benefit of the public generally.~~

~~Departments, instrumentalities or agencies which are directly operated and controlled by the federal government for the benefit of the public generally include, among others, the departments of Agriculture, Commerce, Interior (including the Bonneville Power Administration and the Tennessee Valley Authority), Justice, Labor, Post Office, State, and Treasury, also the National Military Establishment which includes the departments of the Army, the Navy and the Air Force. Also, the following federal agencies are exempt from payment of sales tax either by reason of congressional exemption in the course of their establishment or by reason of specific federal statutory exemption: The Civil Service Commission, Farm Credit Administration, Federal Housing Administration (including Housing and Urban Development), Federal Land Banks, Federal Reserve Banks, Home Owner's Loan Corporation, Interstate Commerce Commission, Rural Electrification Administration, Social Security Board, United States Maritime Commission, Veterans' Administration, and federally chartered credit unions, federal home loan banks, farm credit banks, export import bank, Federal Savings and Loan Insurance Corporation, Federal Deposit Insurance Corporation, Federal Home Loan Mortgage Corporation, Government National Mortgage Association, Federal National Mortgage Association, Farm Loan Associations, and Central Banks for Cooperatives, the stock of which is owned by the United States.~~

~~The retail sales tax does not apply to sales made by the United States, or any instrumentality thereof, or by voluntary unincorporated organizations of Army or Navy personnel to authorized purchasers within a federal area. The term "authorized purchasers" means civil employees and members of the armed forces of the United States who are permitted to purchase from such organizations under regulation by the secretaries of Navy, Army, Air Force, or Defense.~~

~~Sales to persons in the Army or Navy service of the United States, including civilian employees in such service, are not exempt from the retail sales tax, except where such sales are made to them as authorized purchasers by an instru-~~

mentality of the United States operating exclusively within a federal area. Furthermore, no exemption is permitted with respect to sales to or by voluntary unincorporated organizations of Army or Navy personnel which are not instrumentalities of the United States, national banking associations, persons licensed to engage in private businesses under federal statutes, or contractors engaged in performing contracts for the United States government. Likewise, the retail sales tax applies upon the sales made to the department of employment security of the state of Washington, irrespective of whether or not such department is reimbursed therefor with federal funds.

Sales to federal employees or representatives of the federal government are subject to sales tax, even though the federal government may reimburse them for all or a part of such expenses. Direct purchases by the federal government are sales tax exempt, but purchases by others whether with federal funds or through a reimbursement arrangement are fully subject to the retail sales tax.

Foreign governments. The retail sales tax does not apply to sales to a foreign government or to any department thereof.

Use Tax

The use tax does not apply upon the use of any article by the United States, its departments, institutions and instrumentalities, except institutions chartered or created under federal authority, but which are not directly operated and controlled by the government for the benefit of the public generally, nor does said tax apply upon the use of any article by a foreign government.

Public Utility Tax

In computing the public utility tax no deduction is allowed with respect to gross operating revenue derived from services supplied or furnished to the United States, its departments, institutions or instrumentalities. (1) **Introduction.** Federal law prohibits Washington from directly imposing taxes upon the United States. Persons doing business with the United States are nonetheless subject to the taxes imposed by the state of Washington, unless specifically exempt. This rule explains the tax reporting responsibilities of persons making sales to the United States and to foreign governments. The rule also explains the tax reporting responsibilities of persons engaging in business activities within federal reservations and cleaning up radioactive waste and other by-products of weapons production for the United States.

Persons engaged in construction, installation, or improvement to real property of or for the United States should also refer to WAC 458-20-17001 (Government contracting, etc.). Persons building, repairing, or improving streets, roads, and other transportation facilities, which are owned by the United States should also refer to WAC 458-20-171 (Building, repairing or improving streets, roads, etc.). Persons selling cigarettes to the United States or any other federal entity should also refer to WAC 458-20-186 (Tax on cigarettes).

(2) "United States" defined.

(a) For the purposes of this rule, the term "United States" means the federal government, including the executive, legislative, and judicial branches, its departments, and federal

entities exempt from state or local taxation by reason of specific federal statutory exemption.

The mere fact that an entity is a federal entity, such as an instrumentality or a federal corporation, does not mean that the entity is immune from tax. The taxability of a federal entity and whether or not the entity is required to collect and remit retail sales/use tax depends on the benefits and immunities conferred upon it by Congress. Thus, to determine the current taxable status of federal entities, the relevant portion of the federal law should be examined.

(b) "United States" does not include entities associated with but not a part of the United States, such as the National Guard (an instrumentality of the state of Washington). Nor does it include entities contracting with the United States government to administer its programs.

(3) Prohibition against taxing the United States. The state of Washington is prohibited from imposing taxes directly upon the United States.

(a) This prohibition applies to taxes imposed for the privilege of engaging in business such as the business and occupation (chapter 82.04 RCW) and the public utility (chapter 82.16 RCW) taxes.

It also applies to taxes imposed on a buyer or user of goods or services, including, but not limited to, the:

(i) State and local retail sales and car rental taxes (chapters 82.08 and 82.14 RCW);

(ii) State and local use tax (chapters 82.12 and 82.14 RCW);

(iii) Solid waste collection tax (chapter 82.18 RCW); and

(iv) Local government taxes such as the special hotel/motel (chapter 67.28 RCW) and convention and trade center (chapter 67.40 RCW) taxes.

(b) The state is also prohibited from requiring the United States to collect taxes imposed on the buyer (e.g., the retail sales tax) as an agent for the state. However, buyers must pay use tax on retail purchases from the United States, unless specifically exempt by law.

(c) In addition, federal law exempts certain nongovernmental entities from state taxes (for which Congress has given specific federal statutory tax exemptions). These specific federal statutory exemptions given by Congress may not be absolute and may be limited to specific activities of an entity.

(d) The American Red Cross is an instrumentality of the United States. As a federal corporation providing aid and relief, it is exempt from retail sales, use, and business and occupation taxes under state law. RCW 82.08.0258, 82.12.-0259, and 82.04.380.

(4) Persons doing business with the United States. Persons selling goods or services to the United States are subject to taxes imposed on the seller, such as the business and occupation (B&O) and public utility taxes, unless a specific tax exemption applies. Persons receiving income from contracting with the United States government to administer its programs, either in whole or in part, are also subject to tax, unless a specific tax exemption applies.

(a) Certain invoiced amounts not included in gross income. Persons who contract with the United States may, for federal accounting purposes, be contractually required to invoice goods or services provided to the United States by

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third parties. The purpose of the invoices is to match the expenditures with the appropriate category of congressional funding. These amounts should be excluded from the person's gross income when reporting on the combined excise tax return if all of the following conditions exist with respect to the goods or services:

- (i) The third party directly invoices the United States;
- (ii) The United States directly pays the third party; and
- (iii) The person has no liability, either primarily or secondarily, for making payment to the third party or for remitting payment to the third party.

(b) Tax obligation with respect to the use of tangible personal property. Persons performing services for the United States are also subject to the retail sales or use tax on property they use or consume when performing services for the United States, unless specifically exempt.

(i) Manufacturing articles for commercial or industrial use. In the case of products manufactured or produced by the person using the products as a consumer, the measure of the use tax is generally the value of the products as explained in WAC 458-20-112 (Value of products). However, if the articles manufactured or produced by the user are used in the manufacture or production of products sold or to be sold to the department of defense of the United States, the value of articles used is the value of the ingredients of such articles. The manufacturing B&O tax also applies to the value of articles manufactured for commercial or industrial use.

(ii) Use of government provided property. When articles or goods used are acquired by bailment, the measure of the use tax to the bailee is the reasonable rental with the value to be determined as nearly as possible according to the rental price at the place of use of similar products of like quality and character. See WAC 458-20-211 (Leases or rental of tangible personal property, bailments). Thus, if a person has a contract to provide services for the United States and uses government supplied tangible personal property to perform the services, then the person must pay use tax on the fair market rental value of the government supplied tangible personal property.

Persons who incorporate government provided articles into construction projects or improvements made to real property of or for the United States should refer to WAC 458-20-17001 (Government contracting, etc.) for more specific tax-reporting information.

(c) Exemption for certain machinery and equipment. Manufacturers or processors for hire may be eligible for the retail sales or use tax exemption provided by RCW 82.08.-02565 and 82.12.02565 on machinery and equipment used directly in a manufacturing or research and development operation. See WAC 458-20-13601 (Manufacturers and processor for hire—Sales and use tax exemption for machinery and equipment).

(5) Documenting exempt sales to the United States. Only those sales made directly to the United States are exempt from retail sales tax or other tax imposed on the buyer. To be entitled to the exemption, the purchase must be paid for using a qualified U.S. government credit card, a check from the United States payable to the seller, a United

States voucher, or with cash accompanied by the federal SF (Standard Form) 1165.

Sales to employees or representatives of the United States are subject to tax, even though the United States may reimburse the employee or representative for all or a part of the expense. Purchases by any other person, whether with federal funds or through a reimbursement arrangement, are subject to tax unless specifically exempt by law.

(a) Documenting tax-exempt sales. Sellers document the tax-exempt nature of sales made to the United States by keeping a copy of the United States credit card receipt, a copy of the check from the United States, a copy of the federal government voucher, or a signed copy of federal SF 1165.

(b) Payment occurring via government contracted credit card. Various United States government contracted credit cards are used to make payment for purchases of goods and services by or for the United States government. Sole responsibility for payment of these purchases may rest with the United States government or with the employee. The United States government's system of issuing government contracted credit cards is subject to change. For specific information about determining when payment is the direct responsibility of the United States government or the employee, contact the department's taxpayer services division at:

Department of Revenue

Taxpayer Services

P.O. Box 47478

Olympia, WA 98504-7478

or call the department's telephone information center at 1-800-647-7706 or visit the department's website at <http://dor.wa.gov>.

(6) Doing business on federal reservations. The state of Washington has jurisdiction and authority to levy and collect taxes upon persons residing within, or with respect to business transactions conducted upon, federal reservations. 4 U.S.C. §§ 105-110. The term "federal reservation," as used in this rule, means any land or premises within the exterior boundaries of the state of Washington that are held or acquired by and for the use of the United States, its departments, institutions or entities. This means that a concessionaire operating within a federal reservation under a grant or permit issued by the United States or by a department or entity of the United States is taxable to the same extent as any private operator engaging in a similar business outside a federal reservation and without specific authority from the United States.

(a) Sales tax collection requirements. Persons making retail sales to members of the armed forces or others residing within or conducting business upon federal reservations are required to collect and remit retail sales tax from the buyer.

(b) Cigarette tax stamps. Washington cigarette tax stamps must generally be affixed to all cigarettes sold to persons residing within or conducting business upon federal reservations. However, such stamps need not be affixed to cigarettes sold to the United States or any of its entities including voluntary organizations of military personnel authorized by the Secretary of Defense or the Secretary of the Navy or by the United States or any of its entities to authorized purchas-

ers, for use on such reservation. See WAC 458-20-186 (Tax on cigarettes).

(7) Sales made to authorized purchasers of the United States. As explained in subsection (3)(b) of this rule, while sales by the United States are exempt of retail sales tax the purchaser is generally responsible for remitting use tax directly to the department of revenue. Federal law prohibits the imposition of use tax on tangible personal property sold to authorized purchasers by the United States, its entities, or voluntary unincorporated organization of armed forces personnel. 4 U.S.C. § 107(a).

(a) Who is an "authorized purchaser"? A person is an "authorized purchaser" only with respect to purchases he or she is permitted to make from commissaries, ships' stores, or voluntary unincorporated organizations of personnel of any branch of the armed forces of the United States, under regulations promulgated by the departmental secretary having jurisdiction over such branch. 4 U.S.C. § 107(b).

(b) What is a "voluntary unincorporated organization"? "Voluntary unincorporated organizations" are those organizations comprised of armed forces personnel operated under regulations promulgated by the departmental secretary having jurisdiction over such branch. Examples of voluntary unincorporated organizations are post flying clubs, officers or noncommissioned officers open messes, and recreation associations.

(8) Purchases by persons using federal funds. Retail sales or use tax is applicable to retail purchases made by any buyer, other than the United States, including the state of Washington and all of its political subdivisions, irrespective of whether or not the buyer uses or is reimbursed with federal funds.

(9) Cleaning up radioactive waste and other by-products of weapons production and nuclear research and development. RCW 82.04.263 provides a preferential tax rate for the gross income derived from cleaning up for the United States, or its instrumentalities, radioactive waste and other by-products of weapons production and nuclear research and development. This tax rate applies whether the person performing these activities is a general contractor or subcontractor.

(a) What activities are entitled to the preferential tax rate? Only those activities that meet the definition of "cleaning up radioactive waste and other by-products of weapons production and nuclear research and development" are entitled to the preferential tax rate. The statute defines "cleaning up radioactive waste and other by-products of weapons production and nuclear research and development" to mean:

(i) The handling, storing, treating, immobilizing, stabilizing, or disposing of radioactive waste, radioactive tank waste and capsules, nonradioactive hazardous solid and liquid wastes, or spent nuclear fuel;

(ii) Conditioning of spent nuclear fuel;

(iii) Removing contamination in soils and ground water;

(iv) Decontaminating and decommissioning of facilities;
and

(v) Performing activities integral and necessary to the direct performance of cleanup.

(b) What does it mean to be integral and necessary to the direct performance of cleanup? To be considered an

activity integral and necessary to the direct performance of cleanup, the activity must be directly connected to and essential for the furtherance of activities described in subsection (9)(a)(i) through (iv) above. "Directly connected to and essential for" means that there is both a sequential relationship and a necessity relationship between activities eligible for the tax treatment under subsection (9)(a)(v) above and those activities described in subsection (9)(a)(i) through (iv) above.

(i) Sequential relationship. The sequential relationship means that the activity directly precedes, directly follows, or is concurrent with the activity in question.

(ii) Necessity relationship. The necessity relationship means that the activity under subsection (9)(a)(v) above must take place in order for the direct cleanup to take place. In other words, the activity under subsection (9)(a)(v) above must be more than just highly desirable; the activity under subsection (9)(a)(v) above must be indispensable to the direct cleanup. As used in this subsection (9)(b)(ii), the phrase "direct cleanup" refers to those activities described in subsection (9)(a)(i) through (iv) above.

(c) Clean-up examples. The examples in this subsection identify a number of facts and then state a conclusion. These examples should only be used as a general guide. Similar determinations for other situations can be made only after a review of all facts and circumstances.

(i) Company C is a land excavation contractor who contracts with Prime Contractor to dig trenches where waste will be reburied after processing. Company C's contract for digging trenches qualifies for the preferential tax rate under RCW 82.04.263 because the activity of digging trenches is one of the physical acts of cleaning up. Later Company C contracts with Prime Contractor to grade land for a general-purpose road that is not used for any cleanup purposes. The contract to grade the road does not qualify for the rate under RCW 82.04.263 because road grading is not an activity involving the physical act of cleaning up.

(ii) Company D contracts with Company C from the previous example to provide payroll and accounting services. Company D's activity does not qualify for the preferential tax rate under RCW 82.04.263 because the activity of accounting is not an activity involving the physical act of cleaning up, nor is it directly connected to and essential for any of the cleanup activities listed in subsection (9)(a)(i) through (iv) above.

(iii) Company E is an environmental engineering company which contracts with Prime Contractor to develop a plan on how best to decontaminate the soil at a tank farm and will monitor the cleanup/decontamination as it progresses. Company E's activities qualify for the preferential tax rate under RCW 82.04.263 because the activities are directly connected to and essential for removing contamination in soils.

(iv) Company F is a security company that contracts with Prime Contractor to provide overall security to the federal reservation, including providing security at clean-up sites. Company F's activities do not qualify for the preferential tax rate under RCW 82.04.263 because providing security on the federal reservation or at a clean-up site is not directly connected to and essential for any of the clean-up activities listed in subsection (9)(a)(i) through (iv) above.

(d) Taxability of tangible personal property used or consumed in cleaning up radioactive waste and other by-products of weapons production and nuclear research and development. Persons cleaning up radioactive waste and other by-products of weapons production and nuclear research and development for the United States, or its instrumentalities, are consumers of any property they use or consume when performing these services. RCW 82.04.190. Therefore, tangible personal property used or consumed in the cleanup is subject to retail sales or use tax. If the seller does not collect retail sales tax on a retail sale, the buyer is required to pay the retail sales tax (commonly referred to as "deferred sales tax") or use tax directly to the department, unless specifically exempt by law. The "combined excise tax return" does not have a separate line for reporting deferred sales tax. Consequently, deferred sales tax liability should be reported on the use tax line of the buyer's combined excise tax return. Refer to WAC 458-20-178 for detailed information regarding use tax.

(10) Sales to foreign governments or foreign diplomats. For specific details concerning the taxability of sales of goods and services to foreign missions and diplomats, contact the department's taxpayer services division at:

Department of Revenue
Taxpayer Services
P.O. Box 47478
Olympia, WA 98504-7478

or call the department's telephone information center at 1-800-647-7706 or visit the department's website at <http://dor.wa.gov>.

WSR 04-19-104
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed September 21, 2004, 8:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-040.

Title of Rule and Other Identifying Information: A new rule, WAC 415-104-480 LEOFF Plan 2 duty disability benefits.

Hearing Location(s): Department of Retirement Systems, 6835 Capitol Boulevard, Conference Room 115, Tumwater, WA, on October 26, 2004, at 9:30 a.m.

Date of Intended Adoption: No sooner than October 27, 2004.

Submit Written Comments to: Leslie L. Saeger, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail leslies@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on October 26, 2004.

Assistance for Persons with Disabilities: Contact Leslie L. Saeger, Rules Coordinator, by October 18, 2004, TDD (360) 664-7291, TTY (360) 586-5450, phone (360) 664-7291.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule imple-

ments chapter 4, Laws of 2004 (HB 2418), which provides additional benefits for certain law enforcement officers' and fire fighters' retirement system members who incur a disability in the line of duty.

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.26.470.

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

Name of Proponent: Department of Retirement Systems, governmental.

Name of Agency Personnel Responsible for Drafting: Leslie Saeger, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: Dorothy Bailey, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules have no effect on businesses.

A cost-benefit analysis is not required under RCW 34.05.328. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

September 20, 2004

Leslie Saeger

Rules and Contacts Coordinator

NEW SECTION

WAC 415-104-480 LEOFF Plan 2 duty disability benefits. Members of the law enforcement officers' and fire fighters' retirement system (LEOFF) Plan 2 who incur a disability in the line of duty are entitled to duty disability benefits subject to the requirements in RCW 41.26.470 and this section.

(1) **Who is entitled to duty disability benefits?** Any member of LEOFF Plan 2 who is deemed by the department to have:

- (a) Incurred a disability in the line of duty;
- (b) Been totally incapacitated for continued employment in a LEOFF eligible position;
- (c) Separated from a LEOFF eligible position due to the disability, and who:
 - (i) Has a retirement date on or after January 1, 2001; or
 - (ii) Is eligible under this section to have a retirement date on or after January 1, 2001.

The disability may be physical or mental, and may be caused by injury or occupational disease.

(2) **How is "line of duty" defined?** Line of duty means any action or activity done in conjunction with your employment or your status as a law enforcement officer or fire fighter that is required, obligated, or authorized by law, rule, regulations, or condition of employment or service.

(3) **When are the duty disability provisions effective?** The effective date of the duty disability provisions under RCW 41.26.470 (6) and (7) is June 10, 2004, and applies retroactively to January 1, 2001. In order to qualify for the provisions, you must have separated from your LEOFF-eligible position due to a duty disability with a retirement date on or after January 1, 2001.

(4) **How do I apply for duty disability benefits?** You must submit:

(a) A completed three-part disability retirement application provided by the department.

(i) Part 1: Disability retirement application. You must complete and sign the application. If you are married, your spouse must sign consent of the retirement payment option you choose. You must have your signature(s) notarized.

(ii) Part 2: Employer's statement and report. Your employer must complete, sign and return directly to the department.

(iii) Part 3: Medical report. You must complete Section 1. The remainder must be completed and signed by a person licensed according to Washington state law to practice medicine and surgery, osteopathic medicine and surgery, chiropractic, naturopathy, podiatry, dentistry, or optometry.

(b) Proof of applying to the Washington state department of labor and industries (L&I) or a self-insurer for workers' compensation benefits under Title 51 RCW and, if L&I or the self-insurer determined eligibility, a copy of the determination;

(c) Additional information that may be requested by the department; and

(d) Any other material you want the department to consider.

(5) What types of evidence will the department use to determine whether I am entitled to benefits under this section? The department will consider:

(a) Information and determinations obtained from L&I or a self-insurer;

(b) The documentation you submit;

(c) Facts surrounding your injury or occupational disease;

(d) Your job description;

(e) Your membership records, maintained by the department;

(f) Materials obtained or provided by your employer; and

(g) Any other relevant evidence.

(6) What would disqualify me for duty disability benefits? You are not eligible for duty disability benefits if any of the following apply:

(a) Your application does not provide adequate proof that you are totally incapacitated for continued employment in a LEOFF-eligible position;

(b) Your application is incomplete or lacks sufficient documentation to prove your disability was incurred in the line of duty;

(c) Your claim for workers' compensation benefits under Title 51 RCW was denied either because your disability was not incurred in the course of employment or because your condition was not recognized as a disability;

(d) The disability occurred as a result of intentional misconduct;

(e) An action was taken by you intentionally to bring about your own disability;

(f) Your mental or physical faculties were impaired due to voluntary intoxication as defined in subsection (17) of this section; or

(g) You were performing your duties in a grossly negligent manner at the time the disability occurred.

(7) Who decides if I meet the requirements for benefits under this section? The LEOFF plan administrator.

(8) May I petition a decision made by the LEOFF plan administrator? Yes. If the LEOFF plan administrator denies your request for a disability benefit or determines your disability was not incurred in the line of duty, you may petition for review under chapter 415-04 WAC.

(9) What are the duty disability retirement benefits? As a duty disability retiree, you may choose between:

(a) A nontaxable, one-time lump sum payment equal to one hundred fifty percent of your retirement contributions; except that, any payments made to restore service credit after the five-year deadline will be paid at one hundred percent; or

(b) A monthly benefit equal to (b)(i) or (ii) of this subsection, whichever provides the greater benefit:

(i) A minimum monthly benefit equal to ten percent of your final average salary (FAS), which is nontaxable; or

(ii) A monthly benefit of two percent of your FAS for each year of service, adjusted for early retirement if you are under age fifty-three and any survivor option chosen. A portion of your benefit, equal to ten percent of your FAS, is nontaxable.

Example: Tom incurs a duty disability at age 42 after twenty years of service. His final average salary is \$5000 per month. Tom's wife is also age 42, and he chooses survivor Option Two per WAC 415-104-215 (2)(b).

Tom's duty disability benefit, calculated at 10 percent of his final average salary (FAS), would be:

Allowance	$\$5000 \times 10\% =$	\$500
Benefit with survivor Option Two	$\$500 \times 0.87 =$	\$435 (nontaxable)

Tom's duty disability benefit using standard computation would be:

Allowance	$2\% \times \text{AFS} (\$5000) \times 20 \text{ years} =$	\$2000
Benefit after reduction for early retirement	$\$2000 \times 0.39$ (early retirement factor) =	\$780
Benefit with survivor Option Two	$\$780 \times 0.87 =$	\$678.60 (\$435 of this amount is nontaxable)

Tom will receive a monthly benefit of \$678.60 because that is the greater benefit.

(10) Are my duty disability benefits taxable? The department reports disability benefits to the Internal Revenue Service as required by federal law. Based on current federal law, part of your benefit may be taxable. You should consult with your own tax advisor regarding all questions of federal or state income, payroll, personal property or other tax consequences regarding any payments you receive from the department.

It is important that you realize that the department does not:

(a) Guarantee that payments should or should not be designated as exempt from federal income tax;

(b) Guarantee that it was correct in withholding or not withholding taxes from benefit payments to you;

PROPOSED

PROPOSED

(c) Represent or guarantee that any particular federal or state income, payroll, personal property or other tax consequence will occur because of its nontaxable determination; or

(d) Assume any liability for your compliance with the Internal Revenue Code.

(11) **If I retired on or after January 1, 2001, may I apply for duty disability benefits?** If you separated employment due to disability and retired with a service or nonduty disability retirement date on or after January 1, 2001, you may apply to the department for duty disability benefits according to the provisions of subsection (4) of this section.

(12) **If I separated from employment, may I apply for duty disability benefits?** If you separated from employment due to a disability and qualify for a retirement date on or after January 1, 2001, you may apply for duty disability benefits according to the provisions of subsection (4) of this section. If the LEOFF administrator determines you are entitled to duty disability benefits, you will receive a monthly benefit calculated as provided in subsection (9)(b) of this section. However, if you withdrew your contributions, you must repay the entire amount you withdrew. You may repay the withdrawn amount:

(a) By returning the entire amount you withdrew to the department; or

(b) By an actuarial reduction in your monthly benefit.

Example: John was injured on the job and separated from his LEOFF position in March 2002. At the time he separated, he was 43 years old, had 10 years of service, and his final average salary was \$5,000.00 per month. At that time, John chose to withdraw \$75,000, which equaled 150 percent of his retirement contributions.

John subsequently applied under the provisions of RCW 41.26.470 (6) and (7) and was deemed eligible for duty disability benefits.

The department calculated John's benefit according to the methods in subsection (9) of this section and determined it was to John's advantage to take the minimum monthly benefit.

If John chooses to repay the entire amount he withdrew, his monthly duty disability benefit will be:

Minimum monthly benefit	10% X AFS (\$5000) =	\$500
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If John chooses to repay the withdrawn amount by having his monthly benefit actuarially reduced, his benefit will be:

Minimum monthly benefit	10% X AFS (\$5000) =	\$500
Reduction to repay the withdrawn amount (\$75,000)	\$75,000 X .0049904 (annuity factor, which is based on the retiree's age) =	-\$374.28
Monthly benefit		\$125.72

(13) **When does a duty disability retirement benefit end?** Your duty disability benefit will cease if:

(a) You return to work in a LEOFF-eligible position; or

(b) Medical examination reveals that you have recovered from the incapacitating disability and you are no longer entitled to workers' compensation benefits under Title 51 RCW.

(14) **If I retire for a duty disability and die, will my survivor receive a monthly benefit?** If you elect a survivor option under WAC 415-104-215(2) at the time of retirement, your survivor will receive a monthly benefit after your death.

(15) **What happens if I return to a LEOFF-eligible position?** If you recover from your disability and return to a LEOFF-eligible position, your monthly retirement benefit will stop.

(16) **If I return to a LEOFF-eligible position, how will my future retirement benefit be affected?** When you rerehire, your monthly benefit will be calculated pursuant to RCW 41.26.500 using any additional service credit and your highest sixty consecutive months of salary, but will be reduced if:

(a) You were receiving a monthly benefit equal to ten percent of your FAS; or

(b) You were receiving a monthly benefit calculated under the normal two percent rule but had an early retirement factor applied; or

(c) You received the one-time lump sum payment equal to one hundred fifty percent of your contributions, unless you repay the amount you received.

(17) As used in this section, intoxication means a disturbance of mental or physical faculties resulting from the introduction of alcohol into the body as evidenced by:

(a) A blood alcohol level of .20 per centum or greater;

(b) A blood alcohol level of at least .10 per centum but less than .20 per centum unless the department receives convincing evidence that the public safety officer was not acting in an intoxicated manner immediately prior to his/her injury; or

Resulting from drugs or other substances in the body.

WSR 04-19-106
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 21, 2004, 9:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-15-103.

Title of Rule and Other Identifying Information: Employer-worker reemployment incentives, new sections WAC 296-16-100 What is the department's "preferred worker" program?, 296-16-110 Who can be certified as a "preferred worker"?, 296-16-115 How does a worker apply for "preferred worker" certification?, 296-16-120 Who certifies industrially injured or ill workers as "preferred workers"?, 296-16-130 How long does a worker's "preferred worker" certification last?, 296-16-140 Which employers are eligible to benefit from the "preferred worker" program?,

296-16-150 What benefits do eligible employers receive from the "preferred worker" program?, 296-16-160 What must an employer do to qualify for benefits when hiring a "preferred worker"?, and 296-16-170 Where may an employer obtain an *Intent to Hire Preferred Worker* form?

Hearing Location(s): Department of Labor and Industries, Rooms S118-S119, 7273 Linderson Way S.W., Tumwater, WA 98501, on November 1, 2004, at 2 to 4:00 p.m.

Date of Intended Adoption: December 15, 2004.

Submit Written Comments to: Audrey Pitchford, Department of Labor and Industries, P.O. Box 44208, Olympia, WA 998504-4208 [98504-4208], e-mail pita235@LNI.WA.GOV, fax (360) 902-4960, by November 8, 2004.

Assistance for Persons with Disabilities: Contact Audrey Pitchford by October 29, 2004, TTY (800) 833-6388 or (360) 902-4583.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed new rules will assist in the implementation of chapter 258, Laws of 2004 (SSB 6615).

The purpose of the proposed new rules is to:

- Redefine the preferred worker program for clarity,
- Explain what benefits are available under the preferred worker program,
- Clarify which employers and workers may receive preferred worker program benefits, and
- Expand the program, in some situations, to grant benefits to the employer at the time of record.

WAC 296-16-010 will be repealed.

Reasons Supporting Proposal: The proposed new rules redefine the preferred worker program for clarity, as well as expand the existing program to additional employers. Because of these rules, agency customers will better understand benefits available under the program, and the department will be able to more consistently and fairly respond to requests for preferred worker program benefits.

Statutory Authority for Adoption: RCW 51.04.010, 51.04.020 and chapter 258, Laws of 2004 (SSB 6615).

Statute Being Implemented: RCW 51.16.120 and chapter 258, Laws of 2004 (SSB 6615).

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

Name of Proponent: Department of Labor and Industries, governmental.

Name of Agency Personnel Responsible for Drafting: Vickie Kennedy, Tumwater, Washington, (360) 902-4997; Implementation: Sandra Dziejcz (state fund), Tumwater, Washington, (360) 902-4300 and Jean Vanek (self insurance), Olympia, Washington, (360) 902-6907; and Enforcement: Robert Malooly, Tumwater, Washington, (360) 902-4209.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed new rules are intended to redefine the existing "preferred worker" program authorized by RCW 51.16.120(3), and expand the program as authorized by RCW 51.16.120(4), adopted by the legislature in 2004 in SSB 6615. Upon adoption of these rules, workers with developmental disabilities will have expanded eligibility and employers of record will be eligible to benefit from reemploying preferred workers with develop-

mental disabilities as authorized by RCW 51.16.120(4). As such, these changes impose no costs and no SBEIS need be conducted.

A cost-benefit analysis is not required under RCW 34.05.328. The proposed new rules are intended to redefine the existing "preferred worker" program authorized by RCW 51.16.120(3), and expand the program as authorized by RCW 51.16.120(4), adopted by the legislature in 2004 in SSB 6615. Upon adoption of these rules, workers with developmental disabilities will have expanded eligibility and employers of record will be eligible to benefit from reemploying preferred workers with developmental disabilities as authorized by RCW 51.16.120(4). As such, these changes impose no costs and no CBA need be conducted.

September 21, 2004

Paul Trause
Director

NEW SECTION

WAC 296-16-100 What is the department's "preferred worker" program? The department's "preferred worker" program provides eligible employers with financial incentives to hire certified "preferred workers."

NEW SECTION

WAC 296-16-110 Who can be certified as a "preferred worker"? Workers can be certified as a "preferred worker" if they have an open claim for an industrial injury or occupational disease that:

- (1) Prevents the worker from returning to work with the employer of record, and substantially impairs the likelihood of the worker's reemployment with a different employer; or
- (2) Has resulted in payment of time-loss compensation benefits for a period of at least fourteen consecutive days, if the worker has a developmental disability as defined by RCW 71A.10.020.

NEW SECTION

WAC 296-16-115 How does a worker apply for "preferred worker" certification? Workers and employers may inquire about the "preferred worker" program by contacting the claim manager, vocational counselor, or the department's "preferred worker" section.

Workers who are unable to return to work with the employer of record must receive assistance applying for "preferred worker" certification from a registered vocational provider.

Exception: Workers with developmental disabilities, who will be reemployed by the employer of record, do not need to apply for "preferred worker" certification. Instead, the department will consider the worker's eligibility for certification after receiving the employer's *Intent to Hire Preferred Worker* form.

NEW SECTION

WAC 296-16-120 Who certifies industrially injured or ill workers as "preferred workers"? Only a department

employee with authority to do so may certify a worker as a "preferred worker."

NEW SECTION

WAC 296-16-130 How long does a worker's "preferred worker" certification last? A worker's "preferred worker" certification lasts for thirty-six consecutive months, and cannot be extended.

Exception: The department may interrupt the certification period if:

- (1) Medical documentation shows that the worker is unable to work or look for work, due to the industrial injury or occupational disease for which the "preferred worker" certification was granted; and
- (2) The worker's claim for the same injury or disease is still open.

When the worker is again able to work or look for work, the certification period will resume. The period of interruption does not count toward the thirty-six month total.

NEW SECTION

WAC 296-16-140 Which employers are eligible to benefit from the "preferred worker" program? Employers are eligible to benefit from the "preferred worker" program if:

(1) They hire or reemploy a certified "preferred worker" with developmental disabilities as defined by RCW 71A.10.020; or

(2) They were not the "preferred worker's" employer at the job of injury, and they subsequently hire a certified "preferred worker."

NEW SECTION

WAC 296-16-150 What benefits do eligible employers receive from the "preferred worker" program? (1) Eligible employers insured with the state fund who hire a certified "preferred worker":

(a) Do not pay accident fund and medical aid fund premiums for that worker during the "preferred worker" certification period; and

(b) Will not have the cost of any new claim filed by that worker charged to their experience rating, if the claim is for a new injury sustained or an occupational disease diagnosed during the "preferred worker" certification period.

(2) Eligible self-insured employers who hire a certified "preferred worker" will receive reimbursement from the second injury fund for all benefits paid on any new claim filed by that worker, if the claim is for a new injury sustained or an occupational disease diagnosed during the "preferred worker's" certification period.

NEW SECTION

WAC 296-16-160 What must an employer do to qualify for benefits when hiring a "preferred worker"? An employer must complete an *Intent to Hire Preferred Worker* form. The employer must return the completed form to the department within sixty days from the "preferred worker's" first day of:

(1) Employment, if the employer is a subsequent or new employer. In these situations, the employer must also provide the department a description of the job offered to the worker.

(2) Reemployment, if the employer is the employer of record and the worker has a developmental disability as defined by RCW 71A.10.020. In these situations, if the doctor has released the worker without restrictions and the worker is returning to the job of record, a job description is not needed.

NEW SECTION

WAC 296-16-170 Where may an employer obtain an Intent to Hire Preferred Worker form? Employers may obtain an *Intent to Hire Preferred Worker* form from the department's offices or website.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-16-010 Premium waived for employment of preferred worker.

WSR 04-19-109
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed September 21, 2004, 11:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-035.

Title of Rule and Other Identifying Information: Amending WAC 388-530-1050 Definitions, 388-530-1100 Covered drugs, devices, and pharmaceutical supplies, 388-530-1125 Drug rebate program, 388-530-1150 Noncovered drugs and pharmaceutical supplies and reimbursement limitations, 388-530-1200 Prior authorization program, 388-530-1250 Prior authorization process, 388-530-1260 Therapeutic consultation service, 388-530-1270 Mail order services, 388-530-1400 Maximum allowable cost, 388-530-1900 Drug use and claims review and 388-530-1950 Point-of-sale (POS) system/prospective drug use review; and new sections WAC 388-530-1280 Preferred drug list(s) and 388-530-1290 Therapeutic interchange program.

Hearing Location(s): Blake Office Park East (behind Goodyear Courtesy Tire), Rose Room, 4500 10th Avenue S.E., Lacey, WA, on November 9, 2004, at 10:00 a.m.

Date of Intended Adoption: Not sooner than November 10, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail fernaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., November 9, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by November 5, 2004, TTY (360) 664-6178 or (360) 664-6097.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rules implement SB 6088 (chapter 29, Laws of 2003) which directs state agencies to establish an evidence-based prescription drug program that identifies preferred drugs, develop programs to provide prescription drugs at a reasonable price to those in need, and increase public awareness regarding their safe and cost-effective use. To fulfill this legislative mandate, the proposed rules establish new sections within chapter 388-530 WAC, Pharmacy services, for preferred drug list(s) and the therapeutic interchange program (TIP). The proposed rules also amend the sections in chapter 388-530 WAC listed above to update, clarify, and make them consistent with the new sections.

Statutory Authority for Adoption: RCW 74.08.090, 70.14.050.

Statute Being Implemented: RCW 70.14.050, 69.41.-150, 69.41.190, chapter 41.05 RCW.

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

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

Name of Agency Personnel Responsible for Drafting: Ann Myers, 905 Plum Street S.E., Olympia, WA 98501, (360) 725-1345; **Implementation and Enforcement:** Siri Childs, 805 Plum Street S.E., Olympia, WA 98501, (360) 725-1564.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

SUMMARY OF PROPOSED RULES: The Department of Social and Health Services' Medical Assistance Administration (MAA) is proposing to amend chapter 388-530 WAC, Pharmacy services. The 2003 state legislature directed state agencies to implement SB 6088 (chapter 29, Laws of 2003) which directs the establishment of an evidence-based prescription drug program that identifies preferred drugs, develop programs to provide prescription drugs at a reasonable price to those in need, and increase public awareness regarding their safe and cost-effective use. The proposed amendments:

- Establish rules for preferred drug list(s);
- Establish rules for the therapeutic interchange program (TIP);
- Update program-related definitions; and
- Clarify and update other sections in the chapter for consistency with the new sections.

SMALL BUSINESS ECONOMIC IMPACT STATEMENT: Chapter 19.85 RCW, the Regulatory Fairness Act, requires that the economic impact of proposed regulations be analyzed in relation to small businesses and outlines the information that must be included in a small business economic impact statement (SBEIS). Preparation of an SBEIS is required when a proposed rule has the potential of placing a more than minor economic impact on business.

The proposed rule changes will have an impact on providers who prescribe drugs for Medicaid clients and pharmacists who fill those prescriptions. The degree of impact will be determined by whether or not a prescriber enrolls as "an endorsing practitioner."

The therapeutic interchange program (TIP) allows prescribers to endorse a Washington preferred drug list (PDL). These "endorsing practitioners" will find that TIP reduces the necessity for prior authorization for nonpreferred drugs. When these endorsing practitioners write a prescription for a drug that is not on the Washington PDL and indicate that substitution is permitted, the filling pharmacist substitutes a therapeutically equivalent drug from the preferred drug list for the prescribed drug and informs the prescriber. In those cases where the endorsing practitioner determines that it is medically necessary for the client to receive a drug that is not on the preferred drug list, and indicates "dispense as written (DAW)" on the prescription, the pharmacist may dispense the nonpreferred drug without obtaining prior authorization from MAA.

A pharmacist who receives a DAW prescription for a nonpreferred drug from a nonendorsing practitioner must obtain prior authorization from MAA prior to dispensing the drug. For these nonendorsing practitioners, TIP may result in an increase in the number of times that prior authorization is required. In these circumstances, the telephone calls and staff time required to communicate with the prescriber and obtain prior authorization may increase.

MAA is currently unable to determine what it may cost pharmacists for the telephone calls and staff time used to contact prescribers or contact MAA for prior authorization. Nor does MAA have specific information regarding the costs to the prescriber for telephone calls and staff time used in consultations with pharmacists. MAA concludes that some new costs may be imposed on the small businesses affected by them, but is unable to determine the extent of those costs at this time. If information about increased costs becomes available after adoption of the rule, MAA will analyze that information and consider possible mitigation measures.

PRELIMINARY ANALYSIS OF PROBABLE COSTS: The department anticipates that providers who are nonendorsing practitioners will experience an increase in the number of times that prior authorization is required to fill a prescription for a nonpreferred drug, thereby increasing the staff time necessary to handle these situations. It is also likely that pharmacists will experience an increase in the number of times they must obtain prior authorization to fill a prescription for a nonpreferred drug from a nonendorsing practitioner. While the department anticipates the provider's administrative tasks associated with obtaining prior authorization may increase, it is unable to determine specific costs for tasks such as telephone calls and staff time. The department also expects the number of providers who enroll as endorsing practitioners will increase substantially as the program is implemented, thereby reducing the probable increase in the administrative tasks mentioned above.

PRELIMINARY ANALYSIS OF PROBABLE BENEFITS: As more endorsing practitioners participate in the therapeutic interchange program (TIP), less prior authorization will be required by the prescriber and the dispensing pharmacist.

PROPOSED

Prescribers determine which nonpreferred drugs are medically necessary for the client by writing "Dispense as written (DAW)" on the prescription, and the pharmacist will dispense those nonpreferred drugs without prior authorization being required. The department is unable to quantify specific reductions in administrative burden (such as telephone calls), but anticipates that any associated costs of this program will be exceeded by the benefits that result from a significantly reduced need for prior authorization as TIP is implemented.

CONCLUSION: RCW 34.05.328 requires the administration to demonstrate that the probable benefits of a proposed exceed its probable costs. Based on the statements above, MAA concludes that the probable benefits of this proposed rule exceed the probable costs.

A copy of the statement may be obtained by contacting Siri Childs, P.O. Box 45506, Olympia, WA 98504, phone (360) 725-1564, fax (360) 586-8827, e-mail childsa@dshs.wa.gov.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Siri Childs, P.O. Box 45506, Olympia, WA 98504, phone (360) 725-1564, fax (360) 586-8827, e-mail childsa@dshs.wa.gov.

September 15, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 04-20 issue of the Register.

WSR 04-19-110
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed September 21, 2004, 11:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-20-102.

Title of Rule and Other Identifying Information: Amending WAC 388-535A-0010 Definitions for orthodontic services, 388-535A-0020 Eligibility for orthodontic services, 388-535A-0030 Providers of orthodontic services, 388-535A-0040 Orthodontic coverage, 388-535A-0050 Authorization, prior authorization, and expedited prior authorization for orthodontic services, and 388-535A-0060 Reimbursement for orthodontic services.

Hearing Location(s): Blake Office Park East (behind Goodyear Courtesy Tire), Rose Room, 4500 10th Avenue S.E., Lacey, WA, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: Not sooner than October 27, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail fernaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., October 26, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by October 22, 2004, TTY (360) 664-6178 or (360) 664-6097.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is revising rules to update and clarify existing policy regarding orthodontic services, including program definitions, provider requirements, expedited prior authorization, and reimbursement. In addition, the department is incorporating into permanent rule the federal requirements of Public Law 104-191 (Health Insurance Portability and Accountability Act of 1996).

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.520.

Statute Being Implemented: RCW 74.08.090, 74.09.-035, 74.09.500, 74.09.520.

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

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

Name of Agency Personnel Responsible for Drafting: Kathy Sayre, P.O. Box 45533, Olympia, WA 98504, (360) 725-1342; Implementation and Enforcement: Dr. John Davis, P.O. Box 45506, Olympia, WA 98504, (360) 725-1748.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The department has analyzed the proposed rule amendments and concludes that they will impose no new costs on small businesses. The preparation of a comprehensive small business economic impact statement is not required.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting Dr. John Davis, P.O. Box 45506, Olympia, WA 98504-5506, phone (360) 725-1748, fax (360) 586-1590, e-mail davisjs@dshs.wa.gov.

September 17, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0010 Definitions for orthodontic services. The following definitions and those found in WAC 388-500-0005 apply to this chapter. (~~Defined words and phrases are bolded the first time they are used in the text.~~)

"**Appliance placement**" means the application of orthodontic attachments to the teeth for the purpose of correcting dentofacial abnormalities.

"**Cleft**" means an opening or fissure involving the dentition and supporting structures, especially one occurring in utero. These can be:

- (1) Cleft lip;
- (2) Cleft palate (involving the roof of the mouth); or
- (3) Facial clefts (e.g., macrostomia).

"**Comprehensive full orthodontic treatment**" means utilizing fixed orthodontic appliances for treatment of the permanent dentition leading to the improvement of a

~~((patient's))~~ client's severe handicapping craniofacial dysfunction and/or dentofacial deformity, including anatomical and functional relationships.

"Craniofacial anomalies" means abnormalities of the head and face, either congenital or acquired, involving disruption of the dentition and supporting structures.

"Craniofacial team" means a department of health- and medical assistance administration-recognized cleft palate/maxillofacial team or an American Cleft Palate Association-certified craniofacial team. These teams are responsible for the management (review, evaluation, and approval) of patients with cleft palate craniofacial anomalies to provide integrated case management, ~~((to))~~ promote parent-professional partnership, and make appropriate referrals to implement and coordinate treatment plans.

"Dental dysplasia" means an abnormality in the development of the teeth.

"EPSDT" means the department's early and periodic screening, diagnosis, and treatment program for clients twenty years of age and younger as described in chapter 388-534 WAC.

"Hemifacial microsomia" means a developmental condition involving the first and second brachial arch. This creates an abnormality of the upper and lower jaw, ear, and associated structures (half or part of the face appears smaller sized).

"Interceptive orthodontic treatment" means procedures to lessen the severity or future effects of a malformation and to affect or eliminate the cause. ~~((It is an extension of preventive orthodontics that may include localized tooth movement.))~~ Such treatment may occur in the primary or transitional dentition and may include such procedures as the redirection of ectopically erupting teeth, correction of isolated dental cross-bite, or recovery of recent minor space loss where overall space is adequate.

"Limited transitional orthodontic treatment" means orthodontic treatment with a limited objective, not involving the entire dentition. It may be directed only at the existing problem, or at only one aspect of a larger problem in which a decision is made to defer or forego more comprehensive therapy.

"Malocclusion" means ~~((the abnormal contact between the))~~ improper alignment of biting or chewing surfaces of upper and lower teeth ~~((that interferes with the highest efficiency during the movements of the jaw that are essential to chewing)).~~

"Maxillofacial" means relating to the jaws and face.

"Occlusion" means the relation of the upper and lower teeth when in functional contact during jaw movement.

"Orthodontics" means treatment involving the use of any appliance, in or out of the mouth, removable or fixed, or any surgical procedure designed to redirect teeth and surrounding tissues.

"Orthodontist" means a dentist who specializes in orthodontics, who is a graduate of a postgraduate program in orthodontics that is accredited by the American Dental Association, and who meets the licensure requirements of the department of health.

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0020 Eligibility for orthodontic services. (1) Subject to the ~~((limits of))~~ limitations of this chapter, the medical assistance administration (MAA) covers medically necessary orthodontic treatment for severe handicapping malocclusions, craniofacial anomalies, or cleft lip or palate for children only, as follows:

(a) Clients in the categorically needy program (CN) or ~~(CNP)~~ receive orthodontic services through age twenty;

(b) Clients in the ~~((children's health))~~ medically needy program (MNP) receive orthodontic services through age ~~((eighteen; and))~~ twenty;

(c) Clients in the ~~((EPSDT))~~ children's health insurance program (CHIP) receive orthodontic services through age ~~((twenty))~~ nineteen;

(d) Clients who are eligible for services under the EPSDT program may receive orthodontic services under the provisions of WAC 388-534-0100. See WAC 388-535A-0040(7) for how MAA evaluates a request under the EPSDT program for a noncovered orthodontic service or an orthodontic service that exceeds limitations.

(2) MAA does not cover orthodontic services for adults.

(3) Eligible clients ~~((in department designated border areas))~~ may receive the same orthodontic services in designated border cities as if provided in-state. See WAC 388-501-0175.

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0030 Providers of orthodontic services. ~~((With prior approval from MAA, except as indicated under WAC 388-535A-0050.))~~ The following ~~((providers))~~ provider types may furnish and be reimbursed for providing covered ~~((comprehensive full))~~ orthodontic ~~((treatment; interceptive orthodontic treatment (see WAC 388-535A-0060(7)), or limited orthodontic treatment (see WAC 388-535A-0060(8)), furnished to))~~ services to medical assistance administration (MAA) clients:

(1) ~~((Dentists who specialize in))~~ Orthodontics;

(2) Pediatric dentists ~~((who provide MAA approved orthodontic services));~~

(3) General dentists ~~((who provide MAA approved orthodontic services));~~ and

(4) ~~((Oral surgeons who provide MAA approved))~~ Department recognized craniofacial teams or other orthodontic ~~((services))~~ specialists approved by MAA's orthodontic consultant.

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0040 Covered and noncovered orthodontic services and limitations to coverage. (1) Subject to the limitations in this section and other applicable WAC, the medical assistance administration (MAA) covers ~~((medically necessary))~~ orthodontic treatment for ~~((severe handicapping malocclusions, craniofacial anomalies, or cleft lip or palate when the client meets the eligibility requirements in WAC~~

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~~388-535A-0020 and the medical conditions in this section. The client must have one of the following~~) a client who has one of the following medical conditions:

(a) Cleft lip ~~((l))~~, cleft palate ~~((p))~~, or other craniofacial ~~((anomaly))~~ anomalies when the client is treated by and receives follow-up care ~~((by))~~ from a department-recognized ~~((cleft palate or))~~ craniofacial team for:

(i) Cleft lip and palate, cleft palate, or cleft lip with alveolar process involvement;

(ii) Craniofacial anomalies, including but not limited to:

- (A) Hemifacial microsomia;
- (B) Craniosynostosis syndromes;
- (C) Cleidocranial dental dysplasia;
- (D) Arthrogyposis; or
- (E) Marfan syndrome.

(iii) Other medical conditions with significant facial growth impact (e.g., juvenile rheumatoid arthritis (JRA)); or

(iv) Post-traumatic, post-radiation, or post-burn jaw deformity.

(b) Other severe handicapping malocclusions, including one or more of the following:

(i) Deep impinging overbite when lower incisors are destroying the soft tissues of the palate;

(ii) Crossbite of individual anterior teeth when destruction of the soft tissue is present;

(iii) Severe traumatic malocclusion (e.g., loss of a premaxilla segment by burns or by accident, the result of osteomyelitis, or other gross pathology);

(iv) Overjet greater than 9mm with incompetent lips or reverse overjet greater than 3.5mm with reported masticatory and speech difficulties; or

(v) Medical conditions as indicated on the Washington Modified Handicapping Labiolingual Deviation (HLD) Index Score that result in a score of twenty-five or higher. On a case-by-case basis, MAA reviews all requests for treatment for conditions that result in a score of less than twenty-five, based on medical necessity ~~((on a case-by-case basis))~~.

(2) MAA may cover requests for orthodontic treatment for dental malocclusions ~~((:))~~ other than those listed in subsection (1) of this section when MAA determines that the treatment is medically necessary.

~~(3) (MAA reviews requests for orthodontic treatment for children who are eligible for services under the EPSDT program according to the provisions of WAC 388-534-0100.~~

~~(4) MAA covers orthodontic appliance removal for a client whose appliance was placed by a provider not participating with MAA, or whose payment MAA did not cover.~~

~~(5) MAA does not cover lost or broken orthodontic appliances.~~

~~(6) MAA covers panoramic radiographs (x-rays) once in a three-year period)) MAA does not cover:~~

~~(a) Lost or broken orthodontic appliances;~~

~~(b) Orthodontic treatment for cosmetic purposes;~~

~~(c) Orthodontic treatment that is not medically necessary (see WAC 388-500-0005);~~

~~(d) Out-of-state orthodontic treatment; or~~

~~(e) Orthodontic treatment and orthodontic-related services that do not meet the requirements of this section or other applicable WAC.~~

(4) MAA covers the following orthodontic treatment and orthodontic-related services, subject to the limitations listed (providers must bill for these services according to WAC 388-535A-0060):

(a) Panoramic radiographs (x-rays), allowed once per client in a three-year period.

(b) Interceptive orthodontic treatment allowed once per the client's lifetime.

(c) Limited transitional orthodontic treatment, allowed up to one year from date of original appliance placement (see subsection (5) of this section for information on limitation extensions).

(d) Comprehensive full orthodontic treatment, allowed up to two years from the date of original appliance placement (see subsection (5) of this section for information on limitation extensions).

(e) Orthodontic appliance removal only when:

(i) The client's appliance was placed by a different provider; and

(ii) The provider has not furnished any other orthodontic treatment to the client.

(f) Other medically necessary orthodontic treatment and orthodontic-related services as determined by MAA.

(5) A request to exceed stated limitations or other restrictions on covered services is called a limitation extension (LE), which is a form of prior authorization. MAA evaluates and approves requests for LE for orthodontic services when medically necessary, under the provisions of WAC 388-501-0165. See subsection (7) of this section for a request for an LE for a client eligible under the EPSDT program.

(6) MAA evaluates a request for any orthodontic service not listed as covered in this section under the provisions of WAC 388-501-0165. See subsection (7) of this section for a request for a noncovered service for a client eligible under the EPSDT program.

(7) If a noncovered orthodontic service, or a covered orthodontic service that exceeds limitations, is requested or prescribed under the EPSDT program, MAA evaluates it as a covered service under EPSDT's standard of coverage that requires the service to be:

(a) Medically necessary;

(b) Safe and effective; and

(c) Not experimental.

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

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0050 Authorization ~~((r))~~ and prior authorization ~~((, and expedited prior authorization))~~ for orthodontic services. (1) When the medical assistance administration (MAA) authorizes ~~((a service))~~ an interceptive orthodontic treatment, limited orthodontic treatment, or full orthodontic treatment for a client, including a client eligible for services under the EPSDT program, that authorization indicates only that the specific service is medically necessary; it is not a guarantee of payment. The client must be eligible for the covered service at the time the service is provided.

~~(2) ((MAA does not require prior authorization)) For orthodontic treatment of a client with cleft lip, cleft palate, or other craniofacial anomaly ((when the client is)), prior authorization:~~

~~(a) ((Eligible under WAC 388-535A-0020)) Is not required if the client is being treated by a department-recognized craniofacial team, or an orthodontic specialist who has been approved by an MAA dental consultant to treat cleft lip, cleft palate, or other craniofacial anomalies; and~~

~~(b) ((Being treated by a department-recognized cleft palate or craniofacial team)) Is required if the client is not being treated by a provider listed in (a) of this subsection.~~

~~(3) Subject to the conditions and limitations of this section and other applicable WAC, MAA requires prior authorization for orthodontic treatment ((of:~~

~~(a) Severe handicapping malocclusions;~~

~~(b) Dental malocclusions that result in severe dental functional impairment;~~

~~(c) Those cases that result in a score less than thirty on the Washington Modified HLD Index Scale; and~~

~~(d) Services provided per WAC 388-535A-0030.~~

~~(4) MAA allows orthodontists to use expedited prior authorization (EPA) for those cases that score thirty or more on the Washington Modified HLD Index Scale. The EPA process is designed to eliminate the need for telephone prior authorization for selected procedures. The orthodontist must create an authorization number using the process explained in MAA's orthodontic billing instructions. When MAA finds that a provider is using EPA inappropriately, MAA may:~~

~~(a) Require the provider to obtain prior authorization from MAA before providing services to any client; or~~

~~(b) Take one or more of the actions in WAC 388-502-0230(3)) for other dental malocclusions that are not listed in WAC 388-535A-0040(1).~~

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0060 Reimbursement for orthodontic services. (1) The medical assistance administration (MAA) reimburses providers for furnishing covered orthodontic services described in WAC 388-535A-0040 according to this section and other applicable WAC.

(2) MAA considers that a provider who furnishes covered orthodontic services to an eligible client has accepted MAA's rates and fees.

((2)) (3) To be reimbursed for providing limited transitional orthodontic treatment, providers must bill MAA in intervals during the treatment and complete treatment within twelve months of the date of appliance placement:

(a) The first three months of treatment starts the date the initial appliance is placed and includes active treatment for the first three months. The provider should bill MAA with the date of service that the initial appliance is placed.

(b) Continuing follow-up treatment must be billed after each three-month treatment interval during the treatment. Treatment provided after one year from the date the appliance is placed requires a limitation extension. See WAC 388-535A-0040(5).

(4) To be reimbursed for providing comprehensive full orthodontic treatment, providers must bill MAA in intervals during the treatment and complete treatment within twenty-four months of the date of the appliance placement:

(a) The first six months of treatment starts the date the initial appliance is placed and includes active treatment within the six months. The provider should bill MAA with the date of service that the initial appliance is placed.

(b) Continuing follow-up treatment must be billed after each three-month treatment interval, with the first three-month interval beginning six months after the initial appliance placement. Treatment provided after two years from the date the appliance is placed requires a limitation extension. See WAC 388-535A-0040(5).

(5) Payment for orthodontic services is based on MAA's schedule of maximum allowances; fees listed in the fee schedule are the maximum allowable fees.

((3) MAA uses state assigned procedure codes to identify covered orthodontic services.

(4) MAA does not cover out of state orthodontic treatment.

(5)) (6) Orthodontic providers who are in department-designated ((border areas)) bordering cities must:

(a) Meet the licensure requirements of their state; and

(b) Meet the same criteria for payment as in-state providers, including the requirements to contract with MAA.

((6) MAA reimburses for interceptive orthodontic treatment for cleft palate or craniofacial anomaly per WAC 388-535A-0050.))

(7) ((With the exception of the conditions listed in subsection (6) of this section, MAA reimburses for interceptive orthodontic treatment once per client's lifetime for clients with severe handicapping malocclusions.

(8) MAA reimburses for limited transitional orthodontic treatment for a maximum of one year from original appliance placement. Follow-up treatment is allowed in three-month increments, beginning three months after the initial placement.

(9) MAA reimburses for comprehensive full orthodontic treatment up to a maximum of two years from original appliance placement. Six follow-up treatments are allowed in three-month increments, beginning six months after the initial placement.

(10)) If the client's eligibility for orthodontic treatment under WAC 388-535A-0020 ends before the conclusion of the orthodontic treatment, payment for any remaining treatment is the individual's responsibility; MAA does not reimburse for these services.

((11)) (8) The client is responsible for payment of any orthodontic service or treatment received during any period of ineligibility, even if the treatment was started when the client was eligible; MAA does not reimburse for these services.

((12) The client is responsible for paying for services when the client has not disclosed coverage to the provider, per))

(9) See WAC 388-502-0160 and 388-501-0200((; MAA does not reimburse in these situations)) for when a provider or a client is responsible to pay for a covered service.

PROPOSED

WSR 04-19-111
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)
 [Filed September 21, 2004, 11:17 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-12-092.

Title of Rule and Other Identifying Information: WAC 388-450-0185 Does the department count all of my income to determine my eligibility and benefits for Basic Food?, 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food?, 388-450-0195 Utility allowances for Basic Food programs, and 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food?

Hearing Location(s): Blake Office Park East (behind Goodyear Courtesy Tire), Rose Room, 4500 10th Avenue S.E., Lacey, WA, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: Not earlier than October 27, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail fernax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., October 26, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by October 22, 2004, TTY (360) 664-6178 or (360) 664-6097.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend rules in chapters 388-450 and 388-478 WAC to update income, benefit, and deduction standards for the Washington Basic Food program. These changes are necessary to comply with federal requirements for the food stamp program.

Reasons Supporting Proposal: The United States Department of Agriculture, Food and Nutrition Service (FNS) publishes new income standards, maximum benefit amounts, standard deduction, and maximum shelter standards at the end of each federal fiscal year to be used in the next federal fiscal year effective for October benefits. In addition, FNS requires the department to adjust the standard utility allowance each year. These changes are implemented at the start of each federal fiscal year.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510.

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057, 74.04.510, FNS Administrative Notice 04-55 per 7 C.F.R. 273.9 and 42 U.S.C. 9902(2).

Rule is necessary because of federal law, 7 C.F.R. 273.9(d).

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

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, Policy Analyst, 1009 College S.E., Lacey, WA 98504, (360) 725-4616.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses; they only affect DSHS clients setting income limits, deductions, and

maximum monthly benefits for the Washington Basic Food program.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to . . . rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents." These rules adopt federal requirements and implementation program options under Title 7 of the Code of Federal Regulations Part 273 regarding eligibility for food stamp benefits.

September 17, 2004

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-450-0185 Does the department count all of my income to determine my eligibility and benefits for Basic Food? We subtract the following amounts from your assistance unit's (AU's) countable income before we determine your Basic Food benefit amount:

(1) A standard deduction based on the number of people in your AU under WAC 388-408-0035:

Eligible and ineligible AU members	Standard deduction
1	\$134
2	\$134
3	\$134
4	\$134
5	\$((149)) 153
6 or more	\$((174)) 175

(2) Twenty percent of your AU's gross earned income (earned income deduction);

(3) Your AU's expected monthly dependent care expense as described below:

(a) The dependent care must be needed for AU member to:

- (i) Keep work, look for work, or accept work;
- (ii) Attend training or education to prepare for employment; or
- (iii) Meet employment and training requirements under chapter 388-444 WAC.

(b) We subtract allowable dependent care expenses that are payable to someone outside of your AU:

- (i) Up to two hundred dollars for each dependent under age two; and
- (ii) Up to one hundred seventy-five dollars for each dependent age two or older.

(4) Medical expenses over thirty-five dollars a month owed or anticipated by an elderly or disabled person in your AU as allowed under WAC 388-450-0200.

(5) Legally obligated current or back child support paid to someone outside of your AU:

- (a) For a person who is not in your AU; or

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(b) For a person who is in your AU to cover a period of time when they were not living with you.

(6) A portion of your shelter costs as described in WAC 388-450-0190.

AMENDATORY SECTION (Amending WSR 04-07-138, filed 3/22/04, effective 5/1/04)

WAC 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food? The department calculates your shelter cost income deduction as follows:

(1) First, we add up the amounts your assistance unit (AU) must pay each month for shelter. We do not count any overhead amounts, late fees, penalties or any amount you pay ahead of time as an allowable cost. We count the following expenses as an allowable shelter cost in the month the expense is due:

- (a) Monthly rent, lease, and mortgage payments;
- (b) Property taxes;
- (c) Homeowner's association or condo fees;
- (d) Homeowner's insurance for the building only;
- (e) Utility allowance your AU is eligible for under WAC 388-450-0195;

(f) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;

(g) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:

- (i) AU intends to return to the home;
- (ii) AU has current occupants who are not claiming the shelter costs for Basic Food purposes; and
- (iii) AU's home is not being leased or rented during your AU's absence.

(2) Second, we subtract all deductions your AU is eligible for under WAC 388-450-0185 (1) through (5) from your AU's gross income. The result is your AU's net income.

(3) Finally, we subtract one-half of your AU's net income from your AU's total shelter costs. The result is your excess shelter costs. Your AU's shelter cost deduction is the excess shelter costs:

(a) Up to a maximum of three hundred ~~((seventy-eight))~~ eighty-eight dollars if no one in your AU is elderly or disabled ~~((and you were found eligible for benefits or were recertified for benefits either on or after March 1, 2001))~~; or

(b) The entire amount if ~~((someone))~~ an eligible person in your AU is elderly or disabled, even if the amount is over three hundred ~~((seventy-eight))~~ eighty-eight dollars.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-450-0195 Utility allowances for Basic Food programs. (1) For Basic Food, "utilities" include the following:

- (a) Heating and cooking fuel;
- (b) Cooling and electricity;
- (c) Water and sewer;
- (d) Garbage and trash collection; and
- (e) Basic telephone service.

(2) The department uses the amounts below if you have utility costs separate from your rent or mortgage payment. We add your utility allowance to your rent or mortgage payment to determine your total shelter costs. We use total shelter costs to determine your Basic Food benefits.

(a) If you have heating or cooling costs, you get a standard utility allowance (SUA) that depends on your assistance unit's size.

Assistance Unit (AU) Size	Utility Allowance
1	\$ ((287)) <u>278</u>
2	\$ ((295)) <u>287</u>
3	\$ ((304)) <u>295</u>
4	\$ ((313)) <u>304</u>
5	\$ ((321)) <u>312</u>
6 or more	\$ ((330)) <u>321</u>

(b) If your AU does not qualify for the SUA and you have utility costs other than telephone costs, you get a limited utility allowance (LUA) of two hundred ~~((twenty-three))~~ twenty-two dollars.

(c) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of ~~((thirty-six))~~ thirty-seven dollars.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food? If your assistance unit (AU) meets all other eligibility requirements for Basic Food, your AU must have income at or below the limits in column B and C to get Basic Food, unless you meet one of the exceptions listed below. The maximum monthly food assistance benefit your AU could receive is listed in column D.

EFFECTIVE ~~((10-1-2003))~~ 10-1-04

Column A Number of Eligible AU Members	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$ ((973)) <u>1,009</u>	\$ ((749)) <u>776</u>	\$ ((141)) <u>149</u>	\$ ((1,235)) <u>1,281</u>

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Column A Number of Eligible AU Members	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
2	((1,313)) <u>1,354</u>	((1,010)) <u>1,041</u>	((259)) <u>274</u>	((1,667)) <u>1,718</u>
3	((1,654)) <u>1,698</u>	((1,272)) <u>1,306</u>	((371)) <u>393</u>	((2,099)) <u>2,155</u>
4	((1,994)) <u>2,043</u>	((1,534)) <u>1,571</u>	((471)) <u>499</u>	((2,530)) <u>2,592</u>
5	((2,334)) <u>2,387</u>	((1,795)) <u>1,836</u>	((560)) <u>592</u>	((2,962)) <u>3,030</u>
6	((2,674)) <u>2,732</u>	((2,057)) <u>2,101</u>	((672)) <u>711</u>	((3,394)) <u>3,467</u>
7	((3,014)) <u>3,076</u>	((2,319)) <u>2,366</u>	((743)) <u>786</u>	((3,826)) <u>3,904</u>
8	((3,354)) <u>3,421</u>	((2,580)) <u>2,631</u>	((849)) <u>898</u>	((4,257)) <u>4,341</u>
9	((3,695)) <u>3,766</u>	((2,842)) <u>2,896</u>	((955)) <u>1,010</u>	((4,689)) <u>4,779</u>
10	((4,036)) <u>4,111</u>	((3,104)) <u>3,161</u>	((1,061)) <u>1,112</u>	((5,121)) <u>5,217</u>
Each Additional Member	+ ((341)) <u>345</u>	+ ((262)) <u>265</u>	+ ((106)) <u>112</u>	+ ((432)) <u>438</u>

Exceptions:

(1) If your AU is categorically eligible as under WAC 388-414-0001, your AU does not have to meet the gross or net income standards in columns B and C. We do budget your AU's income to decide the amount of Basic Food your AU will receive.

(2) If your AU includes a member who is sixty years of age or older or has a disability, your income must be at or below the limit in column C only.

(3) If you are sixty years of age or older and cannot buy and cook your own meals because of a permanent disability, we will use column E to decide if you can be a separate AU.

(4) If your AU has zero income, your benefits are the maximum allotment in column D, based on the number of eligible members in your AU.

388-492-0020 What is WASHCAP?, 388-492-0030 Who can get WASHCAP?, 388-492-0040 Can I choose whether I get WASHCAP or Basic Food?, 388-492-0050 How do I apply for Washington state combined application program (WASHCAP) benefits?, 388-492-0060 How do I get my Washington state combined application program (WASHCAP) benefits?, 388-492-0070 How are my Washington state combined application program (WASHCAP) benefits calculated?, 388-492-0080 Where do I report changes?, 388-492-0090 How often does my Washington state combined application program (WASHCAP) case need to be reviewed?, 388-492-0100 How is my eligibility for Washington state combined application programs (WASHCAP) reviewed?, 388-492-0110 What happens if my Washington state combined application program (WASHCAP) benefits end?, 388-492-0120 What happens to my Washington state combined application program (WASHCAP) benefits if I am disqualified?, and 388-492-0130 What can I do if I disagree with a decision the department made about my Washington state combined application program (WASHCAP) benefits?

Hearing Location(s): Blake Office Park East (behind Goodyear Courtesy Tire), Rose Room, 4500 10th Avenue S.E., Lacey, WA, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: Not earlier than October 27, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail fernaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., October 26, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by October 22, 2004, TTY (360) 664-6178 or (360) 664-6097.

WSR 04-19-112
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed September 21, 2004, 11:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-04-097.

Title of Rule and Other Identifying Information: The Division of Employment and Assistance Programs is repealing WAC 388-492-0010 Washington state combined application program (WASHCAP) definitions; and amending WAC

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Chapter 388-492 WAC, rules are being updated to continue a federal waiver governing the state's combined application project that provides simplified access to food assistance for certain SSI recipients. They are being updated to comply with an amended Food and Nutrition Services (FNS) waiver in effect since February 6, 2004. These rules are currently in effect under emergency adoption, WSR 04-13-001. They are also being updated to amend program language and to implement federal rules that require the department to adjust the shelter deductions for food benefits every year based on the consumer price index.

Reasons Supporting Proposal: Current rules are adopted under emergency filing; this proposal is to move forward with permanent adoption to ensure compliance with the FNS waiver as stated above.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090.

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057, 74.04.510.

Rule is necessary because of federal law, 7 C.F.R. 282.

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

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rebecca Henrie, 1009 College S.E., Lacey, WA 98504, (360) 725-4615.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not have an economic impact on small businesses; it only affects DSHS clients.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to . . . rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents."

September 17, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0020 What ((is)) are WASHCAP food benefits? WASHCAP ((stands for)) means the Washington State Combined Application program.

(1) WASHCAP is a simplified food ((assistance program for that are eligible for SSI from SSA and meet some other basic requirements:

(1) If you live in Washington state and get SSI, SSA asks you if you want to get food assistance benefits. If you meet the requirements of WAC 388-492-0030, you will get your food assistance benefits through WASHCAP)) benefits program for certain Supplemental Security Income (SSI) recipients. Unless specifically stated in this WAC chapter, WASHCAP food benefits follow all the program requirements of the Basic Food program as described under WAC 388-400-0040.

(2) ((If you are eligible for WASHCAP, SSA electronically sends us the information we need to open your benefits. You do not have to go to your local community services office to apply for food assistance benefits.

(3) While you get WASHCAP benefits, you must report all changes to SSA. SSA automatically shares your information we need for your WASHCAP benefits. You can report changes to your WASHCAP worker, but you do not have to do so. See WAC 388-492-0080 regarding changes to shelter costs)) Social Security Administration (SSA) asks you if you want to get food benefits when you apply for SSI in Washington state.

(3) If you meet the requirements of WAC 388-492-0030, you will get WASHCAP food benefits unless you can choose Basic Food benefits under WAC 388-492-0040.

(4) If you are eligible for WASHCAP food benefits under WAC 388-492-0030, SSA electronically sends us the information we need to open your WASHCAP food benefits.

(5) WASHCAP food benefits begin the first month after the month you are eligible for ongoing SSI.

(6) You do not have to go to your local community services office (CSO) to apply for WASHCAP.

(7) If you want Basic Food benefits before WASHCAP food benefits begin, you can apply at your local CSO, home and community services office (HCS), or SSA.

(8) While you get WASHCAP food benefits, you must report all changes to SSA.

(9) SSA shares the changes you report to them with your WASHCAP worker.

(10) You do not have to report changes to your WASHCAP worker. See WAC 388-492-0080.

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 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0030 Who can get WASHCAP? (1) ((When you apply for food assistance.)) You can get WASHCAP food benefits ((when you are eighteen years of age or older and:

(a) Are eligible to receive federal SSI benefits;

(b) Live alone or SSA considers you as a single household;

(c) Buy and cook your food separately from others you live with;

(d) Do not have any earned income.

(2) You are not eligible for WASHCAP if:

(a) You live in an institution; or

(b) You are under age twenty-two and you live in the same home as your parents)) if:

(a) You are eligible to receive federal SSI benefits; and

(b) You are eighteen years of age or older; and

(c) You live alone, or SSA considers you as a single household; or

(d) You live with others but buy and cook for food separately from them; and

(e) You do not have earned income when you apply for SSI; or

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(f) You already get WASHCAP food benefits and become employed and receive earned income for less than three consecutive months; or

(g) You already get WASHCAP and move to an institution for ninety days or less.

(2) You are not eligible for WASHCAP food benefits if:

(a) You live in an institution;

(b) You are under age eighteen;

(c) You live with your spouse;

(d) You are under age twenty-two and you live with your parent(s) who are getting Basic Food benefits;

(e) You begin working after you have been approved for WASHCAP and have earned income for more than three consecutive months;

(f) You live with others and do not buy and cook your food separately from them; or

(g) You are ineligible for Basic Food benefits under WAC 388-400-0040 (13)(b) and (e).

(3) We accept SSA information about your WASHCAP eligibility unless you prove the information is not accurate.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-492-0040 Can I choose whether I get WASHCAP food benefits or Basic Food benefits? You can choose to have Basic Food benefits instead of WASHCAP food benefits when:

(1) You would get more benefits from the Basic Food program.

(2) You may get more benefits in the Basic Food program when:

(a) Your shelter costs are more than five hundred (~~fourteen~~) twenty-seven dollars a month. We count the following items as a shelter cost:

(~~(a)~~) (i) Rent or mortgage;

(~~(b)~~) (ii) Property taxes;

(~~(c)~~) (iii) Homeowner's insurance (for the building only); or

(~~(d)~~) (iv) Mandatory homeowner's association or condo fees.

(~~(2)~~) (b) Your out-of-pocket medical expenses are more than thirty-five dollars a month(~~;~~

~~(3) You would get more benefits from being in the Basic Food program; or~~

~~(4) You are waiting to receive WASHCAP benefits).~~

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0050 How do I apply for (~~Washington state combined application program~~) WASHCAP(~~0~~) benefits)? (1) You apply for WASHCAP food benefits at Social Security Administration (SSA) when you apply for Supplemental Security Income (SSI).

(2) If you want food (~~(assistance)~~) benefits, your SSA worker will ask you (~~(questions for)~~) WASHCAP food eligibility questions when you have your SSI interview.

(~~(2)~~) (3) If you are eligible for WASHCAP food benefits, your benefits will start the first of the month after the

month you (~~(start getting on going)~~) are eligible for ongoing SSI benefits.

(~~(3)~~) (4) If you need food (~~(assistance)~~) benefits in five days or less, you must apply for expedited (~~(service)~~) services at:

(a) Your local community services office (CSO);

(b) Your local home and community services office (HCS) if you get long-term care services; or

(c) The SSA (~~(district)~~) office if you give them an application for Basic Food expedited services when you apply for SSI. SSA forwards the Basic Food (~~(assistance)~~) application to the local CSO to process.

(~~(4)~~) (5) If you want Basic Food (~~(assistance)~~) benefits before you get SSI, you must apply (~~(for regular food assistance)~~) at:

(a) SSA if you give them (~~(an)~~) a Basic Food application (~~(for food assistance)~~) when you apply for SSI;

(b) Your local CSO; or

(c) Your local HCS office if you get long-term care services.

(~~(5)~~) (6) If you already receive SSI and want WASHCAP food benefits, you can apply at:

(a) Your SSA office;

(b) Your local CSO;

(c) Your local HCS office if you get long-term care services.

(7) If you get (~~(regular food assistance)~~) Basic Food benefits, these benefits will continue:

(a) Through the end of your certification period; or

(b) Through the month before your WASHCAP food benefits start.

(~~(6)~~) (8) If your (~~(regular food assistance ends)~~) Basic Food benefits end before you are eligible for WASHCAP food benefits, you must reapply (~~(for)~~) to continue these benefits (~~(to continue)~~.

(7).

(9) If you get (~~(regular food assistance)~~) Basic Food benefits and you become eligible for WASHCAP food benefits, we will automatically change your Basic Food benefits to WASHCAP food benefits.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0060 How do I get my (~~Washington state combined application program~~) WASHCAP(~~0~~) food benefits? (1) If you are eligible for WASHCAP, you will get your food (~~(assistance)~~) benefits through electronic benefits transfer (EBT).

(2) The department issues your EBT food (~~(assistance)~~) benefits according to WAC 388-412-0025.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-492-0070 How are my (~~Washington state combined application program~~) WASHCAP(~~0~~) food benefits calculated? We calculate your (~~(WASHCAP)~~) food benefits as follows:

(1) We begin with your gross income. (~~(Social Security Administration (SSA) tells us how much income you have.)~~)

(2) We subtract one hundred thirty-four dollars from your gross income to get your countable income.

(3) We figure your shelter cost as follows:

(a) If SSA tells us you pay three hundred ~~((two))~~ nineteen dollars or more a month for shelter, we use three hundred ~~((twenty-one))~~ twenty-nine dollars as your shelter cost; or

(b) If SSA tells us you pay less than three hundred ~~((two))~~ nineteen dollars for shelter, we use one hundred ~~((fifty-five))~~ fifty-nine dollars as your shelter cost; and

(c) We add the current standard utility allowance under WAC 388-450-0195 to determine your total shelter cost.

(4) We figure your shelter deduction by subtracting one half of your countable income from your shelter cost.

(5) We figure your net income by subtracting your shelter deduction from your countable income.

(6) We figure your WASHCAP food benefits (allotment) by:

(a) Multiplying your net income by thirty percent and rounding up to the next whole dollar; and

(b) Subtracting the result from the maximum allotment under WAC 388-478-0060.

(c) If you are eligible for WASHCAP, ~~((your assistance unit))~~ you will get at least ten dollars in food benefits each month.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0080 Where do I report changes? (1) You report all changes to Social Security Administration (SSA) according to their reporting requirements. Social Security reports these changes to your ~~((department of social and health services (DSHS)))~~ WASHCAP worker.

(2) SSA will not accept or report shelter costs changes to WASHCAP until SSA does its redetermination.

~~((2))~~ (3) You do not have to report any changes to ~~((DSHS))~~ your WASHCAP worker.

~~((3))~~ (4) You can choose to report the following changes to your ~~((Washington combined application project))~~ WASHCAP worker to see if you will get more food ~~((assistance))~~ benefits.

(a) A change in your address;

(b) An increase in your shelter costs; or

(c) An increase in your out-of-pocket medical expenses.

~~((4))~~ (5) If changes are reported to DSHS, proof ~~((will))~~ may be required.

(6) If you report a change that could increase the amount of your food benefits, we will not increase the benefit amount if we have asked for proof and it has not been provided.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0090 How often ~~((does my Washington state combined application program))~~ do my WASHCAP ~~((ease))~~ food benefits need to be reviewed?

(1) Your eligibility for WASHCAP food benefits must be reviewed at least every twenty-four months.

(2) Your certification period is the amount of time your assistance unit is eligible for WASHCAP food benefits.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0100 How is my eligibility for ~~((Washington state combined application program))~~ WASHCAP ~~(())~~ food benefits reviewed? (1) If Social Security Administration (SSA) reviews your Supplemental Security Income (SSI) eligibility, they will also complete your review for WASHCAP ~~((benefits))~~. SSA sends us this information electronically and we will automatically extend your WASHCAP certification period.

(2) If SSA does not review your SSI eligibility, we will mail you a one-page application two months before your WASHCAP benefits end. You must complete and return this application to the WASHCAP unit or your local home and community services office (HCS).

(3) We do WASHCAP reviews by mail. If you bring your WASHCAP application to the local office, we will process the application as follows:

(a) If you get long-term care services, your local HCS office will process your application; or

(b) If you do not get long-term care services, the local office will forward your application to the WASHCAP central unit.

(4) If we get your completed one-page application after your WASHCAP food benefits end, we will reopen your benefits back to the first of the month if:

(a) We get your application form within thirty days from the end of your certification period; and

(b) You are still eligible for WASHCAP food benefits.

(5) If we get your completed one-page application form more than thirty days after your benefits end, your WASHCAP food benefits open the first of the next month after you turn in your application and SSA shows you are eligible for WASHCAP in their system.

(6) If your application is not complete, we will return it to you to complete.

~~((6))~~ If you are no longer eligible for WASHCAP benefits, we will decide if you are eligible for regular food assistance. We may ask you to give us more information or verification if we cannot make a decision with the information we have.

(7) If we get your completed one-page application form more than thirty days after your benefits end, your WASHCAP benefits open the first of the next month after you turn in your application and SSA shows you are eligible for WASHCAP in their system.

~~((8))~~ (7) If you want ~~((regular))~~ Basic Food ~~((assistance))~~ benefits while you are waiting for WASHCAP food benefits, you must apply for these benefits at the local CSO or HCS office.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0110 What happens if my ~~((Washington state combined application program))~~ WASHCAP ~~(())~~ food benefits end? (1) If your WASHCAP food benefits end because you did not have the review required under WAC 388-492-0100, you must finish the required review or apply for Basic Food ~~((assistance))~~ benefits at:

(a) Your local community services office (CSO); or

(b) Your home and community services (HCS) office.

(2) If your WASHCAP benefits end because you are disqualified (~~for food assistance~~) under WAC 388-400-0040(13)(b) or (e), you are not eligible for (~~regular~~) Basic Food (~~assistance~~) benefits and:

(a) If you get medical assistance, we will send your medical assistance case to your local office(~~;~~);

(b) If you are a HCS client, your medical case will remain at HCS.

(3) If your WASHCAP benefits end (~~because SSA stopped your SSI benefits~~) for any other reason:

(a) We will send you an application for (~~regular~~) Basic Food (~~assistance and~~) benefits along with:

(i) Information about what you must verify in order to get benefits; and

(~~tell you where to take your application to find out if you are eligible for benefits~~)

(ii) The address of your local CSO. If you are an HCS client, your case will remain at your HCS office.

(b) (~~You will still receive the same medical benefits until we decide what medical programs you are eligible for under WAC 388-418-0025.~~

(4) ~~If your WASHCAP benefits end for any other reason:~~

(a) ~~We will send you an application for regular food assistance along with:~~

(i) ~~The address of your local office; and~~

(ii) ~~Information about what you must verify in order to get benefits.~~

(b) ~~If you get medical assistance, we will send your medical assistance case to the local office unless you are a HCS client;~~

(e) ~~For the office~~) For the local CSO to decide if you are eligible for Basic Food (~~assistance~~) benefits, you must:

(i) Finish the application process for Basic Food (~~assistance~~) benefits under chapter 388-406 WAC; and

(ii) Have an interview for Basic Food (~~assistance~~) benefits under WAC 388-452-0005.

(c) If you get medical assistance, we will send your medical case to the local CSO unless you are an HCS client;

(d) If your WASHCAP benefits closed because SSA ended your SSI, you will still receive the same medical benefits until we decide what medical program you are eligible for under WAC 388-418-0025.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0120 ~~What happens to my (~~Washington state combined application program~~) WASHCAP(~~g~~) benefits if I am disqualified?~~ (1) If you are disqualified from receiving SSI for any reason, you will not be able to get WASHCAP (~~food~~) benefits. See WAC 388-492-0030, Who can get WASHCAP?

(2) If you are disqualified from receiving Basic Food (~~assistance~~) for any reason, you will not get WASHCAP food benefits. This includes clients who:

(a) Are ineligible (~~for food assistance~~) under WAC 388-400-0040 (~~(~~g~~)~~)(13)(b) and (e) and 388-442-0010; or

(b) Did not cooperate with quality assurance as required under WAC (~~(388-465-001)~~) 388-464-0001.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0130 ~~What can I do if I disagree with a decision the department made about my (~~Washington state combined application program~~) WASHCAP(~~g~~) benefits?~~ (1) If you disagree with a decision about your benefits, you may ask for a fair hearing.

(2) You can ask for a hearing by contacting the WASHCAP central unit, home and community service office or any responsible department or office of administrative hearings employee.

(3) See chapter (~~(388-08)~~) 388-02 WAC for information on the fair hearing process.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-492-0010

Washington state combined application program (WASHCAP) definitions.

WSR 04-19-117

PROPOSED RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Filed September 21, 2004, 11:56 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-057.

Title of Rule and Other Identifying Information: Personal use fishing rules for 2005-2006.

Hearing Location(s): Chelan County Auditorium, 400 Douglas, Wenatchee, WA 98801, on November 5-6, 2004, begins 8:00 a.m. on November 5, 2004.

Date of Intended Adoption: February 4, 2005.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, e-mail jacobesj@dfw.wa.gov, fax (360) 902-2155, by November 4, 2004.

Assistance for Persons with Disabilities: Contact Susan Yeager by October 22, 2004, TTY (360) 902-2267 or (360) 902-2207.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend sportfishing rules for 2005-2006. These rules are other than those proposed through the PFMC North of Falcon process.

WAC 220-56-115 and 220-56-282, one single hook for sturgeon will reduce the number of hooks ingested by over-size sturgeon and reduce mortality in broodstock fish.

WAC 220-56-118, reducing handling of Dolly Varden and bull trout will reduce mortality.

WAC 220-56-128 and 232-12-619, closure at Toliva Shoals, except during the lingcod season, will reduce rockfish mortality, while allowing a fishery for lingcod.

WAC 220-56-129 and 220-56-130, lamprey stocks are seriously depressed and in need of protection.

WAC 220-56-310, 220-56-315, 220-56-320, 220-56-325 and 220-56-326, new shrimp rules will spread the effort, create uniform gear requirements when spot shrimp are available, establish a minimum shrimp pot mesh, provide for spot shrimp measurement when mesh size is reduced, and prolong the shrimp seasons. Housekeeping changes will clarify the rule intent.

WAC 220-56-330, delaying the opening in the eastern portion of Area 7 will reduce soft shell crab mortality.

WAC 220-56-350 and 220-56-380, Dabob Bay changes will allow harvest of clams and oysters on all department lands in Dabob Bay.

WAC 220-69-236, a sturgeon catch record card will be required for all sturgeon fishing and retention.

WAC 232-28-619, Lincoln Pond is not being stocked with salmon and landlocked salmon rules are not needed.

Cowlitz Barrier Dam closures are amended to show which dam is being referred to.

Snake and Touchet bass rules are amended to provide for specific bass management.

Gobar Creek steelhead are required to be released because of an ongoing research project.

Oasis Pond is managed as a catch and keep fishery with stocked fish only, and the rules are conformed with those of the City of Ephrata.

Skate Creek is managed with the rest of the upper Cowlitz for cutthroat release.

Ringold steelhead are managed for upriver escapement, and the ventral only finclip requirement is not needed after November 1, as the target fish have passed the area by that date.

Lake Roosevelt closure is extended to protect a wild stock of rainbow trout, and matches the Colville confederated tribes closure.

Reasons Supporting Proposal: Provide sport fishing opportunity and conserve fin fish and shellfish stocks.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

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

Name of Proponent: Department of Fish and Wildlife, governmental.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, WA, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, WA, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, WA, (360) 902-2373.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules affect recreational fishers, and have no direct regulatory effect on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. These rules are not hydraulics rules, and are not subject to RCW 34.05.328.

September 20, 2004

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-115 Angling—Lawful and unlawful acts. (1) It is unlawful for any person to use more than one line with three hooks while angling for personal use except:

(a) It is unlawful to use more than 2 hooks while fishing in Marine Areas 1-4, except for forage fish jigger gear.

(b) It is unlawful to use more than two barbless hooks while fishing in Marine Areas 5-13, except for forage fish jigger gear.

(c) It is lawful to use forage fish jigger gear as provided for in WAC 220-56-265 in Marine Areas 1-13 and the Columbia River downstream from a line between Rocky Point and Tongue Point, and squid jig gear as provided for in WAC 220-56-390 in Marine Areas 1-13.

(d) A second line using forage fish jigger gear is lawful while fishing in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13.

(e) It is unlawful to use more than one single barbless hook while fishing for sturgeon.

(2) It shall be unlawful for any person to take, fish for or possess fish taken for personal use by any means other than angling with a line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel except as follows:

(a) It is lawful to leave the pole in a pole holder while playing or landing the fish if the pole is capable of being readily removed from the pole holder.

(b) It is lawful to use an electric power-operated reel designed for sport fishing attached to a pole.

(c) It is lawful to fish for or possess salmon taken for personal use with hand lines (lines not attached to a handheld pole) except use of hand lines is unlawful in those waters west of the mouth of the Sekiu River, the Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay.

(3) It shall be unlawful for any person while angling to fail to keep his angling gear under his direct and immediate physical control.

(4) In areas where a saltwater license is valid, each fisher aboard a vessel may continue to deploy angling gear or shellfish gear until the daily limit of food fish or shellfish for all licensed and juvenile anglers aboard has been retained.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-118 Fish handling rules—Removal from water. In order to protect fish that are required to be released:

PROPOSED

(1) It is unlawful to totally or partially remove oversize sturgeon from the water.

(2) It is unlawful to totally or partially remove six-gill shark from the water.

(3) In all freshwater areas, except the Columbia River downstream from a line between Rocky Point and Tongue Point, it is unlawful to totally remove salmon ((ø)), steelhead, Dolly Varden or bull trout from the water if it is unlawful to retain those salmon or steelhead.

(4) In Marine Areas 5 through 13, it is unlawful to bring wild salmon or a species of salmon aboard a vessel if it is unlawful to retain that salmon. For purposes of this subsection, "aboard" means inside the gunnel of a vessel.

AMENDATORY SECTION (Amending Order 04-218, filed 8/17/04, effective 9/17/04)

WAC 220-56-128 Food fish fishing—Closed areas. It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times to fish for or possess food fish taken for personal use in waters lying within 400 feet below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Thriftway Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Thriftway Market Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31.

(14) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

(15) Wells Dam - waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

(16) Rocky Reach, Rock Island and Wanapum Dams - waters between the upstream lines of these dams and boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

(17) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

(18) Jackson (Moran) Creek - all waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

(19) McNary Dam - waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(20) John Day Dam - waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(21) The Dalles Dam - waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(22) Spring Creek - waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(23) The waters of Catch Area 12 are closed at all times to the taking of food fish other than salmon.

(24) Waters of Catch Record Card Area 13 within 500 yards of the Toliva Shoal buoy are closed to fishing for food fish June 16 through April 30.

AMENDATORY SECTION (Amending Order 03-24, filed 2/14/03, effective 5/1/03)

WAC 220-56-129 Unclassified freshwater invertebrates and fish. (1) Definitions. For purposes of this section, "freshwater clams and mussels" means all freshwater bivalves existing in Washington in a wild state, except pro-

hibited aquatic animal species classified under WAC 232-12-090.

(2) It is unlawful for any person to take or possess freshwater clams and mussels taken for personal use.

(3) It is unlawful for any person to take, fish for or possess Pacific lamprey, western brook lamprey, or river lamprey taken for personal use.

(4) Violation of this rule is punishable under RCW 77.15.140.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-56-130 Unclassified marine invertebrates and fish. (1) Definitions. For purposes of this section:

(a) "Daily limit" means individual animals retained, alive or dead.

(b) "Sculpins" means individual sculpins of species that are not defined as bottomfish.

(c) "Nudibranch" means individual nudibranchs of any species.

(d) "Unclassified marine invertebrates" and "unclassified marine fish" mean species existing in Washington state marine waters in a wild state that have not been classified as food fish, shellfish, game fish, protected wildlife, or endangered species.

(2) The following limits apply to the taking of unclassified marine invertebrates in Catch Record Card Areas 1 through 13, and the taking of unclassified marine fish in Catch Record Card Areas 5 through 13:

(a) Daily limit of ten unclassified marine invertebrates, except moon snails and nudibranchs.

(b) Daily limit of five moon snails.

(c) Daily limit of two nudibranchs.

(d) Daily limit of two unclassified marine fish per species of fish, except that the daily limit may not contain more than two sculpins and it is unlawful to take, fish for or possess Pacific lamprey or river lamprey.

(e) The possession limit and the daily limit are the same.

(3) Each person possessing unclassified marine invertebrates or unclassified marine fish must retain their take in a separate container.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts. (1) It is lawful to fish for sturgeon the entire year in saltwater, but open in freshwater only concurrent with a salmon or gamefish opening unless otherwise provided.

(2) The daily limit is one sturgeon, with the following size restrictions:

(a) Minimum size 48 inches in length in the Columbia River and tributaries upstream from The Dalles Dam.

(b) Minimum size 42 inches in length in all other state waters.

(c) Maximum size 60 inches in length.

Once the daily limit has been retained, it is lawful to continue to fish for sturgeon in the mainstem of the Columbia River downstream from where the river forms the boundary

between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(3) The possession limit is two daily limits of fresh, frozen or processed sturgeon.

(4) There is an annual personal-use limit of five sturgeon from April 1 through March 31, regardless of where the sturgeon were taken. After the annual limit of sturgeon has been taken, it is lawful to continue to fish for sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(5) It is unlawful to fish for sturgeon with terminal gear other than bait and one single barbless hook((s)). It is lawful to use artificial scent with bait when fishing for sturgeon.

(6) It is unlawful to fish for or possess sturgeon taken for personal use from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(7) It is unlawful to possess in the field sturgeon eggs without having retained the intact carcass of the fish from which the eggs have been removed.

(8) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing a sturgeon.

(9) It is unlawful to fail to immediately return to the water any undersize sturgeon.

AMENDATORY SECTION (Amending Order 03-24, filed 2/14/03, effective 5/1/03)

WAC 220-56-320 Shellfish gear—Unlawful acts. (1) It is unlawful for the owner or operator of any personal use shellfish gear to leave such gear unattended in the waters of the state unless said gear is marked with a buoy to which shall be affixed in a permanent visible and legible manner the first and last name and permanent mailing address of the operator. It is unlawful for more than one person's name and address to appear on the same marker buoy. It is unlawful to violate the following provisions regarding unattended shellfish gear:

(a) Unattended shellfish gear must have the line attaching the buoy to the ~~((pot))~~ gear weighted sufficiently to prevent the line from floating on the water's surface. ~~((The following additional requirements apply to buoys attached to unattended shellfish pots:~~

~~((a)))~~ (b) All buoys must consist of durable material and remain visible on the surface at all times except during extreme tidal conditions. It is unlawful to use bleach, anti-freeze or detergent bottles, paint cans or any other container.

~~((b)))~~ (c) All buoys attached to shrimp gear must be yellow or fluorescent yellow in color. Flags and staff, if attached, may be any color.

~~((c)))~~ (d) All buoys attached to crab gear must be half red or half fluorescent red in color and half white in color. Flags and staff, if attached, may be any color.

(2) The maximum perimeter of any shrimp pot shall not exceed 10 feet, and the pot shall not exceed 1-1/2 feet in height.

(3) It is unlawful to fish for or possess crab taken with shellfish pot gear that are equipped with tunnel triggers or

other devices which prevent free exit of crabs under the legal limit unless such gear is equipped with not less than two escape rings located in the upper half of the pot which are not less than 4-1/4 inches inside diameter in all waters except the Columbia River. In the Columbia River east of the Buoy 10 line the escape ring minimum size is 4 inches inside diameter. The minimum mesh size for crab pots is 1-1/2 inches.

(4) It is unlawful to take, fish for or possess shrimp taken for personal use with shellfish pot gear during the month of May in all open areas of Puget Sound and at all times in the waters of Hood Canal southerly of the site of the Hood Canal Floating Bridge unless such gear meets the following requirements:

(a) The entire top, bottom, and sides of the shellfish pots must be constructed of mesh material and except for the entrance tunnels have the minimum mesh opening size defined below.

(b) The minimum mesh opening size for ~~((Hood Canal))~~ shrimp pots is defined as a mesh that a 7/8-inch square peg will pass through each mesh without changing the shape of the mesh opening.

(c) All entrance tunnels must open into the pot from the side.

(d) The sum of the maximum widths of all entrance tunnels must not exceed 1/2 the perimeter of the bottom of the pot.

(5) It is unlawful to fish for or possess shellfish taken for personal use with shellfish pot gear unless the gear allows for escapement using at least one of the following methods:

(a) Attachment of pot lid hooks or tiedown straps with a single strand or loop of untreated, 100 percent cotton twine no larger than thread size 120 so that the pot lid will open freely if the twine or fiber is broken.

(b) An opening in the pot mesh no less than three inches by five inches which is laced or sewn closed with untreated, 100 percent cotton twine no larger than thread size 120. The opening must be located within the top half of the pot and be unimpeded by the entry tunnels, bait boxes, or any other structures or materials.

(c) Attachment of pot lid or one pot side serving as a pot lid with no more than three single loops of untreated 100 percent cotton or other natural fiber twine no larger than thread size 120 so that the pot lid or side will open freely if the twine or fiber is broken.

(6) ~~((Shellfish pots must be))~~ It is unlawful to set shellfish pots in a manner that they are not covered by water at all times.

(7) Beginning June 1 through October 15 in Puget Sound, the minimum mesh for shrimp pots is one-half inch and it is unlawful to use a smaller mesh.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-325 Shrimp—Areas and seasons. ~~((+))~~ It ~~((shall be))~~ is unlawful to fish for or possess shrimp taken for personal use from the following areas, except as otherwise provided in this section:

~~((a))~~ (1) Discovery Bay, Port Angeles, and Port Townsend Shrimp Districts, and Marine Areas 8, 9, 10 and

11 - Open 7:00 a.m. through 3:00 p.m., beginning the first Saturday in ~~((June))~~ May through May 31 and open only on ~~((days set by emergency rule))~~ Wednesday and Saturday of each week;

~~((b))~~ Port Angeles Shrimp District - Open 7:00 a.m. through 3:00 p.m., beginning the first Saturday in June and open only on days set by emergency rule;

~~((e))~~ (2) Hood Canal Shrimp District - Open 9:00 a.m. through 1:00 p.m., ~~((beginning on the third Saturday in))~~ May 1 through May 31 and open only on ~~((days set by emergency rule))~~ Wednesday and Saturday of each week;

~~((d))~~ Port Townsend Shrimp District and Marine Area 10 - Open 7:00 a.m. through 3:00 p.m., beginning the third Saturday in April and open only on days set by emergency rule;

~~((e))~~ (3) Marine Area 4 east of the Bonilla-Tatoosh line and Marine Areas 5 ~~((through))~~ 6, 7 and 13, except for Shrimp Districts - Open 7:00 a.m. ~~((the third Saturday in April through October 15))~~ May 1 through May 31 and open daily except~~((:~~

~~((+))~~ closed in Sequim Bay Shrimp District and Carr Inlet Shrimp District.

~~((i))~~ Marine Areas 8-1, 8-2, and 9 closed Monday through Wednesday of each week during the open period;

~~((+))~~ (4) Beginning June 1 through October 15 in all marine waters of Puget Sound, shrimp fishing is open daily except closed in Sequim Bay and Carr Inlet Shrimp Districts.

(5) Marine Areas 1 through 3 and Marine Area 4 west of the Bonilla-Tatoosh line - Open year-round.

~~((2))~~ During the general shrimp seasons described above, it is unlawful to retain spot shrimp except as provided below:

~~((a))~~ Discovery Bay Shrimp District - Spot shrimp may be retained on Saturdays only.

~~((b))~~ Port Angeles Shrimp District - Spot shrimp may be retained on Saturdays and Sundays only.

~~((c))~~ Marine Areas 8-1, 8-2, and 9 - Spot shrimp may be retained only as set by emergency rule.

~~((d))~~ All other areas - Spot shrimp may be retained each open day.)

AMENDATORY SECTION (Amending Order 96-13, filed 2/9/96, effective 5/1/96)

WAC 220-56-326 Shrimp—Unlawful acts. It is unlawful to violate the following provisions for personal use shrimp:

(1) In the field each person harvesting shrimp must use a separate container to hold his or her catch and the container must be in the harvester's presence or identified with the harvester's name.

(2) Any person retaining spot shrimp after June 1 of each shrimp season must retain the heads of the spot shrimp while in the field.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-330 Crab—Areas and seasons. (1) It is unlawful to fish for or possess crab taken for personal use from Puget Sound except during the following seasons:

(a) Marine Areas 4 east of the Bonilla-Tatoosh line, 5, 9, 10, 11, 12 and 13 - Open 7:00 a.m., June 1 through the last day in February.

(b) Those contiguous waters of Marine Area 7 north, south and east of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island, and ~~((east of))~~ a line that extends from the Anacortes ferry dock at Shannon Point, northward to the southeastern tip of Sinclair Island, thence from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island - Open 7:00 a.m. ~~((June))~~ July 16 through March 15.

(c) Those waters of Marine Area 7 north and east of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary and north of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island - Open 7:00 a.m. August 16 through April 15.

(d) Waters of Marine Area 6 and those waters of Marine Area 7 south and west of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary; and westerly of a straight line from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island; and west of a line projected from the southeast point of Sinclair Island to the ferry dock at Shannon Point - Open 7:00 a.m. June 16 through last day in February.

(e) Marine Areas 8-1 and 8-2 - Open 7:00 a.m., the first Friday in June through September 30.

(2) It is unlawful to fish for or possess crab taken for personal use with shellfish pot gear from Marine Areas 1, 2, 3, and Area 4 west of the Bonilla-Tatoosh line except during the period December 1 through September 15. Open to gear other than shellfish pot gear year-round.

(3) The Columbia River upstream from a line projected from the outermost end of the north jetty to the exposed end of the south jetty is open to crab fishing for personal use year-round.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-350 Clams other than razor clams, mussels—Areas and seasons. (1) It is lawful to take, dig for and possess clams and mussels taken for personal use on Puget Sound the entire year except that public tidelands at the following beaches are closed unless otherwise provided:

(a) Ala Spit: Closed the entire year.

(b) Brown Point (DNR 57-B): Open January 1 through June 30.

(c) Cama Beach State Park: Closed the entire year.

(d) Camano Island State Park: Closed the entire year.

(e) Cutts Island State Park: Open January 1 through June 15.

~~((f))~~ ~~((Dabob Bay—All state-owned tidelands in Dabob Bay north of a line drawn from Camp Harmony to Lindsays Beach are closed to the harvest of clams the entire year except as follows:~~

~~((i))~~ ~~State-owned tidelands from a row of tires at Camp Discovery south approximately 2,000 feet to a second row of tires.~~

~~((ii))~~ ~~State-owned tidelands beginning approximately 3/4 mile north of Camp Harmony extending approximately 1,200 feet north.~~

~~((iii))~~ ~~State-owned tidelands from markers and signs posted immediately north of the community of Lindsays Beach north to a line immediately north of Broad Spit identified by markers and signs.~~

~~((g))~~ Dosewallips State Park: Open March 1 through July 15 only in area defined by boundary markers and signs posted on the beach.

~~((h))~~ (g) Duckabush - All state-owned tidelands on the west shore of Hood Canal from Quatsap Point to the south end of the Duckabush flats are open March 1 through December 31.

~~((i))~~ (h) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands - Open May 15 through September 30.

~~((j))~~ (i) Eagle Creek: Open May 1 through May 31.

~~((k))~~ (j) Fort Flagler State Park including that portion of the spit west of the park boundary (Rat Island): Open April 15 through June 15.

~~((l))~~ (k) Freeland County Park - Open January 1 through March 31.

~~((m))~~ (l) Frye Cove County Park - Open January 1 through May 31.

~~((n))~~ (m) Garrison Bay: Tidelands at Guss Island and those tidelands at British camp between the National Park Service dinghy dock at the north end and the park boundary at the south end are closed the entire year.

~~((o))~~ (n) Gertrude Island - All tidelands at Gertrude Island closed the entire year.

~~((p))~~ (o) Hoodspport: Tidelands at Hoodspport Salmon Hatchery are closed the entire year.

~~((q))~~ (p) Hope Island State Park (South Puget Sound): Open April 1 through May 31.

~~((r))~~ (q) Illahee State Park: May 1 through May 31.

~~((s))~~ (r) Kayak Point County Park: Closed the entire year.

~~((t))~~ (s) Kitsap Memorial State Park: Open May 15 through June 30.

~~((u))~~ (t) Kopachuck State Park: Open June 1 through July 31.

~~((v))~~ (u) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of clams the entire year.

~~((w))~~ (v) McNeil Island - All tidelands on McNeil Island are closed the entire year.

~~((x))~~ (w) Mukilteo State Park - Closed the entire year.

~~((y))~~ (x) Mystery Bay State Park: Open October 1 through April 30.

~~((z))~~ (y) North Bay - All state-owned tidelands in North Bay (Case Inlet) north of a line drawn southwest from Rocky

Point to the north end of Reach Island thence due west to the mainland are closed to the harvest of clams the entire year except state-owned Tidelands on the east side of North Bay north of the power transmission lines and south of the power transmission lines for 1,600 feet.

((aa)) (z) Oak Bay County Park: Open July 1 through July 15.

((bb)) (aa) Oyster Reserves: Puget Sound and Willapa Bay state oyster reserves are closed the entire year except as follows:

(i) Case Inlet: Tidelands on the east side of North Bay at the north end of the inlet open the entire year.

(ii) North Bay: State-owned oyster reserves on the east side of North Bay north of the power transmission lines which cross the bay at the north end of Case Inlet open the entire year.

(iii) Oakland Bay: Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers open the entire year.

(iv) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

((ee)) (bb) Penrose Point State Park: Open April 1 through April 30.

((dd)) (cc) Picnic Point County Park: Closed the entire year.

((ee)) (dd) Pitship Point: Closed the entire year.

((ff)) (ee) Pitt Island - All tidelands on Pitt Island are closed the entire year.

((gg)) (ff) Point Whitney (excluding Point Whitney Lagoon): March 1 through March 31.

((hh)) (gg) Point Whitney Lagoon: Open April 1 through May 31.

((ii)) (hh) Port Townsend Ship Canal/Portage Canal: Open January 1 through May 31.

((jj)) (ii) Potlatch DNR tidelands: April 1 through June 15.

((kk)) (jj) Potlatch East: April 1 through June 15.

((ll)) (kk) Potlatch State Park: April 1 through June 15.

((mm)) (ll) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.

((nn)) (mm) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams the entire year, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset only.

((oo)) (nn) Rendsland Creek: Open January 1 through May 31.

((pp)) (oo) Saltwater State Park: Closed the entire year.

((qq)) (pp) Scenic Beach State Park - Open April 15 through June 30.

((rr)) (qq) Seahurst County Park: Closed the entire year.

((ss)) (rr) Sequim Bay State Park - Open May 1 through June 15.

((tt)) (ss) Shine Tidelands State Park: Open January 1 through May 15.

((uu)) (tt) South Indian Island County Park: April 1 through June 30.

((vv)) (uu) Spencer Spit State Park: Open March 1 through July 31.

((ww)) (vv) Triton Cove Tidelands: Open July 15 through September 15.

((xx)) (ww) Triton Cove State Park: Open April 1 through June 30.

((yy)) (xx) Twanoh State Park: Closed the entire year.

((zz)) (yy) West Dewatto: DNR Beach 44A closed the entire year.

((aaa)) (zz) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and Nahcotta Tidelands Interpretive Site are closed year-round.

((bbb)) (aaa) Wolfe Property State Park: Open January 1 through May 15.

(2) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.

(3) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-380 Oysters—Areas and seasons. It is lawful to take and possess oysters taken for personal use from public tidelands the entire year, except that public tidelands at the following beaches are closed unless otherwise provided:

(1) Brown Point (DNR 57-B): Closed the entire year.

(2) ~~(Dabob Bay—All state-owned tidelands in Dabob Bay north of a line drawn from Camp Harmony to Lindsays Beach are closed to the harvest of oysters the entire year, except as follows:~~

~~(a) State-owned tidelands from a row of tires at Camp Discovery south approximately 2,000 feet to a second row of tires.~~

~~(b) State-owned tidelands beginning approximately 3/4 mile north of Camp Harmony extending approximately 1,200 feet north.~~

~~(c) State-owned tidelands from markers and signs posted immediately north of the community of Lindsays Beach north to a line immediately north of Broad Spit identified by markers and signs.~~

(3)) Dosewallips State Park: Open March 1 through December 31 only in areas defined by boundary markers and signs posted on the beach.

((4)) (3) Duckabush - All state-owned tidelands on the west shore of Hood Canal from Quatsap Point to the south end of the Duckabush flats are open to the harvest of oysters March 1 through December 31.

~~((5))~~ (4) Frye Cove County Park: Open January 1 through May 31.

~~((6))~~ (5) Hoodspout: Tidelands at the Hoodspout Salmon Hatchery are closed the entire year.

~~((7))~~ (6) Hope Island State Park (South Puget Sound): Open April 1 through May 31.

~~((8))~~ (7) Illahee State Park: Open May 1 through June 30.

~~((9))~~ (8) Kitsap Memorial State Park: Closed the entire year.

~~((10))~~ (9) Kopachuck State Park: Open March 1 through July 31.

~~((11))~~ (10) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of oysters the entire year.

~~((12))~~ (11) Mystery Bay State Park: Open October 1 through April 30.

~~((13))~~ (12) North Bay - All state-owned tidelands in North Bay (Case Inlet) north of a line drawn southwest from Rocky Point to the north end of Reach Island thence due west to the mainland are closed to the harvest of oysters the entire year except for state-owned tidelands on the east side of North Bay north of the power transmission lines and south of the power transmission lines for 1,600 feet.

~~((14))~~ (13) Oyster Reserves: Puget Sound and Willapa Bay oyster reserves are closed the entire year except the following are open the entire year:

(a) Oakland Bay - Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers - open the entire year.

(b) North Bay - State-owned reserves on the east side of North Bay north of the power transmission lines.

(c) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

~~((15))~~ (14) Penrose Point State Park: Open April 1 through April 30.

~~((16))~~ (15) Port Townsend Ship Canal/Portage Canal: Open January 1 through May 31.

~~((17))~~ (16) Potlatch DNR Tidelands: April 1 through June 15.

~~((18))~~ (17) Potlatch East: Open April 1 through June 15.

~~((19))~~ (18) Potlatch State Park: Open April 1 through June 15.

~~((20))~~ (19) Quilcene Bay Tidelands - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open April 1 through December 31, daily from official sunrise to official sunset, only.

~~((21))~~ (20) Scenic Beach State Park: Open April 15 through June 30.

~~((22))~~ (21) Sequim Bay State Park: Open May 1 through June 15.

~~((23))~~ (22) Shine Tidelands State Park: Open January 1 through May 15.

~~((24))~~ (23) South Indian Island County Park: April 1 through June 30.

~~((25))~~ (24) Triton Cove State Park: Open April 1 through June 30.

~~((26))~~ (25) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and the Nahcotta Tidelands Interpretive Site are open only between boundary markers and posted signs.

~~((27))~~ (26) Wolfe Property State Park: Open January 1 through May 15.

AMENDATORY SECTION (Amending Order 04-217, filed 8/16/04, effective 9/16/04)

WAC 220-56-310 Shellfish—Daily limits. It is unlawful for any one person to take in any one day for personal use more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, other than razor clams, geoduck clams and horse clams, 40 clams in the aggregate, or 10 pounds, whichever is achieved first except:

(a) In Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance - diggers may additionally retain up to 20 pounds of eastern softshell clams in the shell.

(b) Willapa Bay - diggers may additionally retain up to twenty-four cockles.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: 7 clams.

(5) Oysters: 18 oysters, shucked and the shells left on the beach. Minimum size before shucking two and one-half inches along the longest dimension of the shell.

(6) Rock scallops: 12 scallops.

(7) Weathervane scallops: 12 scallops (over 4 inches).

(8) Spiny and pink scallops: 10 pounds or 5 quarts in the shell, in the aggregate.

(9) Shrimp: ~~((a))~~ In all waters - total weight 10 pounds and June 1 through October 15 fishers must retain the heads of ~~((all))~~ spot shrimp taken while in the field ~~((except in the Hood Canal and Port Angeles Shrimp Districts))~~. Spot shrimp: Maximum 80 shrimp as part of the 10 pound limit. ~~((Spot shrimp))~~ Minimum size one and three-sixteenths inch from the base of the eyestalk to the top rear edge of the carapace ~~((except in the Hood Canal and Port Angeles Shrimp Districts))~~ June 1 through October 15.

~~((b))~~ ~~In the Port Angeles Shrimp District—Spot shrimp: No minimum size.~~

~~((c))~~ ~~In the Hood Canal Shrimp District—80 shrimp regardless of weight. No minimum size for spot shrimp. Fishers are not required to retain the heads of shrimp.)~~

(10) Octopus: 1 octopus.

(11) Pinto abalone: Closed statewide.

(12) Crawfish: 10 pounds in the shell. Minimum size 3 1/4 inches from tip of rostrum to tip of tail. Female crawfish with eggs or young attached to the abdomen must be released immediately.

(13) Squid: 10 pounds or 5 quarts.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

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(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs:

(a) In all waters except the Columbia River and when fishing from the north jetty of the Columbia River - 6 male crabs.

(b) In the Columbia River upstream of a line from the outermost end of the north jetty to the exposed end of the south jetty, or when fishing from the north jetty of the Columbia River - 12 male crabs.

(19) Red rock crabs: 6 crabs.

(20) Mussels: 10 pounds in the shell, in the aggregate.

(21) Goose barnacles: 10 pounds of whole barnacles or 5 pounds of barnacle stalks.

(22) Ghost and mud shrimp: 10 dozen.

(23) King and box crab: Closed statewide.

(24) Tanner crabs: 6 crabs.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 220-56-315 Crabs, shrimp, crawfish—Unlawful acts. (1) It is unlawful to take and possess crabs, shrimp, and crawfish taken for personal use except by hand or with hand dip nets, ring nets, shellfish pots, and any hand-operated instrument that will not penetrate the shell.

(2) It is unlawful to use more than two units of gear at any one time except:

(a) In Puget Sound waters (~~other than Hood Canal Shrimp District~~) it is unlawful to use at any one time more than two units of crab gear and two additional units of shrimp gear.

(b) (~~In Hood Canal Shrimp District it is unlawful to use more than one shrimp pot and a total of two star traps or ring nets during the Hood Canal shrimp season.~~)

(~~e~~) It is unlawful for the operator of any boat from which shrimp pots are set or pulled in Catch Record Card Areas 4 through 13 to have on board or to fish more than four shrimp pots.

(~~d~~) (c) In the Columbia River it is unlawful to use more than three units of crab gear.

(3) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear.

(4) It is unlawful to salvage or attempt to salvage shellfish pot gear from Hood Canal that has been lost without first obtaining a permit authorizing such activity issued by the director, and it is unlawful to fail to comply with all provisions of such permit.

(5) It is unlawful to fish for or possess crab taken for personal use from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes.

(6) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the Burlington Northern Railroad crossing the northern end of Swinomish Slough except from one hour before official sunrise to one hour after official sunset.

(7) It is unlawful to dig for or possess ghost or mud shrimp taken for personal use by any method except hand operated suction devices or dug by hand.

(8) One unit of gear is equivalent to one ring net or one shellfish pot.

(9) Each unit of gear must be attached to its own buoy line and have a separate buoy for each unit of gear.

(10) No fisher may set or pull shellfish pots, ring nets or star traps from a vessel in Catch Record Card Areas 1-13 from one hour after official sunset to one hour before official sunrise.

(11) It is unlawful to possess soft-shelled crab for any personal use purpose. Violation of this subsection shall be an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 04-210, filed 8/17/04, effective 9/17/04)

WAC 220-69-236 Description of catch record cards and required information. (1) The department shall prepare and distribute a catch record card for the following:

(a) Anadromous salmon (salmon);

(b) Dungeness crab;

(c) Halibut taken from catch record card areas 5 through 13;

(d) Steelhead; and

(e) Sturgeon (~~taken from the Columbia River, Grays Harbor, and Willapa Bay (including sturgeon taken from any tributary)~~).

(2) Each catch record card shall contain space for the following information, which must be recorded prior to the catch record card being separated from the underlying copy of the catch record card:

(a) Name of fisher;

(b) Home address;

(c) City, state, and zip code;

(d) Date of issuance;

(e) Or, for automated licenses, the catch record card shall contain space for the appropriate validation sticker.

(3) Each catch record card shall contain space for the following information:

(a) Month of catch;

(b) Day of catch;

(c) Catch record card area, river code, or stream: Location of catch;

(d) A species code for salmon and sturgeon and a marked or unmarked space for salmon;

(e) A space for designating the type of vessel from which halibut was taken, either charter (c) or personal/kicker (k) boat;

(f) A space for the length of sturgeon;

(g) For Dungeness crab:

(i) The type of crab fishery as described on the Dungeness crab catch record card;

(ii) The total crab retained by fishery type;

(iii) A tally mark for each crab retained.

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 232-12-619 Permanent Washington statewide game fish rules. The following statewide rules apply to all waters unless modified under regional regulation exceptions.

(1) Fishing seasons open at 12:01 a.m. on the first day and close at 11:59 p.m. on the last day and fishing is allowed 24 hours per day.

(2) It is unlawful to:

- (a) Use a gaff hook to land game fish.
- (b) Take bullfrogs except by angling, hand dip netting, spearing (gigging) or with bow and arrow.

(c) Feed or use any substance to attract game fish unless specifically authorized by special regulations.

(d) Fish for game fish with a bow and arrow or spear.

(e) Possess fish which are under the minimum size or over the maximum size as shown in general or exceptions to state-wide rules.

(3) Seasonal steelhead limit: Each angler who possesses a valid steelhead catch record card may not retain more than thirty steelhead April 1st through the following March 31st.

(4) Military personnel, regardless of the length of time in the state of Washington, who are permanently stationed at a military installation within the state, are entitled to purchase a resident license. Military personnel must have a license to fish for game fish anywhere in the state. Dependents must establish a ninety-day residency.

(5) Wild cutthroat release: In waters requiring a wild cutthroat release, it is unlawful to possess any cutthroat that does not have a missing adipose fin and a healed scar in the location of the missing fin.

(6) Wild steelhead release: It is unlawful to possess any steelhead trout that does not have a missing adipose or ventral fin and a healed scar at the location of the missing fin.

(7) Free fishing weekend: The Saturday and Sunday following the first Monday in June is declared as free fishing weekend in Washington. On this weekend a fishing license is not required for any person, regardless of residency or age, to fish for or possess game fish and a fish and wildlife lands vehicle use permit is not required to utilize department parking facilities, except that it is unlawful to fish for or possess steelhead trout without the required catch record card. During free fishing weekend only the licensing requirement is affected, and all other rules remain in effect.

(8) Trout taken with bait: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily limit, whether kept or released, except steelhead trout may be caught and released while using bait until the daily limit is retained.

(9) Fish taken with artificial flies and lures: Where use of bait is prohibited, or where artificial flies or lures are used voluntarily, fish may be released until the daily limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

(10) Burbot taken with set line: Where use of a set line is allowed for burbot, a single set line identified with the fisher's name and address and a maximum of five hooks may be used.

(11) Rainbow trout taken from landlocked lakes: Rainbow trout taken from landlocked lakes shall not be considered steelhead and no catch record card is required.

(12) OPEN SEASONS:

LAKES, PONDS, AND RESERVOIRS:	YEAR AROUND, unless specified otherwise under exceptions to state-wide rules.
RIVERS, STREAMS AND BEAVER PONDS:	JUNE 1 THROUGH OCTOBER 31, unless specified otherwise under exceptions to state-wide rules.

Note: The date set for "traditional" April openers for Lakes, Ponds, and Reservoirs for this year and future years is the last Saturday in April.

(13) Daily limits and minimum sizes:

GAME FISH SPECIES	DAILY LIMIT	MINIMUM SIZE LIMIT
BASS	Five - release bass greater than twelve but less than seventeen inches in length, only one over seventeen inches may be retained Bass may be caught, retained, and released alive from a livewell until a daily limit is in possession.	None
GRASS CARP....	It is unlawful to fish for or retain grass carp.	
TROUT (except Eastern Brook trout)	A total of five trout, of which no more than two may be from Rivers, Streams, and Beaver Ponds. No more than two of the trout daily catch limit of 5 may be Steelhead.	None in Lakes, Ponds, and Reservoirs. Eight inches in Rivers, Streams, and Beaver Ponds.
EASTERN BROOK TROUT (Salvelinus fontinalis)	Five - to be considered part of the trout daily catch limit. Counts as a bonus limit in rivers, streams and beaver ponds. Total of five fish, including brook trout, in these waters.	None

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GAME FISH SPECIES	DAILY LIMIT	MINIMUM SIZE LIMIT
BURBOT	Five	None
CHANNEL CATFISH	Five.	None.

(a) The following game fish species are managed as trout:

- Eastern brook trout
- Brown trout
- Cutthroat trout
- Dolly Varden/Bull trout
- Golden trout
- Grayling
- Kokanee/Silver trout
- Lake trout
- Landlocked Atlantic salmon
- Rainbow trout/Steelhead
- Landlocked chinook and coho
- Tiger trout

(b) There is a moratorium on wild steelhead retention from April 1, 2004, through March 31, 2006.

(c) All waters, statewide, are CLOSED YEAR AROUND to fishing for or retaining Dolly Varden/Bull Trout.

Where exceptions to the above closure for Dolly Varden/Bull Trout occur under individual listings in the exceptions to statewide rules, Dolly Varden/Bull Trout count as part of the combined trout daily limit of five.

WALLEYE	Five, not more than one over twenty-two inches Walleye may be caught, retained, and released alive from a livewell until a daily limit is in possession.	Sixteen inches
WHITEFISH	Fifteen	None
ALL OTHER GAME FISH	No Limit	None
BULLFROGS	No Limit	None

(14) Possession limit. Except as otherwise provided, the possession limit is two daily limits in fresh, frozen or processed form.

(15) Marine waters rules: These rules apply to all marine waters contained within the boundaries of Washington state, within Puget Sound, Hood Canal, the Strait of Juan de Fuca, the San Juan Islands, the Strait of Georgia, and the Pacific Ocean, including estuaries (river mouths) from salt water upstream to a line between the outermost headlands measured at the highest high tide (usually the debris line furthest inshore on surrounding beaches), unless otherwise described under area regulations (see individual areas, below):

(a) Fishing hours: Twenty-four hours per day year around except those waters of Area 10 west of the Lake

Washington Ship Canal to a north-south line 175 feet west of the Burlington-Northern Railroad Bridge are closed waters, and waters within 500 yards of the Toliva Shoal buoy are closed waters from June 16 through April 30.

(b) License requirements: A valid current Washington state department of fish and wildlife saltwater license, and, if appropriate, a sport catch record card, is required to fish for game fish including steelhead in marine waters. All steelhead taken from marine areas shall be entered on the catch record card using the words Marine Area and followed by the appropriate marine area code number.

(c) Gear restrictions: Angling gear only, and in those waters of Area 10 downstream of the First Avenue South Bridge to an east-west line through southwest Hanford Street on Harbor Island and parallel to southwest Spokane Street where it crosses Harbor Island, nonbuoyant lure restriction July 1 through November 30. In all areas, underwater spearfishing, spearing, gaffing, clubbing, netting, or trapping game fish is unlawful.

(d) All species: Release all fish except up to two hatchery steelhead may be retained per day.

AMENDATORY SECTION (Amending Order 04-189, filed 7/28/04, effective 8/28/04)

WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules. (1) All freshwater streams and lakes not listed as open for salmon fishing are closed.

(2) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.

(c) Benton County: Rivers, streams and beaver ponds open year around.

(d) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Trout: Daily limit 5, no minimum size.

(e) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

(3) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

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Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with a motor permitted. Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules, except electric motors allowed. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout missing adipose fin. Additional season October 1 through November 30 and March 1 through last Saturday in April. Selective gear rules except electric motors allowed. All species: Release all fish.

American Lake (Pierce County): Chumming permitted.

American River (Yakima County): Selective gear rules.

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and all species: Release all fish.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. Nonbuoyant lure restriction and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only July 1 through July 31 except closed 12:01 a.m. July 6 through 2:00 p.m. July 7 and 12:01 a.m. July 12 through 2:00 p.m. July 13. Nonbuoyant lure restriction and night closure. Daily limit 2 sockeye salmon.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of disability licenses, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 downstream from the Lime Quarry Road. Upstream from the Lime Quarry Road: Selective gear rules June 1 through March 31. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from mouth to Lime Quarry Road. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release adult chinook.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules except electric motors allowed. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beda Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Benson Lake (Mason County): Last Saturday in April through October 31 season.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

Big Beaver Creek (Whatcom County):

From closed water markers on Ross Lake upstream one-quarter mile: Closed waters.

From one-quarter mile markers upstream, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Big Beef Creek (Kitsap County): June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Quilcene River (Jefferson County):

From mouth to upper boundary of Falls View Campground: June 1 through last day in February season. Closed waters: August 16 through October 31 from mouth to Rodgers Street. Rodgers Street to the Highway 101 Bridge: Selective gear rules June 1 through last day in February and night closure August 16 through December 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules June 1 through last day in February. All game fish: Release all fish from mouth to campground. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

Big River (Clallam County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules except electric motors permitted. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Black Lake (Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Black Lake (Okanogan County): Selective gear rules.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

Black Lake (Thurston County): Crappie: Daily limit ten, minimum length nine inches.

Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 season from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. Nonbuoyant lure restriction and night closure. Only wheelchair-bound anglers may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout: Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with missing right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules, except electric motors allowed. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules, except electric motors allowed. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and unmarked adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boundary Creek (Clallam County): Closed waters.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream: Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules.

Boxley Creek (North Bend) (King County), from its mouth to the falls located at approximately river mile 0.9: Closed waters.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules June 1 through October 31. Whitefish: Additional December 1 through March 31 season. Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to forks. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and unmarked adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: June 1 through last day in February season. December 1 through last day in February, selective gear rules. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Campbell Creek (Mason County): Closed waters.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. June 1 through March 31 season. Non-buoyant lure restriction and night closure August 1 through November 30. Trout: June 1 through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: June 1 through last day in February season. Nonbuoyant lure restriction, night closure and single barbless hooks August 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: June 1 through August 15 and December 1 through last day in February season: Trout: Minimum length 14 inches. Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish no more than 2 may be adult hatchery chinook. Release chum and wild adult chinook salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: October 1 through last day in February season. Trout: Trout

except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through November 30. Daily limit 4 coho salmon.

From the Rockport-Cascade Road Bridge upstream: June 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to 100 feet upstream of the falls: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Landsburg Road: June 1 through August 31 season. Selective gear rules. Night closure. All species: Release all fish. Landsburg Road to Cedar Falls: Closed waters.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release kokanee.

Chambers Creek Estuary (downstream from markers 400 feet below the Boise-Cascade Dam to the Burlington Northern Railroad Bridge) (Pierce County): July 1 through November 15 season. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules, except electric motors allowed. Trout: Release all trout.

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout:

Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): June 1 through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only April 16 through July 31 from mouth to high bridge, October 1 through January 31 from mouth to Porter Bridge, and October 16 through last day in February from Porter Bridge to high bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through November 30, mouth to Porter Bridge, the daily limit may contain not more than 1 adult chinook. October 16 through November 30, Porter Bridge to High Bridge, release adult chinook. December 1 through January 31, mouth to Porter Bridge, the daily limit may contain no more than one wild adult coho, and release adult chinook. December 1 through last day in February, Porter Bridge to High Bridge, release adult chinook and wild adult coho. Sturgeon: Open year-round and no night closure from mouth to high bridge on Weyerhaeuser 1000 line.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: June 1 through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit five, no minimum length. Burbot: Set line gear allowed. North of a line between Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All species: Release all fish. Salmon: Open only May 1 through May 31 south of a line from Purple Point to Painted Rocks: Daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: May 15 through August 31 season. Nonbuoyant lure restriction. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: June 1 through September 30 season. Selective gear rules. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters June 1 through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. Whitefish gear rules apply.

Chikamin Creek (Chelan County): Selective gear rules.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: June 1 through August 31 season. Trout: Minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout: Minimum length fourteen inches.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through May 31, release all game fish other than steelhead. Salmon: Open year around. Daily limit 6 fish, of which no more than 2 fish may be adult salmon. Salmon minimum size 8 inches. Release wild coho at all times and release wild chinook January 1 through July 31.

Cispus River, North Fork (Lewis County): Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season.

Clear Creek (Chelan County): Closed waters.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and all species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Salmon: Landlocked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season.

Clear Lake (Thurston County): Last Saturday in April through October 31 season.

Clearwater River (Jefferson County):

From mouth to Snahapish River: June 1 through April 15 season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches.

Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size. Burbot: Set line gear allowed.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Year-round season. Selective gear rules, except December 1 through March 31 bait and one single point barbed hook three-sixteenths or smaller point to shank may be used. Trout: Release all trout. Above Cle Elum Lake to outlet of Hvas Lake except Tucquala Lake: Selective gear rules.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

Clough Creek (North Bend) (King County): Closed waters.

Clover Creek (Pierce County), within the boundaries of McChord Air Force Base: Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): Closed waters.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Coffee Pot Lake (Lincoln County): March 1 through September 15 season. Selective gear rules except motors allowed. Trout: Daily limit two. Bass: Daily limit two, maximum length fourteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules except use of electric motors allowed. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Last Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only. Mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced-fee disability licenses only.

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee disability licenses only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below Priest Rapids Dam: Daily limit five fish, bass 12 to 17 inches in length may be retained. Up to but not more than three of ((which)) the daily limit may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout. Walleye: Daily limit five fish of which not more than one may be over 24 inches; minimum length 18 inches. Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10 to a line between Rocky Point in Washington to Tongue Point in Oregon: Trout: Release wild cutthroat. Release all trout April 1 through July 31. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during salmon season openings. Salmon: Open only August 1 through March 31. August 1 through September 30, daily limit 2 salmon of which not more than one may be a chinook salmon. Release chum, sockeye, wild coho, chinook less than 24 inches in length, and coho less than 16 inches in length. October 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon and not more than one of which may be a chinook salmon. Release chum, sockeye, and wild coho. January 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, wild coho and wild chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings, with barbed hooks allowed and the daily limit is the more liberal if both areas are open. Sturgeon: Release sturgeon May 1 through May 14 and July 24 through December 31. Minimum size when open to retain sturgeon is 45 inches.

From the Rocky Point - Tongue Point line to the I-5 Bridge: Trout: Release wild cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon: Open only May 16 through March 31. May 16 through June 15 daily limit 6 hatchery jack chinook. June 16 through July 31, daily limit 6 fish of which no more than 2 may be adult chinook. Release wild chinook and sockeye. August 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, and wild coho. August 1 through December 31 the daily limit may contain not more than 1 adult chinook. Release wild chinook January 1 through March 31. Sturgeon: (1) Release sturgeon May 1 through May 14 and July 24 through Decem-

ber 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 45 inches; (2) I-5 Bridge downstream to Wauna powerlines, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from February 1 through July 31, and October 1 through December 31. Release sturgeon on other days and during other time periods.

From the I-5 Bridge to the Highway 395 Bridge at Pasco: Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder, and closed to fishing from a floating device or fishing by any method except hand-casted gear from shore from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore. August 1 through October 15: Nonbuoyant lure restriction and night closure from Bonneville Dam to The Dalles Dam. Trout: Release wild cutthroat from I-5 Bridge to Bonneville Dam and release all cutthroat in the waters of Drano Lake. Release all trout April 1 through June 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream end of Cascade Island to an Oregon angling boundary on Bradford Island (the Cascade Island - Bradford Island line). (2) It is unlawful to fish for sturgeon from May 1 through July 31 from Cascade Island - Bradford Island line downstream to markers on the Washington and Oregon shores at Beacon Rock. (3) Cascade Island - Bradford Island line downstream to I-5 Bridge, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from February 1 through July 31 and October 1 through December 31, except for May 1 - July 31 closure to Beacon Rock. Release sturgeon on other days and during other time periods. (4) Release sturgeon September 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. Salmon: Open only June 16 through December 31 except closed November 1 through December 31 from Beacon Rock to Bonneville Dam. June 16 through July 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release wild chinook and sockeye. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and sockeye. Release wild coho downstream of Bonneville Dam. August 1 through December 31, daily limit may contain not more than 1 adult chinook downstream of Bonneville Dam.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Hatchery waters: Closed

waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout except hatchery steelhead having both adipose and ventral fin clips (~~(may be retained)~~) October 1 through (~~(March)~~) October 31. Release all trout except hatchery steelhead (~~(having only adipose fin clips)~~) November 1 through March 31. Salmon: Open only June 16 through July 31 and August 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild chinook and sockeye June 16 through July 31. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Ringold Springs Rearing Facility waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15 to fishing from the bank on the hatchery side of the river. Trout: Release all fish except hatchery steelhead (~~(having both adipose and ventral fin clips)~~. ~~Release hatchery steelhead having only adipose fin clips~~)).

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): All species: February 1 through October 22 season. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. Release wild chinook and sockeye June 16 through July 31.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only June 16 through July 31 and August 16 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild chinook and sockeye June 16 through July 31.

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters: (1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge.

PROPOSED

Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. Salmon: Open only July 16 through October 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye. From Wells Dam to Chief Joseph Dam, open only from Highway 173 Bridge at Brewster to Highway 17 Bridge at Bridgeport. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: No minimum size. Daily limit five fish not more than one of which may be longer than 18 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

From bridge at Valley upstream and tributaries: Selective gear rules.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules.

Coot Lake (Grant County): April 1 through September 30 season.

Copalis River (Grays Harbor County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31 from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): June 1 through August 31 season.

Cougar Lake (near Winthrop) (Okanogan County): September 1 through March 31 season.

Coulter Creek (Kitsap/Mason counties): Trout: Minimum length fourteen inches.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulhol-land Creek: June 1 through March 15 season. Trout: Release

all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1 through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Salmon: Daily limit 6 fish, of which not more than 2 may be adult salmon. Release wild coho. Release wild chinook June 1 through July 31.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: ~~((Barrier Dam to boundary))~~ From 400 feet or posted markers ((at)) below Cowlitz salmon hatchery barrier dam to boundary markers near the Cowlitz salmon hatchery water intake approximately 1,700 feet upstream ((from)) of the Cowlitz salmon hatchery barrier dam, and from 400 feet below the Mayfield Dam barrier dam upstream to Mayfield Dam. Year-round season except closed to fishing from south bank May 1 through June 15 from Mill Creek to the Cowlitz salmon hatchery barrier dam. Lawful to fish up to four hundred feet or the posted deadline at the Cowlitz salmon hatchery barrier dam. Lawful to fish up to Tacoma Power safety signs at Onion Rock below Mossyrock Dam. Lawful to fish up to Lewis County P.U.D. safety signs below Cowlitz Falls Dam. From the Cowlitz salmon hatchery barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. Nonbuoyant lure restriction and night closure April 1 through October 31 from mouth of Mill Creek to the Cowlitz salmon hatchery barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Release all steelhead missing right ventral fin. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Mill Creek to Blue Creek - release all chinook October 1 through December 31. Sturgeon: Lawful to retain sturgeon on Thursdays, Fridays and Saturdays, February 1 through July 31 and October 1 through December 31. Release sturgeon on other days and during other time periods.

From posted PUD sign on Peters Road to mouth of Ohanepocosh River and mouth of Muddy Fork: Trout: Release cutthroat. Additional November 1 through May 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Daily limit 6 fish of which no more than 2 may be adult salmon. Salmon minimum size 12 inches. Release wild coho. Release wild chinook January 1 through July 31.

Cowlitz River, Clear and Muddy Forks (Lewis County): Trout: Release cutthroat.

Coyote Creek and Ponds (Adams County): April 1 through September 30 season.

Crab Creek (Adams/Grant counties):

From Highway 26 to Morgan Lake Road in Section 36: March 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln/Grant counties) and tributaries: Year-round season. March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank in those waters from Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill, and from Moses Lake downstream to the confluence of the outlet streams.

Crabapple Lake (Snohomish County): Last Saturday in April through October 31 season.

Cranberry Creek (Mason County), mouth to Lake Limerick: Closed waters.

Crawfish Lake (Okanogan County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Crescent Lake (Pierce County): Last Saturday in April through October 31 season.

Crocker Lake (Jefferson County): Closed waters.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Last Saturday in April through October 31 season. Fishing from any floating device prohibited.

Curley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Cushman Reservoir (Mason County): Salmon: Landlocked salmon rules apply.

Dakota Creek (Whatcom County): Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

Damon Lake (Grays Harbor County): June 1 through October 31 season.

Davis Lake (Ferry County): Last Saturday in April through October 31 season.

Davis Lake (Lewis County): Last Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules except electric motors allowed, and all species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles only.

Deadman Lake (Adams County): April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead may be retained.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Release sturgeon May 1 through May 14 and July 24 through December 31. Minimum size when open is 45 inches.

Deer Creek (Mason County): Closed waters.

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): Last Saturday in April through October 31 season. Trout: No more than two over twenty inches in length may be retained.

De Roux Creek (Yakima County): Selective gear rules.

Deschutes River (Thurston County): Closed waters: From 400 feet below lowest Tumwater Falls fish ladder to Old Highway 99 Bridge. From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: June 1 through March 31 season. Nonbuoyant lure

restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: Year-round season. Selective gear rules. All game fish: Release all fish except hatchery steelhead. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Devereaux Lake (Mason County): Last Saturday in April through October 31 season.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): Selective gear rules. Game fish: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (includes all forks) (Clallam County): June 1 through April 30 season. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to East Fork Dickey. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and unmarked adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Dog Lake (Yakima County): Trout: Daily limit may contain not more than 1 fish over 14 inches in length.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through last day in February season except closed September 1 through October 31 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downs Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: June 1 through last day in February season except closed September 1 through October

31 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dungeness River (Clallam County):

From mouth to junction of Gray Wolf and Dungeness rivers: October 16 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31 from mouth to the hatchery intake pipe at river mile 11.3. Daily limit 4 coho salmon.

From junction of Gray Wolf River upstream to Gold Creek - Closed waters.

From junction of Gold Creek upstream to headwaters: Trout: Minimum length fourteen inches.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one fish.

Early Winters Creek (Okanogan County): Closed waters.

East Twin River (Clallam County): Trout: Minimum length fourteen inches.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through October 31 season.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack; waters from a point 50 feet

above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: June 1 through March 15 season. Nonbuoyant lure restriction and night closure September 1 through October 31. Stationary gear restriction September 1 through October 31. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. October 1 through December 31 release chinook upstream of Highway 4 Bridge.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell Lake Dam downstream two hundred feet and from approximately fifty yards upstream to fifty yards downstream of Elwha Tribal Hatchery outfall as posted.

From mouth to two hundred feet below the south spillway on the Aldwell Lake Dam: June 1 through last day in February season, except closed June 1 through September 30 mouth to marker at outfall of rearing channel at about river mile 3.2. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to Olympic National Park boundary, including all tributaries except Indian Creek: Selective gear rules. Trout: Minimum length twelve inches.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

Enchantment Park Ponds (Chelan County): Juveniles only.

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. Whitefish gear rules apply.

Ephrata Lake (Grant County): Closed waters.

Erie Lake (Skagit County): Last Saturday in April through October 31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Fan Lake (Pend Oreille County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fazon Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15. Channel catfish: Daily and possession limit two.

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained.

Fish Lake (Ferry County): Last Saturday in April through October 31 season.

Fish Lake (Okanogan County): Last Saturday in April through October 31 season.

Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County):

From mouth to Highway 530 Bridge: Year-round season. Trout: Minimum length fourteen inches.

Upstream from Highway 530 Bridge: Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: June 1 through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Forde Lake (Okanogan County): Last Saturday in April through October 31 season.

Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles only.

Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Gadwall Lake (Grant County): April 1 through September 30 season.

Garfield Juvenile Pond (Whitman County): Juveniles only.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Last Saturday in April through October 31 season.

Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Gibbs Lake (Jefferson County): Selective gear rules except electric motors allowed. Trout: Release all trout.

Gillette Lake (Stevens County): Last Saturday in April through October 31 season.

Gissberg Pond, North (Snohomish County): Juveniles only.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): June 1 through March 15 season. Trout: ~~((Release all fish except up to two hatchery steelhead may be retained per day.))~~ Minimum length 14 inches. Release steelhead and wild cutthroat.

Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): Trout: Minimum length fourteen inches.

Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout, minimum length fourteen inches.

Goodwin Lake (Snohomish County): Chumming permitted.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of disability licenses only.

Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.

Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.

Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through October 31 season. Selective gear rules, June 1 through August 31 and barbless hooks required September 1 through October 31. Additional season November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From junction with Dungeness River to bridge at river mile 1.0 - Closed waters.

From bridge at river mile 1.0 upstream - selective gear rules. Trout: Minimum length fourteen inches.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: September 1 through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: September 1 through October 15 and December 15 through March 15 season. Nonbuoyant lure restriction, night closure and stationary gear restriction September 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only September 1 through October 15 from mouth to South Fork. Daily limit 6 fish of which no more than two may be adult salmon. Release chinook, chum, and wild coho.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: June 1 - August 31 season. Trout: Additional December 15 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and all species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: April 1 through November 30 season except closed from 400 feet above to 400 feet below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. Nonbuoyant lure restriction and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All species: When nonbuoyant lure restriction in effect, only fish hooked inside the mouth may be retained. All game fish: Release all fish except steelhead. Salmon: Open only April 1 through May 31 from mouth to 400 feet below the water intake at the upper end of the hatchery grounds and June 1 through November 30 from mouth to 2800 Bridge. April 1 through July 31: Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild chinook. August 1 through November 30: Daily limit 6 salmon not more than 2 of which may be adult salmon. Release chum

and wild coho. October 1 through November 30 release chinook.

From 2800 Bridge to source: Closed waters.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to SW 43rd Street/South 180th Street Bridge: June 1 through July 31 and September 16 through February 15 season. Nonbuoyant lure restriction and night closure September 1 through November 30 First Avenue South Bridge to Pacific Highway South Bridge and September 16 through November 30 from Pacific Highway South Bridge to SW 43rd Street/180th Street Bridge. Fishing from any floating device prohibited November 1 through last day in February. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 First Avenue Bridge to Pacific Highway South Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon. Release chinook. Open only September 16 through December 31, Pacific Highway South Bridge to SE 43rd Street/South 180th Street Bridge. Daily limit 6 fish of which not more than 3 may be adult salmon. Release chinook salmon.

From the SW 43rd Street/South 180th Street Bridge to South 277th Street Bridge in Auburn: Open only June 1 through July 31 and October 1 through February 15. Nonbuoyant lure restriction and night closure October 1 through November 30. Fishing from any floating device prohibited November 1 through February 15. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through December 31. Daily limit 6 fish of which not more than 3 may be adult salmon. Release chinook salmon.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: Open only June 1 through July 31 and October 16 through last day in February. Nonbuoyant lure restriction and night closure October 16 through November 30. Fishing from a floating device prohibited November 1 through last day in February. Trout, minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 6 fish of which no more than 3 may be adult salmon. Release chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Closed waters: Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. Salmon: Open only November 1 through December 31. Daily limit 2 chum salmon.

Greenwater River (King County), from mouth to Greenwater Lakes: Selective gear rules. Trout: Minimum length twelve inches.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules, except fishing from a floating device equipped with an electric motor allowed. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Hamilton Creek (Skamania County): Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Selective gear rules. All species: Release all fish.

Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): June 1 through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harrison Pond (Skagit County): Closed waters.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules.

Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Hatch Lake (Stevens County): December 1 through March 31 season.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season.

Haven Lake (Mason County): Last Saturday in April through October 31 season.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of disability licenses only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), from mouth to Olympic National Park boundary below mouth of South Fork: June 1 through April 15 season. Selective gear rules June 1 through October 15 from Willoughby Creek to Morgan's Crossing Boat Launch, June 1 through November 30 from Morgan's Crossing Boat Launch to the mouth of south fork, and December 1 through April 15 from DNR Oxbow Campground Boat Launch to mouth of south fork. Trout: Minimum length fourteen inches. December 1 through April 15, from mouth to DNR Oxbow Campground Boat Launch: Trout: Minimum length fourteen inches. Salmon: Open only May 16 through November 30 mouth to Willoughby Creek and October 16 through November 30 Willoughby Creek to Morgan's Crossing Boat Launch. Daily limit 6 fish of which no more than 2 may be adult salmon except May 16 through August 31 from mouth to Willoughby Creek open Wednesday through Sunday only of each week and daily limit may contain no more than one adult salmon.

Hoh River South Fork (Jefferson County), outside Olympic National Park: June 1 through April 15 season. Selective gear rules. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: Fly fishing only September 1 through October 31. Additional November 1 through March 15 season. Trout: Minimum length fourteen inches.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): June 1 through March 31 season. Fly fishing only. All species: Release all fish except that up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, from March 1 through March 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit five.

Horsethief Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.

Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howell Lake (Mason County): Last Saturday in April through October 31 season.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humtulpis River (Grays Harbor County), from mouth to forks: June 1 through March 31 season except closed March 1 through March 31 from Highway 101 Bridge to forks. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through January 31 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult coho. October 16 through November 30 the daily limit may contain no more than 1 adult chinook. December 1 through January 31 release adult chinook.

Humtulpis River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humtulpis Guard Station and Grisdale: Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Humtulpis River, West Fork (Grays Harbor County), from mouth to Donkey Creek: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion engines prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Iceicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leaven-

worth National Fish Hatchery rack upstream to Leland Creek: Selective gear rules.

Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.

Indian Creek (Yakima County): From mouth to waterfall approximately 5 and three-quarters miles upstream: Closed waters. Upstream of waterfall: Eastern brook trout do not count as part of trout daily limit. Eastern brook trout: No minimum size and no daily limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

Issaquah Creek (King County): Closed waters.

Jackson Lake (Pierce County): Last Saturday in April through October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Park Pond (Walla Walla County): Juveniles only.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): June 1 through August 31 season. Trout: Minimum length fourteen inches.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: June 1 through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Johns Creek (Mason County): Closed waters.

Johns River (Grays Harbor County): Mouth to Ballon Creek: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 from mouth to Ballon Creek. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ballon Creek upstream, including North and South Forks: June 1 through September 30 and December 1 through last day in February season. Trout: Minimum length 14 inches.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen. Burbot: Set line gear allowed.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

Kalaloch Creek (Jefferson County), outside Olympic National Park: Closed waters: Those waters within the section posted as the Olympic National Park water supply June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from Modrow Bridge downstream to one thousand five hundred feet below the rack are closed waters. Nonbuoyant lure restriction, night closure, and stationary gear restriction September 1 through October 31 from mouth to one thousand five hundred feet below the rack. All species: When nonbuoyant lure restriction in effect only fish hooked inside the mouth may be retained. Fishing from a floating device equipped with a motor prohibited upstream of Modrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. October 1 through December 31 release chinook upstream from natural gas pipeline crossing.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. Trout: Minimum length 14 inches. Release steelhead in mainstem and tributaries.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. Trout: Minimum length 14 inches. Release steelhead in mainstem and tributaries.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained. Burbot: Set line gear allowed.

Kelsey Creek (tributary of Lake Washington) (King County): Closed waters.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge. Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

June 1 through October 31 season. All species: Selective gear rules. Trout: Minimum length 12 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

Additional season: November 1 through May 31. Whitefish gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season.

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kiwanis Pond (Kittitas County): Juveniles and holders of disability licenses only.

Klaus Lake (King County): Last Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: April 1 through January 31 season. Nonbuoyant lure restriction and night closure May 1 through May 31. Nonbuoyant lure restriction August 1 through January 31. Game fish: Closed December 1 through January 31. Release game fish other than steelhead April 1 through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: April 1 through May 31 Mondays, Wednesdays and Saturdays only, daily limit 2 hatchery steelhead or 2 salmon or one of each. Salmon: June 1 through January 31 daily limit 6 fish of which no more than 2 may be adult salmon.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klicki-

tat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31: Daily limit 6 salmon. Release adult salmon. August 1 through November 30: Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook November 1 through November 30. Additional December 1 through March 31 season. Whitefish gear rules apply.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Selective gear rules.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than one over 14 inches in length.

Lemna Lake (Grant County): April 1 through September 30 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules, except fishing from a floating device equipped with an electric motor permitted. All species: Release all fish. Additional season June 1 through November 30: Selective gear rules, except fishing from a floating device equipped with an electric motor permitted. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit six fish of which not more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Lawful to retain sturgeon on Thursdays, Fridays and Saturdays, February 1 through July 31 and October 1 through December 31. Release sturgeon on other days and during other time periods.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: June 1 through March 15 season. Trout: Release all trout except up to two hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through May 31 season. Selective gear rules. Release all fish except up to two hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. Nonbuoyant lure restriction and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit six fish of which not more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: May 1 through September 30 and December 16 through April 30 season. Nonbuoyant lure restriction and night closure April 1 through September 30. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only January 1 through September 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: Closed waters.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. All species: Release all fish.

Liberty Lake (Spokane County): Last Saturday in April through September 30 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only. (~~Salmon: Landlocked salmon rules apply.~~)

Lions Park Pond (Walla Walla County): Juveniles only.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

Little Hoko River (Clallam County): Selective gear rules. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Naches River (Yakima County): Selective gear rules.

Little Nisqually River (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County) from the Little Pend Oreille wildlife refuge boundary about 1 mile downstream from the refuge headquarters office to Crystal Falls: Selective gear rules, and all species: Release all fish except up to five Eastern brook trout may be retained.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road, June 1 through last day in February season. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31. Trout: Minimum length fourteen inches.

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday in April through October 31 season. Additional December 1 through March 31 season. Whitefish gear rules apply.

Upstream from bridge at Fridgeger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): April 1 through November 30: Selective gear rules and all species: Release all fish.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 31 season, except for hatchery steelhead and chinook season in April, and except closed Wednesdays second Wednesday in April through May 31 and October 1 through October 31. Night closure and nonbuoyant lure restriction May 1 through June 30. Nonbuoyant lure restriction August 1 through December 31. March 16 through June 30 daily limit of two fish, of which two fish one or both may be hatchery steelhead or one or both may be chinook salmon. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and chinook salmon. Trout: July 1 through March 15 release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon.

Lone Lake (Island County): Selective gear rules, except electric motors allowed. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Spokane River Reservoir) (Spokane County): Bass: Release all bass May 1 through June 30.

Long Lake (Thurston County): Last Saturday in April through October 31 season.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucas Slough (Skagit County): Closed waters.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: Selective gear rules. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): Closed waters.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

McAllister Creek (Thurston County): Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only

July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 4 may be adult salmon.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): Trout: Minimum length fourteen inches.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season.

McLane Creek (Thurston County), from a line 50 feet north of and parallel to the Mud Bay Road Bridge to a line 100 feet upstream and parallel to the south bridge on Highway 101: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Game fish: Release game fish November 1 through November 30. Trout: Minimum length fourteen inches upstream from the south bridge. Salmon: Open only July 1 through November 30. Closed to salmon fishing: Waters within 400 feet of Allison Springs Pond outfall. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From a line 100 feet upstream and parallel to the south bridge on Highway 101 upstream: Nonbuoyant lure restrictions and night closure August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melaney Creek (Mason County): Closed waters.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only. Trout: Daily limit five, no minimum length.

Mercer Slough (tributary of Lake Washington) (King County): Closed waters.

Merrill Lake (Cowlitz County): Fly fishing only. Unlawful to fish from a floating device equipped with an internal com-

bustion engine. Trout: Daily limit two, maximum length twelve inches.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to Gold Creek: Closed waters June 1 through October 31. Gold Creek to Weeman Bridge: June 1 through September 30 season: Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters June 1 through October 31: From mouth upstream to the falls above Brush Creek. Additional season: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): June 1 through August 31 and November 1 through March 15 seasons. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Nonbuoyant lure restriction and night closure. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): Trout: Minimum length fourteen inches.

Mill Creek (Walla Walla County):

From mouth to Gose St. Bridge: June 1 through April 15 season. All species: Barbless hooks required and release all fish except hatchery steelhead September 1 through April 15. Trout: Daily limit three hatchery steelhead.

From Gose St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla: Closed waters.

From Roosevelt St. Bridge upstream, including all tributaries: All tributaries: Closed waters. Selective gear rules. Trout: Maximum length twenty inches.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only.

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): Closed waters: Area from department intake dam downstream to mouth June 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Daily limit 4 chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through October 31 season.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte Christo Lake (Snohomish County): June 1 through October 31 season. Selective gear rules.

Mooses Pond (Pacific County): June 1 through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Moses Lake (Grant County): Crappie: Daily limit five, only crappie more than ten inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained. Bass: Fish twelve to seventeen inches in length may be retained as part of the daily limit. No more than 3 bass over fifteen inches in length may be retained. Walleye: Minimum length eighteen inches. Up to five fish eighteen to twenty-four inches in length may be retained in the daily limit. No more than one walleye over 24 inches in length may be retained.

Mosquito Creek (Jefferson County), outside Olympic National Park: June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): Last Saturday in April through October 31 season.

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout June 1 through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Naneum Creek (Kittitas County): Selective gear rules.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls, and waters from two hundred feet upstream of the Naselle Salmon Hatchery water supply intake barrier to four hundred feet downstream of the entrance to the Naselle Salmon Hatchery attraction channel.

Mainstem: June 1 through April 15 season, except sturgeon. Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. Nonbuoyant lure restriction and night closure August 16 through November 30 downstream from North Fork. Stationary gear restrictions downstream from the Crown Main Line Bridge August 16 through November 30. Selective gear rules March 1 through April 15 from mouth to North Fork. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of these 3 adult fish no more than 1 may be a wild adult coho and not more than 2 may be adult chinook. No more than 2 chum may be retained.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. All species: Release all fish.

South Fork, from mouth to Bean Creek: June 1 through last day in February season, except sturgeon. Game fish:

Selective gear rules except nonbuoyant lure restriction and night closure August 16 through November 30. Release game fish. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: June 1 through March 31 season. Single point barbless hooks required on North Nemah upstream to the lower bridge on dead end lower Nemah Road October 1 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules on Middle Nemah above DNR Bridge. Night closure August 16 through November 30 on South and Middle Nemah and October 1 through November 30 on North Nemah. Nonbuoyant lure restriction on North Nemah upstream from bridge on dead end lower Nemah Road August 16 through November 30. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, fishers may not allow their line, lures or bait to remain stationary in the water during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained in the North Nemah. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah and October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish of which no more than 2 may be adult salmon and of the two adult fish no more than one may be a wild adult coho. North Nemah: Daily limit 6 salmon of which not more than 3 may be adult salmon and of the adult fish no more than one may be a wild adult coho and no more than two may be adult chinook. No more than two chum may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): June 1 through March 31 season. Night closure and single point barbless hooks required August 16 through November 30 from mouth to Leonard Road. Trout: Minimum length fourteen inches mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through last day in February from mouth to Leonard Road. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook. Release wild adult coho December 1 through last day in February.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): June 1 to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101 Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook.

Nile Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Nisqually River (Pierce County), from mouth to four hundred feet below LaGrande Powerhouse: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Game fish: Closed December 1 through January 31. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through January 31 from mouth to Military Tank Crossing Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: June 1 through last day in February season except closed June 1 through September 30 in mainstem from yellow marker at the FFA High School barn at Deming to confluence of the North and South Forks. Fishing from floating devices equipped with motors prohibited on the North and Middle Forks November 1 through last day in February. Nonbuoyant lure restriction and night closure August 1 through November 30 on mainstem and North Fork to Maple Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 in mainstem from Lummi Indian Reservation boundary to yellow marker at FFA High School barn in Deming. Open only October 16 through December 31 in mainstem from the FFA barn to the confluence of the North and South Forks, and October 1 through October 31 on the North Fork from confluence to Maple Creek. Daily limit 2 salmon, except release wild coho, release wild chinook from mouth to FFA barn, and release chinook from FFA barn to forks and in North Fork.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: June 1 through last day in February season. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release chinook and wild coho.

From Skookum Creek upstream: Closed waters.

PROPOSED

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: Selective gear rules.

North Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: June 1 through last day in February season, except sturgeon. Night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. Nonbuoyant lure restriction from Salmon Creek to Falls River August 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. All species: Release all fish.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickitat/Skamania counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Trout: Daily limit one.

Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerick): Closed waters.

Oasis Park Pond (Grant County): Third Saturday in April through Labor Day season. Juveniles and holders of reduced fee disability licenses only. Game fish: Daily limit of five fish. No minimum or maximum size for any species.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Trout: Minimum length twelve inches.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season.

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: June 1 through August 31 season. Trout: Release all trout. Salmon: Open only July 16 through October 15 from mouth to Highway 97 Bridge immediately upstream of mouth. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho and sockeye.

Closed waters: From Zosel Dam downstream to one-quarter mile below the railroad trestle.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Olequa Creek (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): June 1 through October 31 season.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): June 1 through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. Above the confluence of the South and Middle Forks: Selective gear rules. Nonbuoyant lure restriction and night closure August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year around season.

Palmer Lake (Okanogan County): Burbot: Set line gear allowed.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.

Patterson Lake (Okanogan County): Last Saturday in April through October 31 season.

Pattison Lake (Thurston County): Last Saturday in April through October 31 season.

Peabody Creek (Clallam County): Juveniles only.

Pearrygin Lake (Okanogan County): Last Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All sloughs within the boundaries of the Kalispell Reservation except Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September 30 season.

Percival Creek (Thurston County): Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Last Saturday in April through October 31 season.

Phelps Creek (Chelan County): From mouth to falls at river mile 1: Selective gear rules.

Philippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Phillips Lake (Mason County): Last Saturday in April through October 31 season.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Additional

December 1 through last day in February season. Trout: Minimum length fourteen inches.

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

From 500 feet below diversion dam upstream: Closed waters.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Lake (King County): Last Saturday in April through October 31 season.

Pine Lake (Mason County): Last Saturday in April through October 31 season.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pipers (Carkeek) Creek (King County), from its mouth to its source, including tributaries: Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

Portage Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish.

Potter's Pond (Stevens County): Last Saturday in April through October 31 season.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Prices Lake (Mason County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): June 1 through October 31 season.

Purdy Creek (Mason County): June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 from mouth to Carbon River. Daily limit 6 fish of which

no more than 2 may be adult salmon. Release wild adult chinook.

From mouth to the Soldier's Home Bridge in Orting: Additional February 1 through last day in February season. Trout: Minimum length fourteen inches.

Pysht River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited.

Quigg Lake (Grays Harbor County): June 1 through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quillayute River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches. Salmon: Open only March 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon March 1 through August 31 and 3 may be adult salmon September 1 through November 30. September 1 through November 30 the 3 adult salmon may contain no more than 2 adult chinook or 2 adult wild coho or 1 adult chinook and 1 adult wild coho. March 1 through August 31 release wild adult coho and unmarked adult chinook.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through April 15 season. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through October 31. Daily limit 6 fish except release adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Railroad Pond (Franklin County): Selective gear rules. Trout: Daily limit two.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. All species: Release all fish.

Rattlesnake Lake (King County): Last Saturday in April through October 31 season. Selective gear rules, except fishing from a floating device equipped with an electric motor allowed.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Robbins Lake (Mason County): Last Saturday in April through October 31 season.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules.

Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.

Rock Creek (Skamania County): Mouth to falls: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules and all species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): Chumming allowed. All species: Closed (~~February~~) January 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake, and April 1 through May 31 in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit two. Walleye: No minimum size. Daily limit 5 fish not more than one of which may be longer than 18 inches. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon from Roosevelt Lake and tributaries.

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules, except fishing from a floating device equipped with a motor allowed. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: Closed waters: From closed water markers near mouth upstream for one mile. Above closed water marker in tributaries not listed as closed: July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.

Rufus Woods Lake (Douglas County): Chumming allowed. Trout: Daily limit two. Sturgeon: Unlawful to fish for or retain sturgeon from Rufus Woods Lake and tributaries.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Salmon Creek, including all forks (Jefferson County): Closed waters.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules.

Salmon Creek (tributary of Naselle River) (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Salmon River (Jefferson County), outside of Olympic National Park and Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches. Hatchery steelhead in this river are steelhead with a dorsal fin height of less than 2-1/8 inches or with an adipose or ventral fin clip. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon.

Salt Creek (Clallam County): Trout: Minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the Hickson Bridge: June 1 through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. Nonbuoyant lure restriction and night closure August 1 through December 31.

Trout: Minimum length fourteen inches. Salmon: Open only July 1 through December 31 from mouth to Thomas Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon.

Sammamish Lake (King County): Trout: Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length. Salmon: Closed to salmon fishing within 100 yards of the mouth of Issaquah Creek. Open only August 16 through November 30. Daily limit two salmon. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: Closed waters: All tributaries. January 1 through August 31 season. Selective gear rules. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of disability licenses only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River, (Grays Harbor County): Trout: Minimum length 14 inches in mainstem and all forks. Mainstem and East Fork, single point barbless hooks and night closure August 16 through November 30 except only August 16

through October 31 on East Fork upstream from bridge at Schafer State Park. Middle and West forks downstream from Cougar Smith Road nonbuoyant lure restriction and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road night closure and nonbuoyant lure restriction August 16 through October 31.

From mouth to bridge at Schafer Park: Additional November 1 through March 31 season. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

West Fork, from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

South Fork upstream from Elliot Creek: June 1 through August 31 season. Selective gear rules.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Sekiu River (Clallam County): All open periods: Trout: Minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day in February season.

Serene Lake (Snohomish County): Last Saturday in April through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): Closed waters.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except December 1 through August 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): Trout: Minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): June 1 through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: Minimum length fourteen inches.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Trout: Minimum length twelve inches.

Silver Lake (Pierce County): Last Saturday in April through October 31 season.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake, North (Spokane County): March 1 through September 30 and November 1 through December 31 season. Selective gear rules. March 1 through September 30: Trout: Daily limit 2 fish, minimum length 14 inches, except release fish with clipped adipose fin. November 1 through December 31: All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

Silvernail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season. Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Selective gear rules. Additional December 1 through March 31 season. Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules March 1 through May 31 except lawful to fish from a floating device equipped with a motor. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit three salmon, except release chum and release chinook.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through March 31 season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit three salmon, except release chum and release chinook.

From Gilligan Creek to Bacon Creek: June 1 through March 15 season except closed June 1 through June 30 and August 1 through August 31 between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through December 31 Gilligan Creek to the Dalles Bridge at Concrete. Daily limit three salmon, except release chum and release chinook.

From the Dalles Bridge at Concrete to the Cascade River - Salmon open July 1 through July 31, except closed from 200 feet above the mouth of the Baker River to the Cascade River. Daily limit two sockeye salmon. Release all salmon except sockeye salmon. Salmon open September 16 through December 31. Daily limit three salmon, except release chum and release chinook.

From Bacon Creek to Gorge Powerhouse: June 1 through last day in February season. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

From the Dalles Bridge at Concrete to the mouth of Bacon Creek: Additional March 16 through April 30 season. Selective gear rules, except lawful to fish from a floating device equipped with a motor but not while under power. All species: Release all fish.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: November 1 through March 15 season. All species: Release all fish other than steelhead. Trout: Minimum length twenty inches.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat.

Skokomish River (Mason County), mouth to forks: Night closure, nonbuoyant lure restriction and single point barbless hooks required August 1 through November 30 mouth to Highway 101. June 1 through July 31 and September 1 through last day in February season. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through December 15 mouth to Highway 101 Bridge. Daily limit 1 salmon September 1 through September 30. Release chum salmon. Daily limit 6 salmon October 1 through December 15, except daily limit may contain no more than 4 adult fish and of these adults not more than one may be an adult chinook. October 1 through October 15 release chum salmon.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Above Lake Cushman, mouth to Olympic National Park boundary: June 1 through August 31 season. Selective gear rules. Trout: Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of Church Creek: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

From mouth of Church Creek to mouth of Rule Creek: Closed waters.

From mouth of Rule Creek to headwaters: Selective gear rules. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): Trout: Minimum length fourteen inches.

Skookum Lakes, North and South (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon, except December 1 through the last day in February release adult wild coho. Release adult chinook.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fish-

ing from any floating device prohibited November 1 through last day in February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Additional season March 1 through April 30 mouth to Sultan River: Selective gear rules and all species - Release all fish. Salmon: Open September 1 through December 31 mouth to Lewis Street Bridge in Monroe. Daily limit 2 salmon. Release chinook and pink salmon. Open June 16 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 2 hatchery chinook. Open September 1 through December 31 Lewis Street Bridge to Wallace River. Daily limit two salmon. Release chinook and pink salmon.

From the mouth of the Wallace River to the forks: June 1 through last day in February season, except closed June 1 to 8:00 a.m. August 1 in those waters one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds August 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit two salmon. Release chinook and pink salmon.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.

From Sunset Falls to source: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish.

Smith Creek (near North River) (Pacific County): June 1 through last day in February season, except sturgeon. Single point barbless hooks, and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an

adult wild coho. Release adult chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. Trout: Daily limit six, minimum length ten inches, no more than three over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Sturgeon: Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. Bass: Fish twelve to seventeen inches in length may be retained (~~as part of the daily limit~~). ~~(No)~~ Up to but not more than 3 bass over fifteen inches in length may be retained. Walleye: Daily limit 10 fish. No minimum size. No more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Channel catfish: No daily limit.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): April 1 through September 30 season.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: June 1 through last day in February season, except sturgeon. Selective gear rules August 1 through August 31. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 1 through December 31. Daily limit two salmon. August 1 to August 31 release all salmon except pink salmon. September 1 through December 31 release chinook and pink salmon. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: June 1 through last day in February season, except waters within the Puget Power tunnel at the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. June 1 through November 30 selective gear rules, except fishing from a floating device equipped with a motor allowed. Fishing from any floating device prohibited November 1 through last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release chinook and pink.

From Snoqualmie Falls upstream, including the North and South Forks: Selective gear rules. Trout: Minimum length ten inches. Additional November 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. All species: Release all fish.

Snow Creek (Jefferson County), including all tributaries: Closed waters.

Snyder Creek (Klickitat County): Trout: Release all trout.

Sol Duc River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Selective gear rules from the concrete pump station at the Soleduck Hatchery to the Highway 101 Bridge downstream of Snider Creek November 1 through April 30, and from the Highway 101 Bridge to Olympic National Park June 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only March 1 through November 30 from mouth to concrete pump station. Daily limit 6 fish of which no more than 2 may be adult salmon March 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. March 1 through August 31 release wild adult coho and unmarked adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or one adult chinook and one adult wild coho.

Sooes River (Suez River) (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: June 1 through August 31 season except salmon. Trout: Minimum length fourteen inches. Salmon: Open only October 9 through October 31 to fishing by juveniles only. Night closure October 9 through October 31. Terminal gear restricted to one single hook. Daily limit two coho salmon.

Bridge near hatchery residence to Salmon hatchery rack: June 1 through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), mouth to Page Creek: Closed waters.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an electric motor permitted. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): March 1 through July 31 season.

Spirit Lake (Skamania County): Closed waters.

Spokane River (Spokane County):

From SR 25 Bridge upstream to the Seven Mile Bridge, except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit five, no minimum length, no more than one over eighteen inches in length. April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Seven Mile Bridge upstream to the Monroe Street Dam: Year-round season. Selective gear rules. Trout: Daily limit one. Release wild trout. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: Selective gear rules, except fishing from a floating device equipped with a motor permitted. All species: Release all fish.

Sprague Lake (Adams/Lincoln counties):

Waters south of the lakeside edge of the reeds and waters of Cow Creek south to Danekas Road: July 1 through September 15 season. Crappie: Daily limit ten, minimum length nine inches.

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stehekin River (Chelan County), from the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fifteen inches. Release cutthroat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stetattle Creek (Whatcom County), from its mouth to mouth of Bucket Creek (one and one-half miles upstream): Closed waters.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

PROPOSED

Steves Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit two salmon. Release chinook and pink salmon.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: June 1 through last day in February season. Night closure August 1 through November 30. Selective gear rules June 1 through November 30 except fishing from a floating device equipped with a motor allowed. Game fish: June 1 through November 30 release all fish except hatchery steelhead. Trout: Minimum length fourteen inches December 1 through last day in February. Salmon: Open only September 1 through December 31. Daily limit two salmon. Release chinook and pink salmon.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. March 1 through November 30: All species: Release all fish except hatchery steelhead. April 16 through November 30 fly fishing only. December 1 through last day in February: Trout: Minimum length fourteen inches.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.

From Mt. Loop Highway Bridge above Granite Falls to source: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Suiattle River (Skagit County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream: Selective gear rules.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sultan River, North and South Forks (Snohomish County): Closed waters.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season.

Sunday Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): Closed waters.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): June 1 through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules.

Swift Reservoir (Skamania County): Last Saturday in April through October 31 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules except fishing from a floating device equipped with a motor is allowed. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Tahuya River (Mason County): Selective gear rules and release all fish except salmon. Salmon: Open only September 16 through October 31 mouth to marker one mile above North Shore Road Bridge. Daily limit 2 coho salmon.

Taneum Creek (Kittitas County): Selective gear rules.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Lake (Jefferson County): Last Saturday in April through November 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Salmon: Landlocked salmon rules apply.

Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Last Saturday in April to August 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Additional September 1 through March 30 season. Selective gear rules. All species: Release all fish.

Teanaway River, including North Fork (Kittitas County): Selective gear rules.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thornton Creek (tributary to Lake Washington) (King County): Closed waters.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): Closed waters.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County), upstream from Rimrock Lake: Closed waters: Spillway channel. June 1 through August 15 season.

Tieton River, South Fork (Yakima County): From mouth to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Tilton River (Lewis County), from mouth to West Fork: June 1 through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Salmon: Open only June 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult fish. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the posted cable boundary marker located approximately seven hundred feet upstream of the mouth: December 1 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length fourteen inches.

From the posted cable boundary marker located approximately seven hundred feet upstream of the mouth to the railroad trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: June 1 through last day in February season. June 1 through November 30, selective gear rules. Trout: Minimum length fourteen inches.

From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.

From falls upstream on North Fork: Selective gear rules. All species: Release all fish.

From dam upstream on South Fork: Selective gear rules. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

Bass: Bass 12 to 17 inches in length may be retained. Up to but not more than 3 greater than 15 inches may be retained as part of the daily limit.

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Trout: Release all steelhead. (~~Bass: No minimum or maximum size. No more than three bass over fifteen inches in length may be retained.~~) Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek June 1 through August 31 season.

South Fork: Upstream from Griffin Creek June 1 through August 31 season.

Wolf Fork: Upstream from Coates Creek June 1 through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and brown trout. Trout: Daily limit three fish.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: June 1 through November 30 season. Nonbuoyant lure restriction and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except hatchery steelhead. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release all chinook October 1 through November 30 in North Fork upstream from Kidd Valley Bridge.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. June 1 through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except hatchery steelhead.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): June 1 through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the mouth upstream to Turner Road Bridge: Additional November 1 through April 15 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Turner Road Bridge upstream to the Tucannon Hatchery Bridge: Selective gear rules June 1 through October 31. Additional season November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake: Closed waters.

From 500 feet above the Rainbow Lake intake to the Cow Camp Bridge: Selective gear rules. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): June 1 through October 31 season.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: June 1 through September 30 season. Selective gear rules. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls June 1 through October 31 season: Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. From Alpine falls upstream: Trout: Minimum size ten inches.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules.

Uncle John Creek (Mason County): Closed waters.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County): Mouth to North Shore Road Bridge. All species: Release all fish except sturgeon.

From North Shore Road Bridge to lower bridge on Old Belfair Highway: June 1 through August 15 season. Selective gear rules. All species: Release all fish except sturgeon.

From lower bridge on Old Belfair Highway upstream to watershed boundary: Selective gear rules. All species: Release all fish except sturgeon.

From watershed boundary to source, including all tributaries: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): Juveniles only.

Vance Creek (Mason County): Trout: Minimum length fourteen inches.

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department disability license only. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of the channel exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which not more than 2 may be adult fish. Release chum, adult chinook and wild adult coho.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From mouth to Highway 162 Bridge: Closed waters.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October 31 season.

Wallace River (Snohomish County):

From its mouth to 200 feet upstream of the water intake of the salmon hatchery: June 1 through last day in February season. Closed waters: From the first Burlington-Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery during the period June 1 through August 31. Fishing from any floating device prohibited November 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to mouth of Olney Creek: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Trout: Release trout April 1 through May 31. Daily limit three hatchery steelhead. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained. Additional season November 1 through April 15. All species: Barbless hooks required and release all fish except hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season. Selective gear rules except fishing from devices equipped with motors permitted. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. Trout: Release all trout. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion engine permitted.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season.

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit two coho salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washougal River (Clark County):

From mouth to bridge at Salmon Falls: June 1 through March 15 season. Nonbuoyant lure restriction, night closure and stationary gear restriction September 1 through October 31. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Salmon: Open only August 1 through March 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Upstream of Little Washougal River, release chinook October 1 through November 30.

From mouth to Mt. Norway Bridge: Additional April 16 through May 31 season. Selective gear rules. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

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Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: June 1 through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Waughop Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.

Wenaha River tributaries within Washington: June 1 through August 31 season.

Wenatchee Lake (Chelan County): Selective gear rules except fishing from a floating device equipped with a motor allowed. Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River (Chelan County):

December 1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. Whitefish gear rules apply.

West Twin River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: Nonbuoyant lure

restriction and night closure October 1 through November 30. Trout: Minimum length fourteen inches.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. Nonbuoyant lure restriction and night closure. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: Nonbuoyant lure restriction and night closure October 1 through November 30. Whitefish: Additional November 1 through January 31 season. Release all fish except whitefish.

Whitechuck River (Snohomish County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: Open year-round. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Nonbuoyant lure restriction. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through December 31 release chinook upstream from posted markers upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season except salmon and steelhead. Trout: Minimum length fourteen inches. Release trout April 1 through April 30. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. November 16 through December 31 release chinook. Salmon and steelhead: Open April 1 through June 15, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): Trout: Daily limit five, no minimum length.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Fork Creek: June 1 through March 31 season, except sturgeon. Night closure, single point barbless hooks, and stationary gear restriction August 16 through November 30 mouth to Fork Creek. November 1 through March 31 fishing from any floating device prohibited from the bridge on Willapa Road to Fork Creek.

All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than one may be a wild adult coho and not more than two may be adult chinook and not more than two may be chum.

Sturgeon: Open year-round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, nonbuoyant lure restriction and night closure. All species: Release all fish.

South Fork: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 16 through November 30. All species: Release all fish except up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Open year-round. Juveniles only. Trout: Daily limit five, no minimum length.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season, except salmon and steelhead. May 1 through June 30: Nonbuoyant lure restriction and night closure. August 1 through October 31: Nonbuoyant lure restriction. Salmon and steelhead: Open March 16 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery

upstream, including all tributaries. Night closure and non-buoyant lure restriction. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: Mainstem from four hundred feet below outlet of dam at Wishkah Rearing Ponds (formerly Mayr Bros.) to dam. Trout: Minimum length fourteen inches. Release wild cutthroat. Mouth to West Fork: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open only October 1 through November 30 from mouth to West Fork. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

From the West Fork to four hundred feet below outlet: June 1 through March 31 season. Trout: Minimum length fourteen inches.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Wood Lake (Mason County): Last Saturday in April through October 31 season.

Woodland Creek (Thurston County): Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except daily limit may contain no more than 1 wild adult coho December 1 through January 31. Release adult chinook.

7400 line bridge upstream: Selective gear rules. Additional December 1 through March 31 season. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained.

Wynoochee Reservoir (Grays Harbor County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries. Channel catfish: No daily limit.

From mouth to Prosser Dam: Chumming permitted. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to Highway 223 Bridge: Bass: No daily limit of bass under 12 inches in length. Release bass 12 to 17 inches in length. Unlawful to retain more than one bass per day greater than 17 inches in length.

From Highway 223 Bridge to 400 feet below Sunnyside Dam: Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to thirty-five hundred feet below Roza Dam: Year-round season. Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. March 1 through November 30, closed from thirty-five hundred feet below Roza Dam to Roza Dam. Trout: Minimum length twelve inches and maximum length twenty inches. Release all trout April 1 through May 31. Thirty-five hundred feet below Roza Dam to four hundred feet below Roza Dam: December 1 through last day in February season. Whitefish gear rules apply.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Selective gear rules except bait and one single point barbed hook three-sixteenths or smaller point to shank may be used December 1 through last day in February. Trout: From Roza Dam to 400 feet below Easton Dam: Release all trout. Lake Easton to the base of Keechelus Dam. Release all trout except eastern brook trout. Eastern brook trout: No daily limit and no minimum size.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Yellowjacket Ponds (Lewis County): Last Saturday in April through last day in February season. Trout: No more than one over twelve inches in length.

Yokum Lake (Pend Oreille County): Last Saturday in April through October 31 season.

WSR 04-19-119

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed September 21, 2004, 1:22 p.m.]

Original Notice.

Title of Rule and Other Identifying Information: Washington Red Raspberry Commission marketing order, chapter 16-561 WAC.

Hearing Location(s): Department of Agriculture, Natural Resources Building, 1111 Washington Street S.E., 2nd

Floor, Room 259, Olympia, WA, on October 28, 2004, at 11:00 a.m.

Date of Intended Adoption: March 25, 2005.

Submit Written Comments to: Lynn Briscoe, Commodity Commission Coordinator, P.O. Box 42560, Olympia, WA 98504, e-mail lbriscoe@agr.wa.gov, fax (360) 902-2092, by October 29, 2004, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact Rochelle Painter at (360) 902-2060, by October 21, 2004, TTY (360) 902-1996.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: After the legislature changed the authorizing law for commodity commissions, the department received a petition from the Washington Red Raspberry Commission requesting amendments to the commission's marketing order (chapter 16-561 WAC). The department has worked towards completing the commission's petition request but, due to an extremely heavy workload, this amendment process was delayed.

When making amendments to a marketing order, the department must comply with all the statutory requirements of both chapter 15.65 RCW, the commodity commission authorizing statute, and the Administrative Procedure Act, chapter 34.05 RCW. Because it has not been possible for the department to meet all the requirements of both laws within the rule-making time frames that began on March 24, 2004, this new proposed rule making is being filed.

Consistent with the March 24, 2004, rule-making filing, the proposed amendments are intended to achieve consistency with the statute, as well as, improve the readability and clarity of the marketing order. In addition, proposed amendments decrease the total number of board members from eleven to nine members and decrease the number of representative districts from four to three districts, combining District 4 with District 2. Finally, the proposal eliminates language from the marketing order that would allow the commission to adopt rules regarding grades and standards for red raspberries. The following marketing order sections are affected by the proposed amendments:

- New section WAC 16-561-005 Marketing order for Washington red raspberries—Policy statement.
- New section WAC 16-561-005 and 16-561-006, removes language relative to the establishment of grades and standards.
- New section WAC 16-561-006 Marketing order purposes.
- Amending WAC 16-561-010 Definition, 16-561-020 Red raspberry commodity board, 16-561-040 Assessments and collections and 16-561-060 Termination of the order.
- Repeal WAC 16-561-030 Marketing order purposes.
- Elimination of language that authorized the establishment of grades and/or standards for red raspberries.

To date, three public hearings have been conducted on amendments to the commission's marketing order. The department is required to conduct an additional hearing on this filing. All comments and testimony received during those previous hearings and public comment periods will

become part of the official rule file and will be taken into consideration during the decision-making process.

Reasons Supporting Proposal: The proposed amendments are intended to make the marketing order consistent with the commodity commission enabling statute, chapter 15.65 RCW, and to implement the petition received from the Washington Red Raspberry Commission in accordance with RCW 15.65.050.

Statutory Authority for Adoption: RCW 15.65.047 and chapter 34.05 RCW.

Statute Being Implemented: Chapter 15.65 RCW.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Any rule proposal that results from this rule-making process will not be adopted unless the proposed rules are also approved in a referendum of affected red raspberry producers conducted pursuant to chapter 15.65 RCW.

Name of Proponent: Washington Red Raspberry Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Lynn Briscoe, Olympia, (360) 902-2043; **Implementation and Enforcement:** Washington Red Raspberry Commission, Lynden, (360) 354-8767 and Department of Agriculture, Olympia, (360) 902-2043.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Any adoption of amendments to chapter 16-561 WAC would ultimately be determined by a referendum vote of the affected parties. A formal small business economic impact statement under chapter 19.85 RCW is not required because of the exemption granted in RCW 15.65.570(2).

A cost-benefit analysis is not required under RCW 34.05.328. The Department of Agriculture and the Washington Red Raspberry Commission are not named agencies in RCW 34.05.328 (5)(a)(i).

September 20, 2004

William E. Brookreson

Deputy Director

NEW SECTION

WAC 16-561-005 Marketing order for Washington red raspberries—Policy statement. (1) The marketing of red raspberries within this state is in the public interest. It is vital to the continued economic well-being of the citizens of this state and their general welfare that its red raspberries be properly promoted by:

(a) Enabling producers of red raspberries to help themselves in establishing orderly, fair, sound, efficient, and unhampered marketing of the red raspberries they produce; and

(b) Working towards stabilizing the agricultural industry by increasing consumption of red raspberries within the state, the nation, and internationally.

(2) That it is in the overriding public interest that support for the red raspberries industry be clearly expressed, that adequate protection be given to the industry and its activities and

operations, and that red raspberries be promoted individually, and as part of a comprehensive agricultural industry to:

(a) Enhance the reputation and image of Washington state's red raspberries.

(b) Increase the sale and use of Washington state's red raspberries in local, domestic, and foreign markets.

(c) Protect the public by educating the public in reference to the quality, care, and methods used in the production of Washington state's red raspberries.

(d) Increase the knowledge of the health-giving qualities and dietetic value of Washington state's red raspberries and products.

(e) Support and engage in programs or activities that benefit the planting, production, harvesting, handling, processing, marketing, and uses of red raspberries produced in Washington state.

(3) The director is authorized to implement, administer, and enforce chapter 15.65 RCW through the adoption of this marketing order.

(4) The Washington state red raspberry commodity board exists primarily for the benefit of the people of the state of Washington and its economy, and with oversight by the director, the board is authorized to speak on behalf of Washington state government with regard to red raspberries under the provisions of this marketing order.

NEW SECTION

WAC 16-561-006 Marketing order purposes. This marketing order is to promote the general welfare of the state and for the purpose of maintaining existing markets or creating new or larger local, domestic, and foreign markets; increasing production efficiency; ensuring a fair regulatory environment; or increasing per capita consumption of red raspberries grown in Washington state. The Washington state red raspberry commodity board is designated by the director to conduct the following programs in accordance with chapter 15.65 RCW:

(1) To carry out the purposes of the marketing order, the board may provide for a program in one or more of the following areas:

(a) Establish plans and conduct programs for marketing, sales, promotion, and/or other programs for maintaining present markets and/or creating new or larger markets for raspberries. Programs shall be directed toward increasing the sale of raspberries without reference to any particular brand or trade name and shall neither make use of false or unwarranted claims on behalf of raspberries nor disparage the quality, value, sale, or use of any other agricultural commodity. The board may also engage in cooperative efforts in the domestic or foreign marketing of red raspberries.

(b) Provide for research in the production, processing, irrigation, transportation, handling, and/or marketing of raspberries and expend the necessary funds for such purposes. Insofar as practicable, such research shall be carried on by experiment stations of Washington State University, but if in the judgment of the board, said experiment stations do not have the facilities for a particular project or if some other research agency has better facilities therefor, the project may

be carried out by other research agencies selected by the board.

(c) Conduct programs for the purpose of providing information and education including:

(i) Marketing information and services to affected producers, for the verification of weights, tests, and sampling of quality and quantity of raspberries purchased by handlers from affected producers;

(ii) Information and services enabling producers to meet their resource conservation objectives;

(iii) Red raspberry-related education and training.

(d) Subject to the provisions of the act, provide information and communicate on matters pertaining to the production, irrigation, processing, transportation, marketing, or uses of red raspberries produced in Washington state to any elected official or officer or employee of any agency.

(2) The director shall approve any plans, programs, and projects concerning:

(a) The establishment, issuance, effectuation, and administration of programs authorized under this section for advertising and promotion of red raspberries; and

(b) The establishment and effectuation of market research projects, market development projects, or both to the end that marketing and utilization of the affected commodity may be encouraged, expanded, improved, or made more efficient.

(3) The Washington state red raspberry commodity commission will not develop and adopt rules relating to grades and standards.

AMENDATORY SECTION (Amending Order 1888, filed 6/6/86)

WAC 16-561-010 Definition ((of terms)). Definitions for terms used in this chapter are also found in chapter 15.65 RCW, Washington State Agricultural Commodity Boards Act. For the purpose of this marketing order, the following additional definitions shall apply:

(1) "Director" means the director of agriculture of the state of Washington or his or her duly appointed representative.

(2) "Department" means the department of agriculture of the state of Washington.

(3) "Act" means the Washington State Agricultural ((Enabling Act of 1964)) Commodity Boards Act or chapter 15.65 RCW.

(4) "Person" means any ~~((person))~~ individual, firm, ((association, or)) corporation, limited liability company, trust, association, partnership, society or any other organization of individuals or any unit or agency of local or state government.

(5) "Affected producer" means any person who produces or stores in the state of Washington raspberries in commercial quantities for fresh market, for processing, or for sale to processors.

(6) "Commercial quantity" means any raspberries produced or stored in quantities of three tons (6,000 pounds) or more, in any calendar year.

(7) "Handler" means any person who acts as principal or agent or otherwise in processing, selling, marketing, storing,

freezing, or distributing raspberries not produced by him/her. "Handler" does not include a common carrier used to transport an agricultural commodity. "To handle" means to act as a handler.

(8) "Red raspberry commodity board," hereinafter referred to as "board((:))" or "commission" means the commodity board formed under the provisions of WAC 16-561-020.

(9) "Raspberries" means and includes all kinds, varieties, and hybrids of "*rubus idaeus*" of red color.

(10) "Marketing season" or "fiscal year" means the twelve-month period beginning with January 1 of any year and ending with the last day of December following, both dates being inclusive.

(11) "Producer-handler" means any person who acts both as a producer and as a handler with respect to raspberries. A producer-handler shall be deemed to be a producer with respect to the raspberries which he/she produces and a handler with respect to the raspberries which he/she handles, including those produced by himself/herself. "To produce" means to act as a producer. For the purposes of the red raspberry marketing order, "producer" shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

(12) "Affected area" means that portion of the state of Washington located west of the summit of the Cascade Mountains.

(13) "Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter, or trade.

(14) "Affected unit" means one pound net of raspberries.

AMENDATORY SECTION (Amending WSR 92-12-003, filed 5/21/92, effective 6/21/92)

WAC 16-561-020 Red raspberry commodity board.

(1) **Administration.** The provisions of this order and the applicable provisions of the act shall be administered and enforced by the board as the designee of the director.

(2) **Board membership.**

(a) The board shall consist of ~~((eleven))~~ nine members. ~~((Ten))~~ Eight members shall be affected producers appointed or elected as provided in this section. The director shall appoint one member who is neither an affected producer nor a handler to represent the ~~((department and the public))~~ director. The position representing the director shall be a voting member.

There shall be a minimum of two producer board members per district, with additional producer board members added based on acreage; using two thousand acres as the baseline, every one thousand acres, or increment thereof, would entitle a district to another board member, so long as no single district had an over-all majority of representatives.

(b) Director-appointed producer positions on the board shall be designated as position 1, position 2, position 7, and position 8.

(c) Elected producer positions on the board shall be designated as position 3, position 4, position 5, and position 6.

(d) The position representing the director who is neither an affected producer nor a handler shall be designated as position 9.

(e) For the purpose of nomination, appointment, and election of producer members of the board, the affected area shall be that portion of the state of Washington located west of the summit of the Cascade Mountains and shall be divided into ~~((four))~~ three representative districts as follows:

(i) District I shall have four board members, being positions 2, 3, 4, and 8, and shall be Whatcom County.

(ii) District II shall have two board members, being positions 1~~((;))~~ and ~~((7))~~ 6, and shall include the counties of Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pierce, San Juan, Skagit, Snohomish, and Thurston.

(iii) District III shall have two board members, being positions 5 and ~~((9))~~ 7, and shall include the counties of Clark, Cowlitz, Lewis, Pacific, Skamania, and Wahkiakum.

~~((iv) District IV shall have two members, being positions 6 and 10, and shall include the counties of San Juan, Skagit, and Snohomish.))~~

(3) Board membership qualifications. The ~~((affected))~~ producer members of the board ~~((shall))~~ must be practical producers of raspberries and each shall be a citizen~~((s))~~ and resident~~((s))~~ of ~~((the))~~ this state ~~((of Washington))~~, over the age of twenty-five years~~((, each of whom is and has))~~. Each producer board member must be and have been actually engaged in producing raspberries within the state of Washington for a period of five years and has, during that time, derived a substantial portion of his/her income therefrom. Producer-handlers shall be considered to be acting only as producers for purpose of appointment or election and membership on a commodity board. The qualifications of members of the board as herein set forth must continue during the terms of office.

(4) Term of office.

(a) The term of office, for members of the board shall be three years, and one-third of the membership as nearly as possible shall be elected each year. These terms shall expire on November 30.

(b) Membership positions on the board shall be designated numerically; affected producers shall have positions one through ~~((ten))~~ eight and the member ~~((appointed by))~~ representing the director, position ~~((eleven))~~ nine.

(c) The term of office for the initial board members shall be as follows:

Positions one and two - one year;

Positions three, four, five, and nine - two years;

Positions six, seven, eight, and ten~~((, and eleven))~~ - three years.

~~((No elected member of the board may serve more than two full consecutive three-year terms.))~~ The term of office for board members serving at the time of the effective date of this amended marketing order shall be as follows:

Positions one, two and eight - until November 30, 2004;

Positions three, four, and five - until November 30, 2005;

Positions six and seven - until November 30, 2006.

(e) Except for the director's representative, no appointed or elected member of the board may serve more than two full consecutive three-year terms. Any previous board member may be reelected to a qualified position after such term limits,

if at least one full three-year period has passed since the last date of the second consecutive term in office.

(f) To accomplish the transition to a commodity board structure where the director appoints a majority of the board members, the names of the currently elected board members in position 2, position 8, position 9, and position 10 shall be forwarded to the director for appointment within thirty days of the effective date of this amended marketing order. The current board members in position 9 and position 10 will be reappointed to position 1 and position 7.

(5) ~~((and election))~~ Nomination of elected or director-appointed board members. Each year the director shall call ~~((for))~~ a nomination meeting for elected or director-appointed producer board members. ~~((Such))~~ The meeting(s) shall be held at least thirty days in advance of the date set by the director for the election or advisory vote of board members.

(a) Notice of ~~((every such))~~ a nomination meeting shall be published in a newspaper of general circulation within the affected area not less than ten days in advance of the date of such meeting; and, in addition, written notice of every such meeting shall be given to all affected producers within the affected area according to the list maintained by the ~~((director pursuant to RCW 15.65.200 of the act))~~ board pursuant to RCW 15.65.295.

(b) Nonreceipt of notice by any interested person shall not invalidate the proceedings at such nomination meeting.

(c) Any qualified affected producer may be nominated orally for membership on the board at ~~((such))~~ a nomination meeting. Nominations may also be made within five days after ~~((any such))~~ the meeting by written petition filed with the director, signed by not less than five affected producers. ~~((At the inception of this order, nominations may be made at the issuance hearing.))~~

(d) When only one nominee is nominated by the affected producers for any position, RCW 15.65.250 shall apply.

(6) Election or advisory vote of board members.

~~((Members of the board shall be elected by secret mail ballot within the month of October))~~ An election or advisory vote shall be conducted by secret ballot under the supervision of the director within the month of October. Each affected producer shall be entitled to one vote. ~~((Affected producer))~~

(b) Elected members of the board shall be elected by a majority of the votes cast by the affected producers within the affected area. ~~((Each affected producer within the affected area shall be entitled to one vote.~~

~~((b))~~ If a nominee for an elected position does not receive a majority of the votes on the first ballot, a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(c) An advisory vote shall be conducted for producer board members appointed by the director under the provisions of RCW 15.65.243. The names of the two candidates receiving the most votes in the advisory vote shall be forwarded to the director for potential appointment to the board. In the event there are only two candidates nominated for a board position, an advisory vote may not be held and the candidates' names shall be forwarded to the director for potential appointment.

PROPOSED

(d) Notice of every election or advisory vote for board membership shall be published in a newspaper of general circulation within the affected area not less than ten days in advance of the date of ~~((such))~~ the election. Not less than ten days prior to every election or advisory vote for board membership, the director shall mail a ballot of the candidates to each affected producer entitled to vote whose name appears on the list of ~~((such))~~ affected producers within the affected area maintained by the ~~((director in accordance with RCW 15.65.200))~~ board pursuant to RCW 15.65.295. Any other affected producer entitled to vote may obtain a ballot by application to the director upon establishing his/her qualifications.

(e) Nonreceipt of a ballot by any affected producer shall not invalidate the election or advisory vote of any board members.

(7) Vacancies ~~((prior to election))~~.

(a) In the event of a vacancy on the board in an elected position, the remaining members shall select a qualified person to fill the unexpired term. The appointment shall be made at the board's first or second meeting after the position becomes vacant.

(b) In the event of a vacancy in a director-appointed position, the position shall be filled as specified in RCW 15.65.270.

(8) **Quorum.** A majority of the members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the board.

(9) **Board compensation.** No member of the board shall receive any salary or other compensation, but each member ~~((shall receive \$35.00 for each day in actual attendance at or traveling to and from meetings of the board or on special assignment for the board, together with travel expenses at the rates allowed state employees))~~ may be compensated in accordance with RCW 43.03.230 and shall be reimbursed for subsistence, lodging, and mileage in accordance with RCW 43.03.050 and 43.03.060, as provided for in RCW 15.65.270. The board may adopt by resolution provisions for reimbursement of actual travel expenses incurred by members and employees of the board in carrying out the provisions of this marketing order pursuant to RCW 15.65.270.

(10) **Powers and duties of the board.** The board shall have the following powers and duties:

(a) To administer, enforce, and control the provisions of this order as the designee of the director.

(b) To elect a chairman and such other officers as the board deems advisable.

(c) To employ and discharge at its discretion such personnel as the board determines necessary and proper to carry out the purpose of the order and effectuate the declared policies of the act.

(d) To pay only from monies collected as assessments or advances thereon the costs arising in connection with the formulation, issuance, administration, and enforcement of the order. Such expenses and costs may be paid by check, draft, or voucher in such form and in such manner and upon the signature of the person as the board may prescribe.

(e) To reimburse any applicant who has deposited with the director in order to defray the costs of formulating the order.

(f) To establish a "raspberry board marketing revolving fund" and such fund to be deposited in a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the board, shall be deposited as often as advisable.

(g) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, paid outs, moneys, and other financial transactions made and done pursuant to this order. Such records, books, and accounts shall be audited subject to procedures and methods lawfully prescribed by the state auditor. Such books and accounts shall be closed as of the last day of each fiscal year. A copy of such audit shall be delivered within thirty days after the completion thereof to the governor, the director, the state auditor, and the board.

(h) To require a bond of all board members and employees of the board in a position of trust in the amount the board shall deem necessary. The premium for such bond or bonds shall be paid by the board from assessments collected. Such bond shall not be necessary if any such board member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(i) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year. The board, at least sixty days prior to the beginning of its fiscal year, shall prepare and submit to the director for approval its research plan, its commodity-related education and training plan, and its budget.

(j) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the board. All records, books, and minutes of board meetings shall be kept at such headquarters.

(k) To adopt rules ~~((and regulations))~~ of a technical or administrative nature for the operation of the board, subject to the provisions of chapter 34.05 RCW (Administrative Procedure Act).

(l) To carry out the provisions of RCW 15.65.510 covering the obtaining of information necessary to effectuate the provisions of the order and the act, along with the necessary authority and procedure for obtaining such information.

(m) To bring actions or proceedings upon joining the director as a party for specific performance, restraint, injunction, or mandatory injunction against any person who violates or refuses to perform the obligations or duties imposed upon him by the act or the order.

(n) To confer with and cooperate with the legally constituted authorities of other states and of the United States for the purpose of obtaining uniformity in the administration of federal and state marketing regulations, licenses, agreements, or orders.

(o) To authorize the members of a commodity board, or their agents or designees, to participate in federal or state hearings or other proceedings concerning regulation of the manufacture, distribution, sale, or use of any pesticide as defined by RCW 15.38.030(1) or any agricultural chemical which is of use or potential use in producing the affected commodity, and may authorize the expenditure of commission funds for this purpose.

(p) To work cooperatively with other local, state, and federal agencies; universities; and national organizations for the purposes provided in this order.

(q) To enter into contracts or interagency agreements with any private or public agency, whether federal, state, or local. Personal service contracts must comply with chapter 39.29 RCW.

(r) To accept and expend or retain any gifts, bequests, contributions, or grants from private persons or private and public agencies.

(s) To enter into contracts or agreements for research in the production, irrigation, processing, transportation, marketing, use, or distribution of red raspberries.

(t) To retain in emergent situations the services of private legal counsel to conduct legal actions on behalf of the commission. The retention of a private attorney is subject to review by the office of the attorney general.

(u) To engage in appropriate fund-raising activities for the purpose of supporting activities authorized by this order.

(v) To participate in international, federal, state, and local hearings, meetings, and other proceedings relating to the production, irrigation, manufacture, regulation, transportation, distribution, sale, or use of red raspberries including activities authorized under RCW 42.17.190, including the reporting of those activities to the public disclosure commission.

(w) To maintain a list of the names and addresses of affected producers that may be compiled from information used to collect assessments under the provisions of this marketing order and data on the units of each producer's production pursuant to RCW 15.65.295. This list may be compiled from information used to collect producer assessments for a three-year period.

(x) To maintain a list of the names and addresses of persons who handle red raspberries within the affected area and data on the amount of the red raspberries handled by each person pursuant to RCW 15.65.295 for a minimum three-year period.

(y) To establish a foundation using commission funds as grant money for the purposes established in this marketing order.

(z) To carry out any other grant of authority or duty provided designees and not specifically set forth in this section.

(11) Procedures for board.

(a) The board shall hold regular meetings, at least four times annually, and such meetings shall be held in accordance with chapter 42.30 RCW (Open Public Meetings Act). Notice of the time and place of regular meetings shall be published on or before January of each year in the *Washington State Register*. Notice of any change of the meeting schedule shall be published in the *State Register* at least twenty days prior to the rescheduled meeting date.

(b) The board shall hold an annual meeting, at which time an annual report will be presented. The budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the board at least ten days prior to the meeting by written notice to each producer and by regular news service.

(c) The board shall establish by resolution, the time, place, and manner of calling special meetings of the board

with reasonable notice to the members: Provided, That the notice to a member of any special meeting may be waived by a waiver (~~thereof by each~~) from that member of the board. Notice of special meetings shall be in compliance with chapter 42.30 RCW.

AMENDATORY SECTION (Amending Order 1888, filed 6/6/86)

WAC 16-561-040 Assessments and collections. (1) Assessments.

(a) The annual assessment on all varieties of raspberries shall be one-half cent per affected unit (pound).

(b) For the purpose of collecting assessments, the board may:

(i) Require handlers to collect producer assessments from producers whose production they handle, and remit the same to the board; or

(ii) Require the person subject to the assessment to give adequate assurance or security for its payment; or

(iii) Require in the case of assessments against affected units stored in frozen condition:

(A) Cold storage facilities storing (~~such~~) the commodity to file information and reports with the commission regarding the amount of commodity in storage, the date of receipt, and the name and address of each such owner; and

(B) That (~~such~~) the commodity not be shipped from a cold storage facility until the facility has been notified by the commission that the commodity owner has paid the commission for any assessments imposed by the marketing order.

(c) Subsequent to the first sale, no affected units shall be transported, carried, shipped, sold, marketed, or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued. The foregoing shall include all affected units shipped, stored, or sold, both inside and outside the state.

(2) **Collections.** Any moneys collected or received by the board pursuant to the provisions of (~~the~~) this order during or with respect to any season or year, may be refunded on a pro rata basis at the close of (~~such~~) the season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of (~~such~~) this marketing (~~agreement~~) order, to all persons from whom such moneys were collected or received or may be carried over into and used with respect to the next succeeding season, year, or period whenever the board finds that the same will tend to effectuate such policies and purposes.

(3) **Penalties.** Any due and payable assessment herein levied in (~~such~~) a specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of (~~such~~) the assessment or (~~such~~) other sum on or before the date due, the board may, and is hereby authorized to, add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of (~~the same~~) it. In the event of fail-

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ure of such person or persons to pay any such due and payable assessment or other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent ((thereon)), and ((such)) the action shall be tried and judgment rendered as in any other cause of action for debt due and payable.

AMENDATORY SECTION (Amending Order 1478, filed 7/29/76)

WAC 16-561-060 Termination of the order. ~~((The order shall be terminated if the director finds that fifty one percent by numbers and fifty one percent by volume of production of the affected producers favor or assent such dissolution. The director may ascertain without compliance with RCW 15.65.050 through 15.65.130 of the act whether such termination is so assented to or favored whenever twenty percent by numbers and twenty percent by volume of production of the affected producers file written application with him for such termination. The termination shall not, however, become effective until the expiration of the marketing season.))~~ Termination shall be accomplished pursuant to RCW 15.65.183 through 15.65.193.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-561-030 Marketing order purposes.

**WSR 04-19-120
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed September 21, 2004, 1:24 p.m.]

Original Notice.

Title of Rule and Other Identifying Information: Washington Alfalfa Seed Commission marketing order, chapter 16-529 WAC.

Hearing Location(s): Benton Public Utilities District, Kennewick Business Office, 2721 West 10th Avenue, Kennewick, WA, on November 3, 2004, at 10:00 a.m.

Date of Intended Adoption: March 25, 2005.

Submit Written Comments to: Lynn Briscoe, Commodity Commission Coordinator, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504, e-mail lbriscoe@agr.wa.gov, fax (360) 902-2092, by November 4, 2004, at 5:00 p.m.

Assistance for Persons with Disabilities: Contact Rochelle Painter at (360) 902-2060, by October 27, 2004, TTY (360) 902-1996.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: During past legislative sessions, significant amendments were made to the Washington Alfalfa Seed Commission's enabling statute, chapter 15.65 RCW. These statutory changes prompted the proposed amendment to chapter 16-529 WAC. The proposed

amendments expand the commission's policy and purpose statements, update the definitions, update the commission member selection process, add additional power and duties to benefit the industry, update meeting and administrative procedures, and expand the commission's information and education role. These proposed amendments are intended to achieve consistency with the statute, as well as, improve the readability and clarity of the marketing order. The following marketing order sections are affected by the proposed amendments: New sections WAC 16-529-005 Marketing order for Washington alfalfa seed—Policy statement and 16-529-006 Marketing order purposes; amending WAC 16-529-010 Definitions, 16-529-030 Board membership, 16-529-040 Board membership qualifications, 16-529-050 Term of office, 16-529-060 Nomination of elected or director-appointed board members, 16-529-070 Election or advisory vote of board members, 16-529-080 Vacancies, 16-529-100 Board compensation, 16-529-110 Powers and duties of the board, 16-529-120 Procedure for board, 16-529-150 Collections, 16-529-160 Penalties, 16-529-190 Termination of the order, 16-529-200 Effective time and 16-529-300 Time, place, method for collection and remittance of assessments; and repealing WAC 16-529-130 Marketing order purposes.

Reasons Supporting Proposal: The proposed amendments are intended to make the marketing order consistent with the commodity commission enabling statute, chapter 15.65 RCW, and to implement the petition received from the Washington Alfalfa Seed Commission in accordance with RCW 15.65.050.

Statutory Authority for Adoption: RCW 51.65.047 and chapter 34.05 RCW.

Statute Being Implemented: Chapter 15.65 RCW.

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Any rule proposal that results from this rule-making process will not be adopted unless the proposed rules are also approved in a referendum of affected alfalfa seed producers conducted pursuant to chapter 15.65 RCW.

Name of Proponent: Washington Alfalfa Seed Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Lynn Briscoe, Olympia, Washington, (360) 902-2043; Implementation and Enforcement: Washington Alfalfa Seed Commission, Kennewick, Washington, (509) 585-5460 and Department of Agriculture, Olympia, Washington, (360) 902-2043.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Any adoption of amendments to chapter 16-529 WAC would ultimately be determined by a referendum vote of the affected parties. A formal small business economic impact statement under chapter 19.85 RCW is not required because of the exemption granted in RCW 15.65.570(2).

A cost-benefit analysis is not required under RCW 34.05.328. The Department of Agriculture and the Washing-

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ton Alfalfa Seed Commission are not named agencies in RCW 34.05.328 (5)(a)(i).

September 20, 2004
William E. Brookreson
Deputy Director

NEW SECTION

WAC 16-529-005 Marketing order for Washington alfalfa seed— Policy statement. (1) The marketing of alfalfa seed within this state is in the public interest. It is vital to the continued economic well-being of the citizens of this state and their general welfare that its alfalfa seed be properly promoted by:

(a) Enabling producers of alfalfa seed to help themselves in establishing orderly, fair, sound, efficient, and unhampered marketing, grading, and standardizing of the alfalfa seed they produce; and

(b) Working towards stabilizing the agricultural industry by increasing production of alfalfa seed within the state.

(2) That it is in the overriding public interest that support for the alfalfa seed industry be clearly expressed, that adequate protection be given to the industry and its activities and operations, and that alfalfa seed be promoted individually and as part of a comprehensive agricultural industry to:

(a) Enhance the reputation and image of Washington state's alfalfa seed.

(b) Increase the sale and use of Washington state's alfalfa seed in local, domestic, and foreign markets.

(c) Protect the public by educating the public in reference to the quality, care, and methods used in the production of Washington state's alfalfa seed.

(d) Increase the knowledge of the qualities and value of Washington state's alfalfa seed and products.

(e) Support and engage in programs or activities that benefit the planting, production, harvesting, handling, processing, marketing, and uses of alfalfa seed produced in Washington state.

(3) The director is authorized to implement, administer, and enforce chapter 15.65 RCW through the adoption of this marketing order.

(4) The Washington state alfalfa seed commodity board exists primarily for the benefit of the people of the state of Washington and its economy, and with oversight by the director, the board is authorized to speak on behalf of Washington state government with regard to alfalfa seed under the provisions of this marketing order.

NEW SECTION

WAC 16-529-006 Marketing order purposes. This marketing order is to promote the general welfare of the state and the Washington state alfalfa seed commodity board is designated by the director to conduct the following programs in accordance with chapter 15.65 RCW for the purpose of maintaining existing markets or creating new or larger local, domestic, and foreign markets; increasing production efficiency; ensuring a fair regulatory environment; or increasing per capita consumption of alfalfa seed grown in Washington state.

(1) To carry out the purposes of this chapter, the board shall provide for a program in one or more of the following areas:

(a) Establish plans and conduct programs for marketing, sales, promotion, and/or other programs for maintaining present markets and/or creating new or larger markets for alfalfa seed. Such programs shall be directed toward increasing the sale of alfalfa seed without reference to any particular brand or trade name and shall neither make use of false or unwarranted claims on behalf of alfalfa seed nor disparage the quality, value, sale, or use of any other agricultural commodity. The board may also engage in cooperative efforts in the domestic or foreign marketing of alfalfa seed.

(b) Provide for research in the production, harvesting, processing, irrigation, transportation, handling, and/or distribution of alfalfa seed and expend the necessary funds for such purposes. Insofar as practicable, such research shall be carried out by experiment stations of Washington State University, but if in the judgment of the board said experiment stations do not have adequate facilities for a particular project or if some other research agency has better facilities therefor, the project may be carried out by other research agencies selected by the board.

(c) Provide for collection and dissemination of information pertaining to alfalfa seed.

(d) Conduct programs for the purpose of providing information and education including:

(i) Marketing information and services for producers of alfalfa seed for the verification of grades, standards, weights, tests, and sampling of quality and quantity of alfalfa seed purchased by handlers from affected producers.

(ii) Information and services enabling producers to meet their resource conservation objectives.

(iii) Alfalfa seed-related education and training.

(e) Subject to the provisions of the act, provide information and communicate on matters pertaining to the production, irrigation, processing, transportation, marketing, or uses of alfalfa seed produced in Washington state to any elected official or officer or employee of any agency.

(2) The director shall approve any plans, programs, and projects concerning:

(a) The establishment, issuance, effectuation, and administration of programs authorized under this section for marketing and promotion of alfalfa seed.

(b) The establishment and effectuation of market research projects, market development projects, or both to the end that marketing and utilization of alfalfa seed may be encouraged, expanded, improved, or made more efficient.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-010 Definitions ((of terms)). Definitions for terms used in this chapter are also found in chapter 15.65 RCW, Washington State Agricultural Commodity Boards Act. For the purpose of this ((chapter)) marketing order, the following additional definitions shall apply:

(1) "Director" means the director of agriculture of the state of Washington or his or her duly appointed representative.

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(2) "Department" means the department of agriculture of the state of Washington.

(3) "Act" means the Washington State Agricultural ((Enabling Act of 1961)) Commodity Boards or chapter 15.65 RCW.

(4) "Person" means any ((person)) individual, firm, (association, or) corporation, limited liability company, trust, association, partnership, society or any other organization of individuals, or any unit or agency of local or state government.

(5) "Affected producer" means any person who produces any variety of alfalfa seed in the state of Washington for market in commercial quantities: Provided, That for the purpose of election and membership on the commodity board, a producer-handler shall be considered as acting only as a producer.

(6) "Commercial quantity" means all alfalfa seed produced in any calendar year by any producer.

(7) "Affected handler" means any person who acts as principal or agent or otherwise in buying, selling, marketing, or distributing alfalfa seed not grown by him/her.

(8) "Producer-handler" means any person who acts both as a producer and as a handler with respect to the alfalfa seed which he/she produces, and a handler with respect to the alfalfa seed which he/she handles, including that produced by himself/herself. "To produce" means to act as a producer. For the purposes of the alfalfa seed marketing order, "producer" shall include bailees who contract to produce or grow any agricultural product on behalf of a bailor who retains title to the seed and its resulting agricultural product or the agricultural product delivered for further production or increase.

(9) "Alfalfa seed" means the seed that is harvested from any variety of alfalfa plants.

(10) "Alfalfa seed commodity board" hereinafter referred to as "board" or "commission" means the commodity board ((or commission)) formed under the provisions of WAC 16-529-020 through 16-529-120.

(11) "Marketing season" or "fiscal year" means the twelve month period beginning with July 1 of any year and ending with June 30 of the year following, both dates being inclusive.

(12) "Affected area" means that portion of the state of Washington located east of the summit of the Cascade Mountains.

(13) "Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter, or trade.

(14) "Affected unit" means one hundred weight (cwt) of cleaned alfalfa seed as sold by an affected producer to a handler or other producer.

AMENDATORY SECTION (Amending Order 1850, filed 4/22/85, effective 6/1/85)

WAC 16-529-030 Board membership. (1) The board shall consist of eight members. Six members shall be affected producers appointed or elected as provided in WAC 16-529-020 through 16-529-120. One member shall be an affected handler ((elected)) appointed as provided in WAC 16-529-020 through 16-529-120. The director shall appoint one member of the board who is neither an affected producer nor

an affected handler to represent the ((department and the public)) director. The position representing the director shall be a voting member.

(a) Director-appointed positions on the board shall be designated as position 2, position 4, position 6, and position 7. The affected handler member of the board shall be position 7.

(b) Elected affected producer positions on the board shall be designated as position 1, position 3, and position 5.

(c) The position representing the director who is neither an affected producer nor an affected handler shall be designated as position 8.

(2) For the purpose of nomination, appointment, and election of affected producer members of the board, the affected area of the state of Washington shall be divided into three representative districts as follows:

(a) District I shall have two board members, being Positions 1 and 2, and shall include the counties of Adams, Chelan, Douglas, Ferry, Franklin, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, and Stevens.

(b) District II shall have one board member, being Position 3, and shall include the counties of Benton, Kittitas, Klickitat, and Yakima.

(c) District III shall have three board members, being Positions 4, 5, and 6, and shall include the counties of Asotin, Columbia, Garfield, Walla Walla, and Whitman.

~~((3) The handler member of the board shall be Position 7.~~

~~(4) The member of the board to be appointed by the director shall be Position 8.)~~

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-040 Board membership qualifications.

(1) The affected producer members of the board ((shall)) must be practical producers of alfalfa seed and each shall be a citizen((s)) and resident((s)) of ((the)) this state ((of Washington)), over the age of ((twenty-five)) eighteen years((; each of whom is and has)). Each affected producer board member must be and have been actually engaged in producing alfalfa seed within the state of Washington for a period of five years and has during that time derived a substantial portion of his/her income therefrom and ((who)) is not engaged in business, directly or indirectly, as a handler or other dealer.

(2) The affected handler member of the board ((shall)) must be a practical handler of alfalfa seed and shall be a citizen and resident of ((the)) this state ((of Washington)), over the age of ((twenty-five)) eighteen years((; and who is and has)). The affected handler board member must be and have been, either individually or as an officer or an employee of a corporation, firm, partnership, association, or cooperative, actually engaged in handling alfalfa seed within the state of Washington for a period of five years and has during that period derived a substantial portion of his/her income therefrom.

(3) The qualifications of members of the board must continue during their term of office.

(4) To accomplish the transition to a commodity board structure where the director appoints a majority of the board

members, the names of the currently elected board members in positions 2, 4, 6, and 7 shall be forwarded to the director for appointment within thirty days of the effective date of this amended marketing order.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-050 Term of office. (1) The term of office for members of the board shall be three years, and one-third of the membership as nearly as possible shall be appointed or elected each year.

(2) ~~((Membership positions on the board shall be designated numerically; affected producers shall have positions one through six, the affected handler shall have position seven, and the member appointed by the director, position eight.~~

(3) ~~The term of office for the initial board members shall be as follows:~~

~~Positions one and four — one year~~

~~Positions three, five, and eight — two years~~

~~Positions two, six, and seven — three years.~~

~~No))~~ Except for the director's representative, no appointed or elected member of the board may serve more than two full consecutive three-year terms.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-060 Nomination ~~((and election))~~ of elected or director-appointed board members. (1) For the purpose of nominating candidates for appointment or election to board membership, the director shall call a separate nomination meeting(~~(s)~~) of affected producers and affected handlers.

(2) Each year the director shall call ~~((for))~~ a nomination meeting(~~(s)~~) for both elected and director-appointed affected producer and affected handler board members in those districts whose board members' terms are about to expire. ~~((Such))~~ The meeting(s) shall be held at least thirty days in advance of the date set by the director for the election or advisory vote of board members.

(a) Notice of ~~((every such))~~ a nomination meeting shall be published in newspapers of general circulation within the affected district not less than ten days in advance of the date of such meeting and, in addition, written notice of every such meeting shall be given to all affected producers within such affected district, and to all handlers, according to the list maintained by the ~~((director pursuant to RCW 15.65.200 of the act))~~ board pursuant to RCW 15.65.295.

(b) Nonreceipt of notice by any interested person shall not invalidate the proceedings at such nomination meeting.

(c) Any qualified affected producer or affected handler may be nominated orally for membership on the board at ~~((such))~~ a nomination meeting(~~(s)~~). Nominations may also be made within five days after ~~((any such))~~ the nomination meeting by written petition filed with the director, signed by not less than five affected producers or affected handlers.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-070 Election or advisory vote of board members. ~~((Members of the board shall be elected by secret mail ballot within the month of June))~~ (1) An election or advisory vote shall be conducted by secret ballot under the supervision of the director within the month of June. Each affected producer and affected handler shall be entitled to one vote.

~~((Affected))~~ (2) Elected affected producer members of the board shall be elected by a majority of the votes cast by the affected producers within the affected district. ~~((Each affected producer shall be entitled to one vote. The affected handler member of the board shall be elected by a majority of votes cast by the affected handlers. Each affected handler shall be entitled to one vote.))~~

If a nominee does not receive a majority of the votes on the first ballot, a runoff election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(3) An advisory vote shall be conducted for affected producer or affected handler board members appointed by the director under the provisions of RCW 15.65.243. The names of the two candidates receiving the most votes in the advisory vote shall be forwarded to the director for potential appointment to the board. In the event there are only two candidates nominated for a board position, an advisory vote may not be held and the candidates' names shall be forwarded to the director for potential appointment.

(4) Notice of every election or advisory vote for board membership shall be published in a newspaper of general circulation within the affected district not less than ten days in advance of the date of ~~((such))~~ the election or advisory vote. Not less than ten days prior to every election or advisory vote for board membership, the director shall mail a ballot of the candidates to each affected producer and affected handler entitled to vote whose name appears upon the list of such affected producers and affected handlers as maintained by the ~~((director in accordance with RCW 15.65.200))~~ board pursuant to RCW 15.65.295. Any other affected producer or affected handler entitled to vote may obtain a ballot by application to the director upon establishing his/her qualifications.

(5) Nonreceipt of a ballot by an affected producer or affected handler shall not invalidate the election or advisory vote of any board member.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-080 Vacancies ~~((prior to election))~~. (1) In the event of a vacancy on the board in an elected position, the remaining members shall select a qualified person to fill the unexpired term. The appointment shall be made at the board's first or second meeting after the position becomes vacant.

(2) In the event of a vacancy in a director-appointed position, the position shall be filled as specified in RCW 15.65.270.

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AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

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WAC 16-529-100 Board compensation. No member of the board shall receive any salary or other compensation, but each member shall receive ~~(((\$35.00 for each day in)) an amount not to exceed the amount specified in RCW 43.03.230 for actual attendance on or ((travelling)) traveling to and from meetings of the board or on special assignment for the board, together with subsistence and ((travelling expense at the rate allowed by law to state employees)) traveling expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060: Provided, That the ((method of determining whether per diem rates or actual subsistence and lodging shall be allowed shall be determined by resolution or rule of the board in advance of the incurrence of such expenses by any board member)) board may adopt by resolution provisions for reimbursement of actual travel expenses incurred by members and employees of the board in carrying out the provisions of this marketing order pursuant to RCW 15.65.270.~~

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-110 Powers and duties of the board. The board shall have the following powers and duties:

(1) To administer, enforce, and control the provisions of this chapter as the designee of the director.

(2) To elect a chairman and such other officers as the board deems advisable.

(3) To employ and discharge at its discretion such personnel, including attorneys engaged in the private practice of law subject to the approval and supervision of the attorney general, as the board determines are necessary and proper to carry out the purpose of this chapter and effectuate the declared policies of the act.

(4) To pay only from moneys collected as assessments or advances thereon the costs arising in connection with the formulation, issuance, administration, and enforcement of this chapter. Such expenses and costs may be paid by check, draft, or voucher in such form and in such manner and upon the signature of the person as the board may prescribe.

(5) To reimburse any applicant who has deposited money with the director in order to defray the costs of formulating this chapter.

(6) To establish an "alfalfa seed revolving fund" and such fund to be deposited in a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the board, except as the amount of petty cash for each day's needs, not to exceed one hundred dollars, shall be deposited each day or as often during the days as advisable.

(7) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, collections, receipts, deposits, withdrawals, disbursements, paid outs, moneys and other financial transactions made and done pursuant to this chapter. Such records, books, and accounts shall be audited at least annually subject to procedures and methods lawfully prescribed by the state auditor. Such books and accounts shall be

closed as of the last days of each fiscal year of the ((state of Washington)) commission. A copy of such audit shall be delivered within thirty days after the completion thereof to the governor, the director, the state auditor, and the board.

(8) To require a bond of all board members and employees of the board in a position of trust in the amount the board shall deem necessary. The premium for such bond or bonds shall be paid by the board from assessments collected. Such bond shall not be necessary if any such board member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(9) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of this chapter during each fiscal year. The board, at least sixty days prior to the beginning of its fiscal year, shall prepare and submit to the director for approval its research plan, its commodity-related education and training plan, and its budget.

(10) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the board. All records, books, and minutes of board meetings shall be kept at such headquarters.

(11) To adopt rules ~~((and regulations))~~ of a technical or administrative nature for the operation of the board, subject to the provisions of chapter 34.04 RCW (Administrative Procedure Act).

(12) To carry out the provisions of RCW 15.65.510 covering the obtaining of information necessary to effectuate the provisions of this chapter and the act, along with the necessary authority and procedure for obtaining such information.

(13) To bring actions or proceedings upon joining the director as a party for specific performance, restraint, injunction, or mandatory injunction against any person who violates or refuses to perform the obligations or duties imposed upon him by the act or this chapter.

(14) To confer with and cooperate with the legally constituted authorities of other states and of the United States for the purpose of obtaining uniformity in the administration of federal and state marketing regulations, licenses, agreements, or orders.

(15) To work cooperatively with other local, state, and federal agencies; universities; and national organizations for the purposes provided in this order.

(16) To enter into contracts or interagency agreements with any private or public agency, whether federal, state, or local. Personal service contracts must comply with chapter 39.29 RCW.

(17) To accept and expend or retain any gifts, bequests, contributions, or grants from private persons or private and public agencies.

(18) To enter into contracts or agreements for research in the production, irrigation, processing, transportation, marketing, use, or distribution of alfalfa seed.

(19) To retain in emergent situations the services of private legal counsel to conduct legal actions on behalf of the commission. The retention of a private attorney is subject to review by the office of the attorney general.

(20) To engage in appropriate fund-raising activities for the purpose of supporting activities authorized by this order.

(21) To participate in international, federal, state, and local hearings, meetings, and other proceedings relating to the production, irrigation, manufacture, regulation, transportation, distribution, sale, or use of alfalfa seed including activities authorized under RCW 42.17.190, including the reporting of those activities to the public disclosure commission.

(22) To maintain a list of the names and addresses of affected producers that may be compiled from information used to collect assessments under the provisions of this marketing order and data on the value of each affected producer's production for a minimum three-year period pursuant to RCW 15.65.280.

(23) To maintain a list of the names and addresses of persons who handle alfalfa seed within the affected area and data on the amount and value of the alfalfa seed handled for a minimum three-year period by each person pursuant to RCW 15.65.280.

(24) To maintain a list of names and addresses of all affected persons who produce alfalfa seed and the amount, by unit, of alfalfa seed produced during the past three years pursuant to RCW 15.65.295.

(25) To maintain a list of all persons who handle alfalfa seed and the amount of alfalfa seed handled by each person during the past three years pursuant to RCW 15.65.295.

(26) To establish a foundation using commission funds as grant money for the purposes established in this marketing order.

(27) To carry out any other grant of authority or duty provided designees and not specifically set forth in this section.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-120 Procedures for board. (1) The board shall hold regular meetings, at least quarterly, with the time and date thereof to be fixed by resolution of the board. Notice of the time and place of regular meetings shall be published on or before January of each year in the *Washington State Register*. Notice of any change to the meeting schedule shall be published in the state register at least twenty days prior to the rescheduled meeting date.

(2) The board shall hold an annual meeting, at which time an annual report will be presented. The proposed budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the board at least ten days prior to the meeting through regular wire news services and radio, television, and press.

(3) The board shall establish by resolution, the time, place, and manner of calling special meetings with reasonable notice to the members: Provided, That the notice to a member of any special meeting may be waived by a waiver ((thereof by each)) from that member of the board. Notice for special meetings shall be in compliance with chapter 42.30 RCW.

AMENDATORY SECTION (Amending Order 5090, filed 1/24/96, effective 2/24/96)

WAC 16-529-150 Collections. Any moneys collected or received by the board pursuant to the provisions of this ~~((chapter))~~ order during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of ~~((such))~~ the marketing ~~((agreement or))~~ order to all persons from whom ~~((such))~~ moneys were collected or received, or may be carried over into and used with respect to the next succeeding season, year, or period whenever the board finds that the same will tend to effectuate such policies and purposes.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-160 Penalties. Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and this chapter, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to add to such unpaid assessment or sum an amount not exceeding ten percent of the ~~((same))~~ unpaid assessment to defray the cost of enforcing the collecting of the ~~((same))~~ assessment. In the event of failure of such person or persons to pay any ~~((such))~~ due and payable assessment or other ~~((such))~~ sum, the board may bring a civil action against ~~((such))~~ the person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent ~~((thereon))~~, and ~~((such))~~ the action shall be tried and judgment rendered as in any other cause of action for debt due and payable.

AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-190 Termination of the order. ~~((This chapter shall be terminated if the director finds that fifty one percent by numbers and fifty one percent by volume of production of the affected producers favor or assent such dissolution. The director may ascertain without compliance with RCW 15.65.050 through 15.65.130 of the act whether such termination is so assented to or favored whenever twenty percent by numbers or twenty percent by volume of production of the affected producers file written application with him for such termination. The termination shall not, however, become effective until the expiration of the marketing season.))~~ Termination shall be accomplished pursuant to RCW 15.65.183 through 15.65.193.

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AMENDATORY SECTION (Amending Order 1, filed 3/13/75, effective 7/1/75)

WAC 16-529-200 Effective time. This marketing order for alfalfa seed shall become effective after having been approved in a referendum of affected producers, by at least 51% of the affected producers of alfalfa seed having at least 65% of the volume of alfalfa seed produced, or by at least 65% of the affected producers of alfalfa seed having at least 51% of the volume of alfalfa seed produced, and after having been filed with the code reviser for not less than thirty days.

AMENDATORY SECTION (Amending Order 2, filed 10/17/75)

WAC 16-529-300 Time, place, method for collection and remittance of assessments. Effective with the 1975 crop, the following procedure is established for the collection, reporting, and remittance of assessments levied on alfalfa seed pursuant to RCW 15.65.410 and WAC ((16-529-040)) 16-529-140:

(1) All first buyers of alfalfa seed grown in the state of Washington, or the person acting on behalf of a first buyer, shall withhold the amount of assessment from their remittances to growers of such seed and transmit same to the commission not later than the last day of the calendar month following date of settlement.

(2) All producers selling alfalfa seed other than to first buyers for resale, whether selling directly or through brokers, and including all sales at retail, shall pay the amount of the assessment directly to the commission not later than the last day of the calendar month following date of settlement.

(3) To all assessments due and payable to the commission and not remitted on or before the date due, there shall be added a penalty fee of ten percent as provided in RCW 15.65.440.

(4) All remittances to the commission shall be transmitted with an official reporting form to be furnished free of charge by the commission. Said reporting form shall call for the name and address of the affected producer, the number of pounds of seed sold, the amount of assessment collected from each producer, and the name and address of the person or firm filing the report and remittance.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-529-130 Marketing order purposes.

WSR 04-19-122

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed September 21, 2004, 2:06 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-083.

Title of Rule and Other Identifying Information: Chapter 16-675 WAC, Calibration services, special inspection and testing fees, the department is proposing to amend chapter 16-675 WAC by (1) increasing the fees charged by the metrology laboratory for inspection, tolerance testing and calibration of weighing and measuring standards above the OFM fiscal growth factor; (2) increasing the fees charged for the inspection and testing of weighing or measuring devices when requested by the device owner within the OFM fiscal growth factor for fiscal year 2005 (3.03%); and (3) rewriting the language using a format that makes the rule easier to use and understand.

Hearing Location(s): Washington State Department of Agriculture, 1111 Washington Street S.E., Natural Resources Building, 2nd Floor, Conference Room 205, Olympia, WA 98504-2560, on October 27, 2004, at 2:00 p.m.

Date of Intended Adoption: November 10, 2004.

Submit Written Comments to: Henri Gonzales, P.O. Box 42560, Olympia, WA 98504-2560, e-mail hgonzales@agr.wa.gov, fax (360) 902-2094, by October 27, 2004.

Assistance for Persons with Disabilities: Contact Henri Gonzales, by October 13, 2004, TTY (360) 902-1996.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing to amend chapter 16-675 WAC by (1) increasing the fees charged by the metrology laboratory for inspection, tolerance testing and calibration of weighing and measuring standards above the OFM fiscal growth factor; (2) increasing the fees charged for the inspection and testing of weighing or measuring devices when requested by the device owner within the OFM fiscal growth factor for fiscal year 2005 (3.03%); and (3) rewriting the language using a format that makes the rule easier to use and understand. During the 2003 legislative session, the Washington state legislature authorized the Washington State Department of Agriculture to increase fees in excess of the OFM fiscal growth factor in order to ensure that fees charged for services covered the full cost of operating department programs (see chapter 25, Laws of 2003 1st sp.s. (ESSB 5404)).

Reasons Supporting Proposal: Current fee levels are not adequate to cover the costs of providing these services.

Statutory Authority for Adoption: Chapters 19.94 and 34.05 RCW.

Statute Being Implemented: Chapter 19.94 RCW.

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

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

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Jerry Buendel, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1856.

No small business economic impact statement has been prepared under chapter 19.85 RCW. RCW 19.85.030 (1)(a) requires that an agency must prepare a small business economic impact statement (SBEIS) for proposed rules that impose a more than minor cost on businesses in an industry. The department has analyzed the economic effects of the proposed fee increases and has concluded that they will not

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impose more than minor costs on the regulated industry and, therefore, a formal SBEIS is not required.

A cost-benefit analysis is not required under RCW 34.05.328. The Washington State Department of Agriculture is not a listed agency under RCW 34.05.328 (5)(a)(i).

September 21, 2004
 Mary A. Martin Toohey
 Assistant Director

NEW SECTION

WAC 16-675-015 What is the purpose of this chapter? The purpose of this chapter is to implement:

(1) RCW 19.94.216(1) and 19.94.325(2), which allows the director of the Washington state department of agriculture to establish reasonable fees for inspection, tolerance testing and calibration services performed on weights and measures standards by the metrology laboratory; and

(2) RCW 19.94.175(3), which allows the director to establish fees for inspecting and testing weighing and measuring devices when the inspections and tests are specifically requested by the device's owner.

NEW SECTION

WAC 16-675-025 What definitions apply to this chapter? The following definitions apply to this chapter.

"Calibration" means the comparison of a measurement standard or instrument with another standard or instrument to detect, correlate, report, or eliminate, by adjustment, any inaccuracy of the compared standard or instrument.

"Department" means the Washington state department of agriculture (WSDA).

"Director" means the director of the department or the director's designated representative.

"Laboratory" means the metrology laboratory operated by the department.

"Tolerance testing" means a measurement operation performed to determine whether the actual value of a standard, artifact, or instrument is within a permitted tolerance of its nominal value.

NEW SECTION

WAC 16-675-035 What condition must your weights and measures standards be in when they are submitted to the laboratory for testing or calibration? Weights and measures standards submitted to the laboratory for tolerance testing or calibration must be in a physical condition that allows the laboratory to perform the requested service.

NEW SECTION

WAC 16-675-037 Does the laboratory repair weights and measures standards brought in for testing and calibration? (1) Weights and measures standards, whose physical condition, prevents the laboratory from performing the requested service may be:

- (a) Returned to the sender at the sender's expense; or
 - (b) Repaired, if possible, by the laboratory.
- (2) When possible, the laboratory will make repairs:

- (a) At the rate of one hundred dollars per hour; and
- (b) Only after a signed written repair agreement between the department and the owner of the weights or measures standard is concluded.

(3) All repair fees charged by the laboratory are in addition to any testing or calibration fees charged by the laboratory.

NEW SECTION

WAC 16-675-045 What fees does the laboratory charge for the services it performs? The metrology laboratory charges the following fees for services performed:

Service Performed	Fee
Inspection, tolerance testing and calibration services performed at the metrology laboratory	\$100.00 per hour
Inspection, tolerance testing and calibration services performed at other than the metrology laboratory	\$100.00 per hour plus mileage and per diem at the rates established by the office of financial management (OFM) when the service is performed
Any service provided by the laboratory	Minimum one-half hour charge

NEW SECTION

WAC 16-675-055 What fees are charged when the inspecting and testing of a weighing or measuring device is specifically requested by the device's owner? The fees in the following table apply to inspecting and testing weighing or measuring devices when the inspection or test is:

- (1) Specifically requested by the device's owner or his/her representative; or
- (2) Performed on devices used by an agency or institution that receives money from the legislature or the federal government.

Weighing and Measuring Device	Inspection and/or Testing Fee
Small scales "zero to four hundred pounds capacity"	\$15.95 per scale
Intermediate scales "four hundred pounds to five thousand pounds capacity"	\$53.20 per scale
Large scales "over five thousand pounds capacity"	\$133.02 per scale
Large scales with supplemental devices	\$159.62 per scale
Railroad track scales	\$1,064.19 per scale
Liquid fuel meters with flows of less than twenty gallons per minute	\$15.95 per meter

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Weighing and Measuring Device	Inspection and/or Testing Fee
Liquid fuel meters with flows of at least twenty but not more than one hundred fifty gallons per minute	\$53.20 per meter
Fuel meters with flows over one hundred fifty gallons per minute	\$159.62 per meter
Liquid petroleum gas meters with one-inch diameter or smaller dispensers	\$53.20 per meter
Liquid petroleum gas meters with greater than one-inch diameter dispensers	\$159.62 per meter
Inspection services not covered by the above special inspection fees	\$35.91 per hour for labor and travel time (minimum one hour charge)

NEW SECTION

WAC 16-675-065 What requirements apply to testing railroad track scales in Washington state? (1) All railroad track scale owners in Washington state must provide a suitable:

- (a) Facility or facilities for testing track scales;
 - (b) Car or other device for testing track scales.
- (2) The department must use the car, device, or facility provided to test the accuracy of all track scales.
- (3) Track scale owners (railroad companies) must move the car, device, or facility to locations designated by the department without charge.
- (4) The cost of providing and maintaining the car, device, or facility must be equitably and reasonably apportioned by the department among all railroad track scale owners.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-675-010 Purpose.
- WAC 16-675-020 Definitions.
- WAC 16-675-030 Condition of submitted weights and measures.
- WAC 16-675-040 Schedule of laboratory fees.
- WAC 16-675-050 Special inspection and testing fees.
- WAC 16-675-060 Fees for railroad track scales.

**WSR 04-19-131
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
[Filed September 21, 2004, 4:14 p.m.]**

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-17-085.

Title of Rule and Other Identifying Information: WAC 388-400-0005 Who is eligible for temporary assistance for needy families? and 388-400-0025 General assistance-unemployable—General eligibility requirements.

Hearing Location(s): Blake Office Park East (behind Goodyear Courtesy Tire), Rose Room, 4500 10th Avenue S.E., Lacey, WA, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: Not earlier than October 27, 2004.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, delivery 4500 10th Avenue S.E., Lacey, WA, e-mail fernaax@dshs.wa.gov, fax (360) 664-6185, by 5:00 p.m., October 26, 2004.

Assistance for Persons with Disabilities: Contact Fred Swenson, DSHS Rules Consultant, by October 22, 2004, TTY (360) 664-6178 or (360) 664-6097.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: These rules provide an overview of rules related to temporary assistance for needy families (TANF) and general assistance - unemployable (GA-U). The changes proposed to the following rules are necessary to implement simplified reporting in October 2004 as required by SB 6411.

Reasons Supporting Proposal: These rules are necessary to implement the department's simplified reporting initiative for cash assistance, medical assistance, and the Washington Basic Food program.

The Farm Security and Rural Investment Act of 2002 provides states the option to implement simplified reporting for the food stamp program. SB 6411 (chapter 54, Laws of 2004) requires the department to implement simplified reporting for food stamps by October 31, 2004. The department plans to implement simplified reporting for cash, medical, and the Basic Food program beginning in October 2004.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, SB 6411 (chapter 54, Laws of 2004).

Statute Being Implemented: RCW 74.04.050, 74.04.-055, 74.04.057, 74.04.510, SB 6411 (chapter 54, Laws of 2004).

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

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

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Camp, Policy Analyst, 1009 College S.E., Lacey, WA 98504, (360) 725-4616.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These proposed rules do not have an economic impact on small businesses; they only affect DSHS clients by outlining the rules clients must meet

in order to be eligible for the department's cash assistance or food benefit programs.

A cost-benefit analysis is not required under RCW 34.05.328. These amendments are exempt as allowed under RCW 34.05.328 (5)(b)(vii) which states in-part, "[t]his section does not apply to . . . rules of the department of social and health services relating only to client medical or financial eligibility and rules concerning liability for care of dependents." These rules adopt federal requirements and implementation program options under Title 7 of the Code of Federal Regulations Part 273 regarding eligibility for food stamp benefits as well as requirements under Title 45 of the Code of Federal Regulations and the TANF state plan for benefits under the TANF program. The department also applies these requirements to the general assistance program.

September 15, 2004

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-15-057, filed 7/13/04, effective 8/13/04)

WAC 388-400-0005 Who is eligible for temporary assistance for needy families? (1) You can get temporary assistance for needy families (TANF), if you:

- (a) Can be in a TANF/SFA assistance unit as allowed under WAC 388-408-0015 through 388-408-0030;
- (b) Meet the citizenship/alien status requirements of WAC 388-424-0001;
- (c) Live in the state of Washington. A child must live with a caretaker relative, guardian, or custodian who meets the state residency requirements of WAC 388-468-0005;
- (d) Do not live in a public institution unless specifically allowed under RCW 74.08.025;
- (e) Meet TANF/SFA:
 - (i) Income requirements under chapter 388-450 WAC;
 - (ii) Resource requirements under chapter 388-470 WAC; and
- (iii) Transfer of property requirements under chapter 388-488 WAC.
- (f) Assign your rights to child support as required under WAC 388-422-0005;
- (g) Cooperate with the division of child support (DCS) as required under WAC 388-422-0010 by helping them:
 - (i) Prove who is the father of children applying for or getting TANF or SFA; and
 - (ii) Collect child support.
- (h) Tell us your Social Security number as required under WAC 388-476-0005;
- (i) Cooperate in a review of your eligibility as required under WAC 388-434-0005;
- (j) Cooperate in a quality assurance review as required under WAC 388-464-0001;
- (k) Participate in the WorkFirst program as required under chapter 388-310 WAC; ~~(and)~~
- (l) Report changes of circumstances as required under WAC 388-418-0005; and
- (m) Complete a six-month report and provide proof of any changes as required under WAC 388-418-0011.

(2) If you are an adult and do not have a child living with you, you must be pregnant and meet the requirements of WAC 388-462-0010.

(3) If you are an unmarried pregnant teen or teen parent:

- (a) Your living arrangements must meet the requirements of WAC 388-486-0005; and
- (b) You must attend school as required under WAC 388-486-0010.

(4) In addition to rules listed in subsection (1) of this section, a child must meet the following rules to get TANF:

(a) Meet the age requirements under WAC 388-404-0005; and

(b) Live in the home of a relative, court-ordered guardian, court-ordered custodian, or other adult acting *in loco parentis* as required under WAC 388-454-0005; or

(c) If the child lives with a parent or other adult relative that provides care for the child, that adult cannot have used up their sixty-month lifetime limit of TANF or SFA cash benefits as defined in WAC 388-484-0005.

(5) You cannot get TANF if you have been:

(a) Convicted of certain felonies and other crimes under WAC 388-442-0010; or

(b) Convicted of unlawful practices to get public assistance under WAC 388-446-0005 or 388-446-0010.

AMENDATORY SECTION (Amending WSR 04-15-057, filed 7/13/04, effective 8/13/04)

WAC 388-400-0025 Who is eligible for general assistance-unemployable ~~(General eligibility requirements)~~ **benefits?** (1) You can get general assistance-unemployable (GAU) benefits if you:

(a) ~~((You))~~ Are incapacitated as required under WAC 388-448-0010 through 388-448-0120;

(b) ~~((You))~~ Are at least eighteen years old or, if under eighteen, a member of a married couple;

(c) ~~((You))~~ Are in financial need according to GAU income and resource rules in chapters 388-450, 388-470 and 388-488 WAC;

(d) ~~((You))~~ Meet the general assistance citizenship/alien status requirements under WAC 388-424-0015(2);

(e) ~~((You))~~ Provide a Social Security number as required under WAC 388-476-0005;

(f) ~~((You))~~ Reside in the state of Washington as required under WAC 388-468-0005;

(g) ~~((You))~~ Undergo a treatment and referral assessment as provided under WAC 388-448-0130 through 388-448-0150;

(h) ~~((You))~~ Assign interim assistance as provided under WAC 388-448-0210;

(i) Report changes of circumstances as required under WAC 388-418-0005; and

(j) Complete a six-month report and provide proof of any changes as required under WAC 388-418-0011.

(2) You cannot get GAU benefits if:

(a) You are eligible for temporary assistance for needy families (TANF) benefits;

(b) You are eligible for state family assistance (SFA) benefits unless you are not eligible under WAC 388-400-0010;

(c) You have the ability to, but refuse to meet a TANF or SFA eligibility rule;

(d) You are eligible for supplemental security income (SSI) benefits;

(e) You are an ineligible spouse of an SSI recipient; or

(f) You were denied benefits or your benefits were terminated by the Social Security Administration (SSA) for failing to follow a SSI program rule or application requirement.

(3) The assistance unit will be established according to WAC 388-408-0010.

(4) You may be eligible for GAU if you reside in a public institution. A "public institution" is an institution that is supported by public funds, and a governmental unit either is responsible for it or exercises administrative control over it. Your eligibility will depend upon the type of institution you are in.

(a) If you reside in a public institution and are otherwise eligible for GAU, you may be eligible for general assistance if you are:

(i) A patient in a public medical institution; or

(ii) A patient in a public mental institution and are:

(A) Sixty-five years of age or older; or

(B) Twenty years of age or younger.

(b) You are not eligible for GAU when you are in the custody of or confined in a public institution such as a state penitentiary or county jail including placement:

(i) In a work release program; or

(ii) Outside of the institution.

WSR 04-19-138

PROPOSED RULES

HEALTH CARE AUTHORITY

(Basic Health)

[Order 04-03—Filed September 22, 2004, 7:21 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-09-008.

Title of Rule and Other Identifying Information: Basic Health coverage for health coverage tax credit eligible enrollees.

Hearing Location(s): Health Care Authority, 676 Woodland Square Loop S.E., West Wing, 3rd Floor Conference Room, Lacey, WA, on October 27, 2004, at 3:00 p.m.

Date of Intended Adoption: October 28, 2004.

Submit Written Comments to: Rosanne Reynolds, P.O. Box 42686, Olympia, WA 98504-2686, e-mail Rrey107@hca.wa.gov, fax (360) 928-2605, by October 27, 2004.

Assistance for Persons with Disabilities: Contact Nikki Johnson by October 13, 2004, TTY (888) 923-5622 or (360) 923-2805.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Implementation of health coverage tax credit enrollment through Basic Health, according to the provisions of chapter 192, Laws of 2004 (ESHB 2797).

Reasons Supporting Proposal: The 2004 legislature passed ESHB 2797, authorizing the enrollment of health cov-

erage tax credit enrollees through Basic Health, effective January 1, 2005. While these rules are not required by federal law, revisions are required in order for Basic Health to meet the federal requirements for state qualified health plans. New WAC 182-25-120 is adopted to provide information to applicants and enrollees concerning how to become a member of Basic Health while participating in the HCTC program.

Statutory Authority for Adoption: RCW 70.47.050.

Statute Being Implemented: Chapter 192, Laws of 2004.

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

Name of Proponent: Health Care Authority, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rosanne Reynolds, Lacey, Washington, (360) 923-2948.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The Health Care Authority is not required by chapter 19.85 RCW to prepare a small business economic impact statement. There will be little, if any, cost to small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to the Health Care Authority rules unless requested by the Joint Administrative Rules [Review] Committee or applied voluntarily.

September 21, 2004

Melodie Bankers

Rules Coordinator

AMENDATORY SECTION (Amending Order 02-01, filed 8/27/03, effective 10/1/03)

WAC 182-25-010 Definitions. The following definitions apply throughout these rules.

(1) "Administrator" means the administrator of the Washington state health care authority (HCA) or designee.

(2) "Appeal procedure" means a formal written procedure for resolution of problems or concerns raised by enrollees which cannot be resolved in an informal manner to the enrollee's satisfaction.

(3) "Basic health plan" (or "BHP") means the system of enrollment and payment for basic health care services administered by the administrator through managed health care systems.

(4) "BHP Plus" means the program of expanded benefits available to children through coordination between the department of social and health services (DSHS) and basic health plan. Eligibility for BHP Plus is determined by the department of social and health services, based on Medicaid eligibility criteria. To be eligible for the program children must be under age nineteen, with a family income at or below two hundred percent of federal poverty level, as defined by the United States Department of Health and Human Services. They must be Washington state residents, not eligible for Medicare, and may be required to meet additional DSHS eligibility requirements.

(5) "Co-payment" means a payment indicated in the schedule of benefits which is made by an enrollee to a health care provider or to the MHCS.

(6) "Covered services" means those services and benefits in the BHP schedule of benefits (as outlined in the member handbook issued to the enrollee, or to a subscriber on behalf of the enrollee), which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, coinsurance and deductible.

(7) "Disenrollment" means the termination of (~~covered services in~~) coverage for a BHP (~~for a subscriber and dependents, if any~~) enrollee.

(8) "Effective date of enrollment" means the first date, as established by BHP, on which an enrollee is entitled to receive covered services from the enrollee's respective managed health care system.

(9) "Dependent, as it applies to the subsidized or non-subsidized programs, means:

(a) The subscriber's lawful spouse, not legally separated, who resides with the subscriber; or

(b) The unmarried child of the subscriber or the subscriber's dependent spouse, whether by birth, adoption, legal guardianship, or placement pending adoption, who is:

(i) Younger than age nineteen, and who has not been relinquished for adoption by the subscriber or the subscriber's dependent spouse; or

(ii) Younger than age twenty-three, and a registered student at an accredited secondary school, college, university, technical college, or school of nursing, attending full time, other than during holidays, summer and scheduled breaks; or

(c) A person of any age who is incapable of self-support due to disability, and who is the unmarried child of the subscriber or the subscriber's dependent spouse, whether by birth, adoption, or legal guardianship; or

(d) An unmarried child younger than age nineteen who is residing with the subscriber under an informal guardianship agreement. For a child to be considered a dependent of the subscriber under this provision:

(i) The guardianship agreement must be signed by the child's parent;

(ii) The guardianship agreement must authorize the subscriber to obtain medical care for the child;

(iii) The subscriber must be providing at least fifty percent of the child's support; and

(iv) The child must be on the account for BHP coverage.

(10) "Eligible full-time employee" means an employee who meets all eligibility requirements in WAC 182-25-030 and who is regularly scheduled to work thirty or more hours per week for an employer. The term includes a self-employed individual (including a sole proprietor or a partner of a partnership, and may include an independent contractor) if the individual:

(a) Is regularly scheduled to work thirty hours or more per week; and

(b) Derives at least seventy-five percent of his or her income from a trade or business that is licensed to do business in Washington.

Persons covered under a health benefit plan pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1986 shall not be considered eligible employees for purposes of minimum participation requirements.

(11) "Eligible part-time employee" means an employee who meets all the criteria in subsection (10) of this section, but who is regularly scheduled to work fewer than thirty hours per week for an employer.

(12) "Employee" means one who is in the employment of an employer, as defined by RCW 50.04.080.

(13) "Employer" means an enterprise licensed to do business in Washington state, as defined by RCW 50.04.080, with employees in addition to the employer, whose wages or salaries are paid by the employer.

(14) "Enrollee" means a person who meets all applicable eligibility requirements, who is enrolled in BHP, and for whom applicable premium payments have been made.

(15) "Family" means an individual or an individual and eligible spouse (~~, if not legally separated,~~) and dependents. For purposes of eligibility determination and enrollment in (~~the plan~~) BHP, an individual cannot be a member of more than one family.

(16) "Financial sponsor" means a person, organization or other entity, approved by the administrator, that is responsible for payment of all or a designated portion of the monthly premiums on behalf of a subscriber and any dependents.

(17) "Gross family income" means total cash receipts, as defined in (a) of this subsection, before taxes, from all sources, for subscriber and dependents whether or not they are enrolled in BHP, with the exceptions noted in (b) of this subsection. An average of documented income received over a period of several months will be used for purposes of eligibility determination, unless documentation submitted confirms a change in circumstances so that an average would not be an accurate reflection of current income. A twelve-month average will be used when calculating gambling income, lump-sum payments, and income from capital gains. A twelve-month history of receipts and expenses will be required for calculating self-employment or rental income unless the applicant or enrollee has not owned the business for at least twelve months.

(a) Income includes:

(i) Wages, tips and salaries before any deductions;

(ii) Net receipts from nonfarm self-employment (receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses). In calculating net self-employment income, deductions will not be allowed for noncash-flow items such as depreciation, amortization, or business use of home, and a net loss from this calculation will not be used to offset other income sources;

(iii) Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). In calculating net self-employment income, deductions will not be allowed for noncash-flow items such as depreciation, amortization, or business use of home, and a net loss from this calculation will not be used to offset other income sources;

(iv) Periodic payments from Social Security, railroad retirement, military pension or retirement pay, military disability pensions, military disability payments, government employee pensions, private pensions, unemployment compensation, and strike benefits from union funds;

(v) One-time insurance payments other than reimbursement for a loss, periodic insurance or annuity payments, and compensation for injury other than reimbursement for medical costs, including workers' compensation;

(vi) Public assistance, alimony, child support, and military family allotments;

(vii) Work study, assistantships, or training stipends;

(viii) Dividends and interest accessible to the enrollee without a penalty for early withdrawal;

(ix) Net rental income, net royalties, and net gambling or lottery winnings;

(x) Lump sum inheritances and periodic receipts from estates or trusts; and

(xi) Net income from capital gains.

(b) Income does not include the following types of money received:

(i) Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car;

(ii) Tax refunds, gifts, loans;

(iii) Noncash receipts, such as the employer-paid or union-paid portion of health insurance or other employee fringe benefits, food or housing received in lieu of wages, the value of food and fuel produced and consumed on farms, the imputed value of rent from owner-occupied nonfarm or farm housing, goods or services received due to payments a trust makes to a third party, and such noncash benefit programs as Medicare, Medicaid, food stamps, school lunches, state supplementary payment income that is specifically dedicated to reimburse for services received, and housing assistance;

(iv) Income earned by dependent children with the exception of distributions from a corporation, partnership, or business;

(v) Income of a family member who resides in another household when such income is not available to the subscriber or dependents seeking enrollment in BHP;

(vi) College or university scholarships, grants, and fellowships;

(vii) Payments from the department of social and health services adoption support program authorized under RCW 26.33.320 and 74.13.100 through 74.13.145;

(viii) Documented child care expenses for the care of a dependent child of a subscriber may be deducted (at a rate set by the administrator and consistent with Internal Revenue Service requirements) when calculating gross family income. To qualify for this deduction:

(A) The subscriber and the spouse listed as a dependent on the account, if any, must be employed or attending school full-time during the time the child care expenses were paid; and

(B) Payment may not be paid to a parent or stepparent of the child or to a dependent child of the subscriber or his/her spouse.

(18) "Home care agency" means a private or public agency or organization that administers or provides home care services directly or through a contract arrangement to ill, disabled, or infirm persons in places of temporary or permanent residence, and is licensed by the department of social and health services (DSHS) as a home care agency. In order to qualify, the agency must be under contract with one of the following DSHS programs: Chore, Medicaid Personal Care,

Community Options Program Entry System (COPES) or Respite Care (up to level three).

(19) "Institution" means a federal, state, county, city or other government correctional or detention facility or government-funded facility where health care historically has been provided and funded through the budget of the operating agency, and includes, but is not limited to: Washington state department of corrections institutions; federal, county and municipal government jail and detention institutions; Washington state department of veterans affairs soldiers' and veterans' homes; department of social and health services state hospitals and facilities and juvenile rehabilitation institutions and group homes. An institution does not include: Educational institutions; government-funded acute health care or mental health facilities except as provided above; chemical dependency facilities; and nursing homes.

(20) "Institutionalized" means to be confined, voluntarily or involuntarily, by court order or health status, in an institution, as defined in subsection (19) of this section. This does not include persons on work release or who are residents of higher education institutions, acute health care facilities, alcohol and chemical dependency facilities, or nursing homes.

(21) "Insurance broker" or "agent" means a person who is currently licensed as a disability insurance broker or agent, according to the laws administered by the office of the insurance commissioner under chapter 48.17 RCW.

(22) "Managed health care system" (or "MHCS") means:

(a) Any health care organization (including health care providers, insurers, health care service contractors, health maintenance organizations, or any combination thereof) which has entered into a contract with the HCA to provide basic health care services; or

(b) A self-funded or self-insured method of providing insurance coverage to subsidized enrollees provided under RCW 41.05.140 and subject to the limitations under RCW 70.47.100(7).

(23) "Maternity benefits through medical assistance," also known as S-Medical, means the coordinated program between BHP and DSHS for eligible pregnant women. This program includes all Medicaid benefits, including maternity coverage. Eligible members must be at or below one hundred eighty-five percent of the federal poverty level. Eligibility for this program is determined by DSHS, based on Medicaid eligibility criteria.

(24) "Medicaid" means the Title XIX Medicaid program administered by the department of social and health services, and includes the medical care programs provided to the "categorically needy" and the "medically needy" as defined in chapter 388-503 WAC.

(25) "Medicare" means programs established by Title XVIII of Public Law 89-97, as amended, "Health Insurance for the Aged and Disabled."

(26) "Nonsubsidized enrollee" or "full premium enrollee" means an individual who enrolls in BHP, as the subscriber or dependent, and who pays or on whose behalf is paid the full costs for participation in BHP, without subsidy from the HCA.

(27) "Open enrollment" means a time period designated by the administrator during which enrollees may enroll addi-

tional dependents or apply to transfer their enrollment from one managed health care system to another.

(28) "Participating employee" means an employee of a participating employer or home care agency who has met all the eligibility requirements and has been enrolled for coverage under BHP.

(29) "Participating employer" means an employer who has been approved for enrollment in BHP as an employer group.

(30) "Preexisting condition" means any illness, injury or condition for which, in the six months immediately preceding an enrollee's effective date of enrollment in BHP:

(a) Treatment, consultation or a diagnostic test was recommended for or received by the enrollee; or

(b) Medication was prescribed or recommended for the enrollee; or

(c) Symptoms existed which would ordinarily cause a reasonably prudent individual to seek medical diagnosis, care or treatment.

(31) "Premium" means a periodic payment, (~~based upon gross family income and~~) determined under RCW 70.47.060(2), which an individual, (~~their~~) an employer (~~or~~), a financial sponsor, or other entity makes to BHP for (~~subsidized or nonsubsidized~~) enrollment in BHP.

(32) "Program" means subsidized BHP, nonsubsidized BHP, BHP Plus, (~~or~~) maternity benefits through medical assistance, or other such category of enrollment specified within this chapter.

(33) "Provider" or "health care provider" means a health care professional or institution duly licensed and accredited to provide covered services in the state of Washington.

(34) "Rate" means the amount, including administrative charges and any applicable premium and prepayment tax imposed under RCW (~~48.14.020~~) 48.14.020, negotiated by the administrator with and paid to a managed health care system, to provide BHP health care benefits to enrollees.

(35) "Schedule of benefits" means the basic health care services adopted and from time to time amended by the administrator, which an enrollee shall be entitled to receive from a managed health care system in exchange for payment of premium and applicable co-payments, as described in the member handbook.

(36) "Service area" means the geographic area served by a managed health care system as defined in its contract with HCA.

(37) "Subscriber" is a person who applies to BHP on his/her own behalf (~~and~~) or on behalf of his/her dependents, if any, who (~~meets all applicable eligibility requirements, is enrolled in BHP, and for whom the monthly premium has been paid~~) is responsible for payment of premiums and to whom BHP sends notices and communications. The subscriber may be a BHP enrollee or the spouse, parent, or guardian of an enrolled dependent and may or may not be enrolled for coverage. Notices to a subscriber and, if applicable, a financial sponsor or employer shall be considered notice to the subscriber and his/her enrolled dependents.

(38) "Subsidized enrollee" or "reduced premium enrollee" means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income does not exceed twice the federal poverty

level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA. To the extent that state funds are specifically appropriated for this purpose, with a corresponding federal match, "subsidized enrollee" also means an individual who enrolls in BHP, either as the subscriber or an eligible dependent, whose current gross family income is more than two hundred percent, but less than two hundred fifty-one percent, of the federal poverty level as adjusted for family size and determined annually by the federal Department of Health and Human Services, and who receives a premium subsidy from the HCA.

(39) "Subsidy" means the difference between the amount of periodic payment the HCA makes to a managed health care system on behalf of a subsidized enrollee, and the amount determined to be the subsidized enrollee's responsibility under RCW 70.47.060(2).

(40) "Washington state resident" or "resident," for purposes of this chapter, means a person who physically resides and maintains a residence in the state of Washington.

(a) To be considered a Washington resident, enrollees who are temporarily out of Washington state for any reason:

(i) May be required to demonstrate their intent to return to Washington state; and

(ii) May not be out of Washington state for more than three consecutive calendar months.

(b) Dependent children who meet the requirements of subsection (9)(b)(ii) of this section and are attending school out-of-state may be considered to be residents if they are out-of-state during the school year, provided their primary residence is in Washington state and they return to Washington state during breaks. Dependent children attending school out-of-state may also be required to provide proof that they pay out-of-state tuition, vote in Washington state and file their federal income taxes using a Washington state address.

(c) "Residence" may include, but is not limited to:

(i) A home the person owns or is purchasing or renting;

(ii) A shelter or other physical location where the person is staying in lieu of a home; or

(iii) Another person's home.

AMENDATORY SECTION (Amending Order 00-04, filed 12/20/00, effective 1/20/01)

WAC 182-25-030 Eligibility. (1) To be eligible for enrollment in BHP, unless otherwise specified elsewhere in this chapter, an individual must be a Washington state resident who is not:

(a) Eligible for free Medicare coverage or eligible to buy Medicare coverage; or

(b) Institutionalized at the time of enrollment.

(2) Persons not meeting these criteria, as evidenced by information submitted on the application for enrollment or otherwise obtained by BHP, will not be enrolled. An enrollee who is no longer a Washington resident, who becomes eligible for free or purchased Medicare, or who is later determined to have failed to meet BHP's eligibility criteria at the time of enrollment, will be disenrolled from the plan as provided in WAC 182-25-090. An enrollee who was not confined to an institution at the time of enrollment, who is subse-

quently confined to an institution, will not be disenrolled, provided he or she remains otherwise eligible and continues to make all premium payments when due.

(3) Eligibility for BHP Plus and maternity benefits through medical assistance is determined by DSHS, based on Medicaid eligibility criteria.

(4) For subsidized enrollment in BHP, an individual must meet the eligibility criteria in subsection (1) of this section and the definition of "subsidized enrollee" in WAC 182-25-010(38), and must pay, or have paid on his or her behalf, the monthly BHP premium.

(5) To be eligible for nonsubsidized enrollment in BHP, an individual may have any income level, must meet the eligibility criteria in subsection (1) of this section, and must pay, or have paid on their behalf, the full costs for participation in BHP, including the cost of administration, without subsidy from the HCA.

(6)(a) An individual otherwise eligible for enrollment in BHP as a subsidized enrollee may be denied enrollment if the administrator has determined that acceptance of additional enrollment would exceed limits established by the legislature, would jeopardize the orderly development of BHP, or would result in an overexpenditure of BHP funds. An individual otherwise eligible for enrollment in either the subsidized or nonsubsidized program may also be denied enrollment if no MHCS is accepting new enrollment in that program or from the geographic area where the applicant lives.

(b) If the administrator closes or limits subsidized enrollment, to the extent funding is available, BHP will continue to accept and process applications for subsidized enrollment from:

(i) ~~((Applicants who will pay the full premium, provided at least one MHCS is accepting new nonsubsidized enrollment from the geographic area where the applicant lives;~~

(ii) Children eligible for BHP Plus;

(iii) Children eligible for subsidized BHP, who were referred to DSHS for BHP Plus coverage, but were found ineligible for BHP Plus for reasons other than noncompliance;

~~((iv))~~ (ii) Employees of a home care agency group enrolled or applying for coverage under WAC 182-25-060;

~~((v))~~ (iii) Eligible individual home care providers;

~~((vi))~~ (iv) Licensed foster care workers;

~~((vii))~~ (v) Limited enrollment of new employer groups; and

~~((viii))~~ (vi) Subject to availability of funding, additional space for enrollment may be reserved for other applicants as determined by the administrator, in order to ensure continuous coverage and service for current individual and group accounts. (For example: Within established guidelines, processing routine income changes that may affect subsidy eligibility for current enrollees; adding new family members to an existing account; transferring enrollees between group and individual accounts; restoring coverage for enrollees who are otherwise eligible for continued enrollment under WAC 182-25-090 after a limited suspension of coverage due to late payment or other health care coverage; adding newly hired employees to an existing employer group; or adding new or returning members of federally rec-

ognized native American tribes to that tribe's currently approved financial sponsor group.)

(c) If the administrator has closed or limited subsidized enrollment, applicants for subsidized BHP who are not in any of the categories in (b) of this subsection may reserve space on a ~~((reservation))~~ waiting list to be processed according to the date the ~~((reservation))~~ waiting list request or application is received by BHP. When enrollment is reopened by the administrator, applicants whose names appear on the ~~((reservation))~~ waiting list will be notified by BHP of the opportunity to enroll. BHP may require new application forms and documentation from applicants on the ~~((reservation))~~ waiting list, or may contact applicants to verify continued interest in applying, prior to determining their eligibility.

AMENDATORY SECTION (Amending Order 04-05, filed 7/20/04, effective 8/20/04)

WAC 182-25-040 Enrollment in the plan. (1) Any individual applying for enrollment in BHP must submit a signed, completed BHP application for enrollment. Applications for enrollment of children under the age of eighteen must be signed by the child's parent or guardian, who shall also be held responsible for payment of premiums due on behalf of the child. If an applicant is accepted for enrollment, the applicant's signature acknowledges the applicant's obligation to pay the monthly premium in accordance with the terms and conditions identified in the member handbook. Applications for ~~((subsidized))~~ BHP Plus enrollment on behalf of children under the age of nineteen ~~((shall))~~ will be referred to the department of social and health services for Medicaid eligibility determination ~~((, unless the family chooses not to access this option)).~~

(2) Each applicant ~~((shall))~~ for subsidized enrollment or BHP Plus must list all eligible dependents ~~((to)), whether or not the dependents will~~ be enrolled, and must supply other information and documentation as required by BHP and, where applicable, DSHS medical assistance.

(a) Applicants for subsidized enrollment must provide documentation ~~((,))~~ showing the amount and sources of ~~((the applicant's))~~ their gross family income ~~((is required))~~. Income documentation ~~((will))~~ must include a copy of the applicant's most recently filed federal income tax form ~~((, and/or other documentation that shows year-to-date income,))~~ or verification of nonfiling status, and copies of pay stubs or other documents showing income for the most recent thirty days or complete calendar month as of the date of application. Applicants who were not required to file a federal income tax return may be required to provide ~~((verification of nonfiling status,))~~ other documentation showing year-to-date income. As described in WAC 182-25-010(17), BHP may use an average of documented income ~~((received over a period of several months may be required for purposes of))~~ when determining eligibility ~~((determination)).~~

(b) Applicants for subsidized or nonsubsidized enrollment must provide documentation of Washington state residence, displaying the applicant's name and current address ~~((is required))~~, for example, a copy of a current utility bill or rent receipt. Other documentation may be accepted if the applicant does not have a physical residence, for example, a

signed statement from a person or other entity who is providing temporary shelter.

(c) BHP may request additional information from applicants for purposes of establishing or verifying eligibility, premium responsibility or MHCS selection.

(d) Submission of incomplete or inaccurate information may delay or prevent an applicant's enrollment in BHP. Intentional submission of false information will result in disenrollment of the subscriber and all enrolled dependents.

(3) Each member may be enrolled in only one BHP account. Each family applying for enrollment must designate a MHCS from which the applicant and all enrolled dependents will receive covered services. All applicants from the same family who are covered under the same account must receive covered services from the same MHCS (with the exception of cases in which a subscriber who is paying for BHP coverage for his/her dependent who lives in a different service area). No applicant will be enrolled for whom designation of a MHCS has not been made as part of the application for enrollment. Procedures for the selection of MHCS are set forth in the BHP member handbook. Generally, enrollees may change from one MHCS to another only during open enrollment or if they are able to show good cause for the transfer, for example, when enrollees move to an area served by a different MHCS or where they would be billed a higher premium for their current MHCS.

(4) When a MHCS assists BHP applicants in the enrollment process, it must provide them with the toll-free number for BHP and information on all MHCS available within the applicant's county of residence and the estimated premiums for each available MHCS.

(5) If specific funding has been appropriated for that purpose, insurance brokers or agents who have met all statutory and regulatory requirements of the office of the insurance commissioner, are currently licensed through the office of the insurance commissioner, and who have completed BHP's training program, will be paid a commission for assisting eligible applicants to enroll in BHP.

(a) Individual policy commission: Subject to availability of funds, and as a pilot program, BHP will pay a one-time fee to any currently licensed insurance broker or agent who sells BHP to an eligible individual applicant if that applicant has not been a BHP member within the previous five years.

(b) Group policy commission: Subject to availability of funds, and as a pilot program, fees paid for the sale of BHP group coverage to an eligible employer will be based on the number of employees in the group for the first and second months of the group's enrollment.

(c) Insurance brokers or agents must provide the prospective applicant with the BHP toll-free information number and inform them of BHP benefits, limitations, exclusions, waiting periods, co-payments, all MHCSs available to the applicant within his/her county of residence and the estimated premium for each of them.

(d) All statutes and regulations of the office of the insurance commissioner will apply to brokers or agents who sell BHP, except they will not be required to be appointed by the MHCS.

(e) BHP will not pay renewal commissions.

(6) Except as provided in WAC 182-25-030(~~(6)~~)(7), applications for enrollment will be reviewed by BHP within thirty days of receipt and those applicants satisfying the eligibility criteria and who have provided all required information, documentation and premium payments will be notified of their effective date of enrollment.

(7)(a) Eligible applicants will be enrolled in BHP in the order in which their completed applications, including all required documentation, have been received by BHP, provided that:

(i) At least one MHCS is accepting new enrollment in the program for which the applicant is applying and from the geographic area where the applicant lives; and

(ii) The applicant also remits full payment of the first premium bill to BHP by the due date specified by BHP.

(b) In the event a (~~reservation~~) waiting list is implemented, eligible applicants will be enrolled in accordance with WAC 182-25-030(6).

(8) An open enrollment period of at least twenty consecutive days will be held annually. During this open enrollment period, enrollees may apply to enroll additional family members or to transfer their enrollment to a different MHCS, provided the MHCS selected is accepting new enrollment for the enrollee's program in the geographic area where the enrollee lives.

(9) Not all family members are required to apply for enrollment in BHP; however, any family member for whom application for enrollment is not made at the same time that other family members apply, may not subsequently enroll as a family member until the next open enrollment period, unless the subscriber has experienced a "qualifying change in family status." "Qualifying changes in family status" include:

(a) The loss of other health care coverage, for a family member who has previously waived coverage, provided BHP receives the family member's application within thirty days of the loss of other coverage, along with proof of the family member's continuous medical coverage from the date the subscriber enrolled in BHP;

(b) Marriage or assuming custody or dependency of a child or adult dependent (other than newborn or newly adopted children), provided BHP receives the new family member's application within thirty days of the change in family status; (~~or~~)

(c) Addition of an eligible newborn child or a child newly placed for adoption provided BHP receives the child's application for enrollment within sixty days of the date of birth or placement for adoption. These children may be enrolled effective from the date of birth or placement for adoption; or

(d) Addition of a family member who was not previously eligible for coverage, and who has become eligible.

(10) Subscribers must notify BHP of any changes that could affect their eligibility or subsidy or their dependents' eligibility or subsidy:

(a) Within thirty days of the end of the first month of receiving an increased income; or

(b) Within thirty days of a change other than an income change (for example, a change in family size or address).

(11) BHP will verify the continuing eligibility of subsidized enrollees through the recertification process at least

once every twelve months. Upon request of BHP, subsidized enrollees must submit evidence satisfactory to BHP, proving their continued eligibility for enrollment and for the premium subsidy they are receiving.

(a) BHP will verify income of subsidized enrollees through comparison with other state and federal agency records or other third-party sources.

(b) If the enrollee's income on record with other agencies or third-party source differs from the income the enrollee has reported to BHP, or if questions arise concerning the documentation submitted, BHP will require updated documentation from the enrollee to prove continued eligibility for the subsidy they are receiving. At that time, BHP may also require updated documentation of residence to complete the recertification process.

(c) Subsidized enrollees who have been enrolled in BHP six months or more and have not provided updated income documentation for at least six months will be required to submit new income documentation if their wage or salary income cannot be compared to an independent source for verification.

(12) In addition to verification of income, subsidized and nonsubsidized enrollees must annually submit documentation satisfactory to BHP of the following:

(a) Washington state residence;

(b) Full-time student status for dependent students age nineteen through twenty-two; and

(c) Medicare ineligibility for enrollees age sixty-five or over.

(13) For good cause such as, but not limited to, when information received indicates a change in income or a source of income the enrollee has not reported, BHP may require enrollees to provide verification required in subsections (11) and (12) of this section more frequently, regardless of the length of time since their last recertification.

(14) Enrollees who fail to comply with a recertification request will be disenrolled, according to the provisions of WAC 182-25-090 (2)(e).

(15) If, as a result of recertification, BHP determines that an enrollee has not reported income or income changes accurately, the enrollee will be subject to the provisions of WAC 182-25-085.

AMENDATORY SECTION (Amending Order 01-08, filed 9/12/02, effective 10/13/02)

WAC 182-25-080 Premiums and co-payments. (1) Subscribers or their employer or financial sponsor shall be responsible for paying the full monthly premium to BHP, on behalf of the subscriber and all enrolled dependents, according to the most current premium schedule. A third party may, with the approval of the administrator, become a financial sponsor and pay all or a designated portion of the premium on behalf of a subscriber and dependents, if any.

(2) The amount of premium due from or on behalf of a ((subscriber)) subsidized enrollee will be based upon the subscriber's gross family income, the managed health care system selected by the subscriber, rates payable to managed health care systems, and the number and ages of individuals in the subscriber's family.

(3) Once BHP has determined that an applicant and his/her dependents (if any) are eligible for enrollment, the applicant or employer or financial sponsor will be informed of the amount of the first month's premium for the applicant and his/her enrolled dependents. New enrollees will not be eligible to receive covered services on the effective date of enrollment specified by BHP unless the premium has been paid by the due date given. Thereafter, BHP will bill each subscriber or employer or financial sponsor monthly.

(4) Full payment for premiums due must be received by BHP by the date specified on the premium statement. If BHP does not receive full payment of a premium by the date specified on the premium statement, BHP shall issue a notice of delinquency to the subscriber, at the subscriber's last address on file with BHP or, in the case of group or financial sponsor coverage, to the employer or financial sponsor. If full payment is not received by the date specified in the delinquency notice, the subscriber and enrolled family members will be suspended from coverage for one month. If payment is not received by the due date on the notice of suspension, the subscriber and enrolled family members will be disenrolled effective the date of the initial suspension. If an enrollee's coverage is suspended more than two times in a twelve-month period, the enrollee will be disenrolled for nonpayment under the provisions of WAC 182-25-090(2). Partial payment of premiums due, payment which for any reason cannot be applied to the correct BHP enrollee's account, or payment by check which is not signed, cannot be processed, or is returned due to nonsufficient funds will be regarded as nonpayment.

(5) Enrollees shall be responsible for paying any required co-payment, coinsurance, or deductible directly to the provider of a covered service ((at the time of service)) or directly to the MHCS. Repeated failure to pay co-payments, coinsurance, or other cost-sharing in full on a timely basis may result in disenrollment, as provided in WAC 182-25-090(2).

AMENDATORY SECTION (Amending Order 03-05, filed 11/26/03, effective 12/27/03)

WAC 182-25-090 Disenrollment from BHP. (1) An enrollee or employer group may disenroll effective the first day of any month by giving BHP at least ten days prior notice of the intention to disenroll.

(2) BHP may disenroll any enrollee or group from BHP for good cause, which includes:

(a) Failure to meet the eligibility requirements set forth in WAC 182-25-030, 182-25-050, 182-25-060, and 182-25-070;

(b) Nonpayment of premium under the provisions of subsection (6) of this section;

(c) Changes in MHCS or program availability when the enrollee's MHCS will no longer be available to him or her and no other MHCS in the area where the enrollee lives is accepting new enrollment in the enrollee's program;

(d) Repeated failure to pay co-payments, coinsurance, or other cost-sharing in full on a timely basis;

(e) Fraud, intentional misrepresentation of information or withholding information that the enrollee knew or should

have known was material or necessary to accurately determine their eligibility or premium responsibility, failure to provide requested verification of eligibility or income, or knowingly providing false information;

(f) Abuse or intentional misconduct;

(g) Danger or threat to the safety or property of the MHCS or the health care authority or their staff, providers, patients or visitors; and

(h) Refusal to accept or follow procedures or treatment determined by a MHCS to be essential to the health of the enrollee, when the MHCS has advised the enrollee and demonstrated to the satisfaction of BHP that no professionally acceptable alternative form of treatment is available from the MHCS.

(3) In addition to being disenrolled, any enrollee who knowingly provides false information to BHP or to a participating managed health care system may be held financially responsible for any covered services fraudulently obtained through BHP.

(4) At least ten days prior to the effective date of disenrollment under subsection (2)(a) and (c) through (h) of this section, BHP will send enrollees written notice of disenrollment.

(a) The notice of disenrollment will:

(i) State the reason for the disenrollment;

(ii) State the effective date of the disenrollment;

(iii) Describe the procedures for disenrollment; and

(iv) Inform the enrollee of his or her right to appeal the disenrollment decision as set forth in WAC 182-25-100 and 182-25-105.

(b) The notice of disenrollment will be sent to both the employer or sponsor and to all members of an employer group, home care agency group or financial sponsor group that is disenrolled under these provisions. Enrollees affected by the disenrollment of a group account will be offered coverage under individual accounts. Coverage under individual accounts will not begin unless the premium for individual coverage is paid by the due date for the coverage month. A one-month break in coverage may occur for enrollees who choose to transfer to individual accounts.

(5) Enrollees covered under BHP Plus or receiving maternity benefits through medical assistance will not be disenrolled from those programs when other family members lose BHP coverage, as long as they remain eligible for those programs.

(6) Under the provisions of this subsection, BHP will suspend or disenroll enrollees and groups who do not pay their premiums when due, including amounts owed for subsidy overpayment, if any. Partial payment or payment by check which cannot be processed or is returned due to non-sufficient funds will be regarded as nonpayment.

(a) At least ten days before coverage will lapse, BHP will send a delinquency notice to each subscriber whose premium payment has not been received by the due date. The delinquency notice will include a final due date and a notice that BHP coverage will lapse unless payment is received by the final due date.

(b) Except as provided in (c) of this subsection, coverage will be suspended for one month if an enrollee's premium payment is not received by the final due date, as shown on the

delinquency notice. BHP will send written notice of suspension to the subscriber, which will include:

(i) The effective date of the suspension;

(ii) The due date by which payment must be received to restore coverage after the one-month suspension;

(iii) Notification that the subscriber and any enrolled dependents will be disenrolled if payment is not received by the final due date; and

(iv) Instructions for filing an appeal under WAC 182-25-105.

(c) Enrollees whose premium payment has not been received by the delinquency due date, and who have been suspended twice within the previous twelve months will be disenrolled for nonpayment as of the effective date of the third suspension.

(d) Enrollees who are suspended and do not pay the premium for the next coverage month by the due date on the notice of suspension will be immediately disenrolled and issued a notice of disenrollment, which will include:

(i) The effective date of the disenrollment; and

(ii) Instructions for filing an appeal under WAC 182-25-105.

(7)(a) Unless otherwise specified in this chapter, enrollees who voluntarily disenroll or are disenrolled from BHP may not reenroll for a period of twelve months from the date their coverage ended and until all other requirements for enrollment have been satisfied. An exception to this provision will be made for:

(i) Enrollees who left BHP for other health insurance, who are able to provide proof of continuous coverage from the date of disenrollment, and who apply to reenroll in BHP within thirty days of losing the other coverage;

(ii) Enrollees who left BHP because they lost eligibility and who subsequently become eligible to reenroll; and

(iii) Persons enrolling in subsidized BHP, who had enrolled and subsequently disenrolled from nonsubsidized BHP under subsection (1) or (2)(b) of this section while waiting on a reservation list for subsidized coverage.

(iv) Enrollees who were disenrolled by BHP because no MHCS was contracted to serve the program in which they were enrolled in the geographic area where they live; these enrollees may reenroll, provided all enrollment requirements are met, if a MHCS begins accepting enrollment for their program in their area or if they become eligible and apply for another BHP program.

(v) Enrollees who were disenrolled for failing to provide requested documentation of income or eligibility, who had attempted to comply with the request but were unable to meet the due date, and who provide all required documentation within six months of disenrollment and are eligible to reenroll.

(b) An enrollee who is required to wait twelve months for reenrollment under (a) of this subsection may not reenroll prior to the end of the required twelve-month wait. If an enrollee satisfies the required twelve-month wait after applying for subsidized coverage and while waiting to be offered coverage, enrollment will not be completed until funding is available to enroll him or her.

NEW SECTION

WAC 182-25-120 Basic health plan coverage for health coverage tax credit eligible enrollees. (1) "Health coverage tax credit eligible enrollee" or "HCTC enrollee" means an individual or qualified dependent determined by the federal Department of the Treasury to be eligible for a tax credit, as defined under RCW 70.47.020 (3) and (4). In the event that the federal health coverage tax credit program is no longer available, HCTC enrollment in BHP will end.

(2) Eligibility for HCTC enrollment, as subscriber or dependent, is determined by the federal Health Coverage Tax Credit program. HCTC enrollees must provide proof of eligibility for HCTC enrollment, but are not required to also meet the eligibility criteria in WAC 182-25-030.

(3) Unless the enrollee has applied for, is eligible, and has enrolled as a subsidized enrollee, the monthly premium due from or on behalf of an HCTC enrollee will be the full cost charged by the MHCS for coverage, plus the administrative cost of providing BHP coverage and the premium tax under RCW 48.14.0201.

(4) HCTC enrollees may pay the full premium for coverage to BHP or, if they are claiming the HCTC advance tax credit, may pay their portion of the premium to the federal HCTC program of the Internal Revenue Service (IRS) by the date required by the IRS.

(5) With the exception of subsections (3) and (7) of this section, subsidized enrollees who are HCTC eligible will be subject to the rules for subsidized enrollees.

(6) Notice of disenrollment will be sent to the HCTC enrollees for whom the premium has not been paid. This notice will be sent prior to the month of coverage, but will not be subject to the notification requirements in WAC 182-25-090(6). If payment is received no later than the first day of the month of coverage, the enrollee's coverage for that month will be reinstated.

(7) The nine-month waiting period for treatment of pre-existing conditions will be waived for HCTC enrollees who have had three months or more of creditable coverage, as defined under Public Law 104-191, without a break in coverage of more than sixty-two consecutive days at the time of application. Subsidized enrollees who are HCTC eligible, who provide proof of that eligibility to their MHCS, will be treated as HCTC enrollees for purposes of determining whether the preexisting condition waiting period can be waived.

(8) HCTC enrollees who disenroll may return to HCTC enrollment without being subject to the provisions of WAC 182-25-090(7).

(9) Because eligibility for the HCTC program is determined by the federal HCTC program at the Internal Revenue Service, BHP will not review appeals of eligibility for the HCTC program. Instructions on appealing an HCTC eligibility determination are available through the HCTC customer contact center.

WSR 04-19-147
PROPOSED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 22, 2004, 9:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-098.

Title of Rule and Other Identifying Information: WAC 181-01-002 WEST-B exemptions.

Hearing Location(s): Professional Educator Standards Board meeting November 16 and 17, 2004, at Hotel Monaco, 1101 4th Avenue, Seattle, WA 98101, on November 16, 2004, at 11:45 a.m.

Date of Intended Adoption: November 16, 2004.

Submit Written Comments to: Professional Educator Standards Board, Old Capitol Building, 600 Washington Street South, Room 249, P.O. Box 47236, Olympia, WA 98504-7236, e-mail ebaker@ospi.wednet.edu, fax (360) 586-4548, by November 5, 2004.

Assistance for Persons with Disabilities: Contact Esther Baker, (360) 725-6577, by November 5, 2004, TTY (360) 664-3631.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The proposed rule will allow out-of-state individuals applying to a masters-degree level teacher preparation program and out-of-state certified teachers applying for Washington state residency certificate to use passing scores from the Praxis I, the Praxis I CBT computer administered test, or the CBEST in lieu of passing the WEST-B.

Reasons Supporting Proposal: The rationale for the board to establish the exemption for out-of-state applicants for certification or for masters-degree level teacher preparation programs was as follows: (1) Out-of-state applicants for certification or for masters-degree level teacher preparation programs who have already had to take a basic skills test in their state shouldn't have to take another one; and (2) out-of-state applicants for certification lack access to the WEST-B. In addition to allowing a year time extension, this also allows them to take the Praxis I, Praxis I CBT computer-administered test, or the CBEST prior to departing their home state.

Statutory Authority for Adoption: RCW 28A.410.210 (3).

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

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: WEST-B Exemptions (WAC 181-01-002) Individuals from out of state applying for a Washington state residency teaching certificate under WAC 180-79A-257 (1)(b), or individuals apply to masters-degree level teacher preparation programs residing outside of the state of Washington at time of application, in lieu of passing the WEST-B, may provide official documentation of scores on the Praxis I of 177 for the reading subtest, 176 for the mathematics subtest and 174 for the writing subtest, or scores on the Praxis I CBT computer-administered test of 325 for the reading subtest, 321 for the mathematics subtest, and 321 for the writing sub-

test, or passing scores from California or Oregon on the CBEST.

Name of Proponent: Professional Educator Standards Board, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Esther Baker, Professional Educator Standards Board, (360) 725-6277.

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

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

September 20, 2004

Esther Baker

Program Director

Teacher Assessments

AMENDATORY SECTION (Amending WSR 04-08-047, filed 4/1/04, effective 5/2/04)

WAC 181-01-002 WEST-B exemptions. Individuals from out of state applying for a Washington state residency teaching certificate under WAC 180-79A-257 (1)(b), or individuals applying to masters-degree level teacher preparation programs residing outside of the state of Washington at time of application, in lieu of passing the WEST-B, may provide official documentation of scores on the Praxis I of 177 for the reading subtest, 176 for the mathematics subtest and 174 for the writing subtest, or scores on the Praxis I CBT computer-administered test of 325 for the reading subtest, 321 for the mathematics subtest, and 321 for the writing subtest, or passing scores from California or Oregon on the CBEST.

WSR 04-19-148

PROPOSED RULES

UTILITIES AND TRANSPORTATION COMMISSION

[Docket No. TG-041349—Filed September 22, 2004, 10:09 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 04-16-120.

Title of Rule and Other Identifying Information: WAC 480-70-401 Payment options and 480-70-396 Billing, for solid waste/refuse companies. Amendments to these WACs would expand customer payment options, and allow solid waste/refuse companies to issue electronic billing to customers on request.

Hearing Location(s): Commission Hearing Room 206, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA 98504, on October 27, 2004, at 9:30 a.m.

Date of Intended Adoption: October 27, 2004.

Submit Written Comments to: Carole J. Washburn, Secretary, P.O. Box 47250, Olympia, WA 98504, e-mail Records@wutc.wa.gov, fax (360) 586-1150 (please include Docket No. TG-041349 in your communication) by October 13, 2004.

Assistance for Persons with Disabilities: Contact Ms. Mary DeYoung by October 20, 2004, TTY (360) 586-8203 or (360) 664-1133.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: At the July 28, 2004, open meeting, the commission granted exemptions from WAC 480-70-401 Payment options, to five solid waste companies to allow electronic fund transfers as an accepted method of payment. Other companies want to offer similar payment options, however, the current rule is to restrictive. WAC 480-70-396, Billing would be amended to allow companies to issue electronic billing to customers on request.

The proposed rules would (a) establish a minimum level of payment options companies must allow such as cash, certified funds (e.g., cashier check or money order) and personal checks; and (b) allow companies, upon request by the customer, to offer electronic billing.

Reasons Supporting Proposal: Allows more flexibility for companies and customers by allowing additional methods of payment and electronic billing, and may offer opportunity for cost savings.

Statutory Authority for Adoption: RCW 80.01.040, 81.04.160.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Washington Utilities and Transportation Commission, governmental.

Name of Agency Personnel Responsible for Drafting: Ms. Penny Hansen, 1300 South Evergreen Park Drive, Olympia, WA 98504, (360) 664-1242; Implementation and Enforcement: Carole J. Washburn, Secretary, 1300 South Evergreen Park Drive, Olympia, WA 98504, (360) 664-1174.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed corrections and changes to rules will not result in or impose an increase in costs. Because there will not be any increase in costs resulting from the proposed rule changes, a small business economic impact statement is not required under RCW 19.85.030(1).

A cost-benefit analysis is not required under RCW 34.05.328. The commission is not an agency to which RCW 34.05.328 applies. The proposed rule is not a significant legislative rule of the sort referenced in RCW 34.05.328(5).

September 22, 2004

Carole J. Washburn

Executive Secretary

AMENDATORY SECTION (Amending Docket No. TG-990161, General Order No. R-479, filed 3/23/01, effective 4/23/01)

WAC 480-70-396 Billing. (1) **Billing period.** A company may bill its customers for one, two, or three months of service.

(2) **Advance billing and payment delinquency dates.** The following chart defines the maximum period allowed for advance billing and the date when a bill may be considered delinquent:

PROPOSED

Billing period	Maximum advance billing period allowed	Delinquency date
One month's service (monthly)	No advance billing allowed	May not be less than twenty-one days after the date the bill is mailed
Two months' service	One month advanced billing allowed	May not be until the last day of the second month
Three months' service	Two months' advance billing allowed	May not be until the last day of the third month

(3) Bills issued to customers must clearly show the company's name and applicable registered trade name, business address, and toll-free telephone number where a customer may contact the company. Bills must also show:

(a) Account information, including:

(i) The customer's name, service address, and billing address;

(ii) Company customer identification number, if any;

(iii) The billing period;

(iv) The date the bill was mailed;

(v) The date payment is due; and

(vi) The date the bill becomes delinquent;

(b) Rate information, including:

(i) The percentage amount or minimum charge for late payments (may not exceed one percent of the unpaid balance or one dollar, whichever is greater);

(ii) All rates or charges billed to the customer, shown as separate line items on the bill (for example: Service and size of container; yardwaste service and size of container; recycling service and recycling commodity adjustment);

(iii) Other tariffed services (for example: Drive-in charges, carry-out charges, and occasional extras); and

(iv) The percentage rate and dollar amount of any government tax or fee imposed on the company and passed on directly to customers;

(c) Other information as may be directed by the commission.

(4) With the consent of the customer, a company may provide regular billings in electronic form if the bill meets all the requirements of this rule. The company must maintain a record of the customer's request, and the customer may change from electronic to printed billing upon request.

(5) If a customer initiates or terminates solid waste service within a month, monthly rates and charges must be prorated based on the number of pick-ups actually provided.

~~((5))~~ (6) The commission may allow consolidated billing for regulated and nonregulated activities.

(a) A consolidated billing must:

(i) Disclose nonregulated activity as a separate line item; and

(ii) Include a telephone number where the customer may contact the company providing the nonregulated activity.

(b) If a customer makes partial payment, a company must apply the payment to the regulated solid waste charges first.

(c) A company may not discontinue solid waste service if the customer does not pay for nonregulated services, but has paid in full for regulated solid waste service.

AMENDATORY SECTION (Amending Docket No. TG-990161, General Order No. R-479, filed 3/23/01, effective 4/23/01)

WAC 480-70-401 Payment options. ~~((A company may accept payment by cash, money order, personal check, certified check, debit card, or credit card.))~~ Companies must, at a minimum, allow the following methods of payment: Cash, certified funds (e.g., cashier check or money order), and personal checks.

Upon written notice to a customer, companies may refuse to accept personal checks when that customer has tendered two or more nonsufficient-funds checks within the last twelve months.

WSR 04-19-149

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed September 22, 2004, 10:11 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Driver training school program—Administration and enforcement.

Hearing Location(s): Highways-Licenses Building, Conference Room 413, 1125 Washington Street S.E., Olympia, WA, on October 26, 2004, at 2:00 p.m.

Date of Intended Adoption: October 27, 2004.

Submit Written Comments to: Clark J. Holloway, P.O. Box 9030, Olympia, WA 98507-9030, e-mail cholloway@dol.wa.gov, fax (360) 586-8351, by October 25, 2004.

Assistance for Persons with Disabilities: Contact Clark J. Holloway by October 25, 2004, TTY (360) 664-0116.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Establishes basic requirements governing the operations and scope of traffic safety education programs that are offered by commercial businesses and licensed by the department. Updates and makes conforming amendments to WAC 308-108-100.

Reasons Supporting Proposal: Under RCW 46.82.290(2), the department is authorized to adopt rules regarding the administration and enforcement of state laws regarding the licensing of commercial driver training schools. These proposed rules are necessary to set basic requirements necessary to ensure that driver training offered by driver training schools adequately prepares new drivers to operate motor vehicles safely.

Statutory Authority for Adoption: RCW 46.82.290.

Statute Being Implemented: Chapter 46.82 RCW.

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

Name of Proponent: Department of Licensing, governmental.

Name of Agency Personnel Responsible for Drafting: Clark Holloway, Highways-Licenses Building, Olympia, Washington, (360) 902-3846; Implementation and Enforcement: Denise Movius, Highways-Licenses Building, Olympia, Washington, (360) 902-3850.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). In addition, all businesses licensed under chapter 46.82 RCW are small businesses that are treated equally under the rules, so there is no disproportionate impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to these proposed rules under the provisions of RCW 34.05.328 (5)(a)(i).

September 22, 2004

Denise M. Movius

Assistant Director

NEW SECTION

WAC 308-108-010 Promulgation—Authority. Pursuant to RCW 46.82.290(2), this chapter is promulgated for the purpose of establishing basic requirements governing the operations and scope of traffic safety education programs that are offered by commercial businesses, and includes policies and practices for monitoring and ensuring the ongoing quality of the commercial driver training program.

NEW SECTION

WAC 308-108-020 Definitions. The definitions of this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Behind the wheel instruction" means that portion of a traffic safety education course that consists of on-street, dual-controlled vehicle operation or similar instruction given under simulated conditions. Behind the wheel instruction is characterized by driving experience.

(2) "Branch office" means a facility within a thirty-five mile radius of a driver training school's established place of business that has been approved by the department for use by the driver training school.

(3) "Classroom" means a space dedicated to and used exclusively by a driver training instructor for the instruction of students. With prior department approval, a branch office classroom may be located within a public or private library, school, community college, college or university, or a business training facility.

(4) "Classroom instruction" means that portion of a traffic safety education course that is characterized by classroom-based student instruction conducted by or under the direct supervision of a licensed instructor or licensed instructors.

(5) "Driver training school" means a commercial business offering instruction in the operation of automobiles for a fee:

(a) To any person for the purpose of securing traffic safety education prior to applying for a basic driver's license; and/or

(b) For the enhancement of an experienced driver's knowledge, skill, and ability.

(6) "Instructor-trainer" means a currently licensed instructor who has not less than one thousand hours or five years of previous experience in providing traffic safety education and who is training driving instructors.

(7) "Owner" means a person or group that has a financial interest in a driver training school.

(8) "Student" means any person enrolled in a traffic safety education course for which a fee is paid.

(9) "Traffic safety education" means a course of instruction in the operation of automobiles that consists of two phases, classroom instruction and behind the wheel instruction. Each phase must meet basic course requirements established by the department.

NEW SECTION

WAC 308-108-080 Instructor's license—Application—Background check and fingerprint check. (1) Unless waived by the department under the provisions of RCW 46.82.325(3), an applicant for an instructor's license must complete a criminal background check, including a fingerprint check, at the time of:

(a) Initial application; and

(b) A re-qualification examination required under RCW 46.82.320(1).

(2) The department shall review the instructor's license applicant's complete abstract of driving record at the time of each initial and renewal application. For purposes of RCW 46.82.330 (3)(a):

(a) A moving traffic violation is an offense listed as a moving violation in WAC 308-104-160. The department will determine the number of moving traffic violations received by an applicant within a given time period based on the date(s) that the violation(s) occurred.

(b) An alcohol-related traffic violation will be deemed to have occurred if within the three-year period immediately preceding the time of application an alcohol-related traffic incident occurred that resulted in:

(i) A conviction or finding that a traffic infraction was committed for violation of RCW 46.61.502, 46.61.503, 46.61.504, 46.61.519, 46.61.5195, 46.61.520 (1)(a), 46.61.522 (1)(b), or 46.20.5249, or a substantially similar law, administrative regulation, local law, ordinance, regulation, or resolution of a political subdivision of this state, the federal government, or any other state;

(ii) An administrative action imposed under RCW 46.20.3101;

(iii) An administrative action imposed under RCW 46.25.090 (1)(a), (b), or (e); or

(iv) Entry into a deferred prosecution agreement for an alcohol-dependency based case.

(c) A driver's license suspension, cancellation, revocation, or denial will be deemed to exist within the preceding three years if any such suspension, cancellation, revocation, or denial has been in effect at any time within the three-year period immediately preceding the time of application.

(3) The instructor's license applicant must submit satisfactory evidence of completion of the required sixty hours of

instruction in the training of drivers at time of initial application.

NEW SECTION

WAC 308-108-090 Instruction in the training of drivers. (1) The sixty-hour course of instruction in the training of drivers required under RCW 46.82.330 (3)(d) shall include instruction in driver education classroom methods and principles that prepare an instructor to provide traffic safety education as described in these rules and in state law.

(2) The instruction course must:

(a) Be provided by:

(i) An institution of higher learning accredited by the Northwest Association of Schools and Colleges or by an accrediting association recognized by the higher education board;

(ii) A licensed private vocational school as that term is defined by RCW 28C.10.020(7); or

(iii) An instructor-trainer.

(b) Consist of:

(i) Not less than twelve hours of instruction in behind the wheel teaching methods;

(ii) Not less than six hours of supervised practice behind the wheel teaching of driving techniques;

(iii) Not less than thirty hours of approved instruction in each of the following areas:

(A) Education or special education;

(B) Driver education teacher skills training;

(C) Classroom teaching techniques; and

(D) Communication skills; and

(iv) Not less than twelve hours of instruction that shall prepare the instructor to:

(A) Communicate the concepts of driving and traffic safety to others;

(B) Demonstrate educational methods, theories and concepts in teaching a driver education course, and knowledge of all aspects of the driving task;

(C) Develop instructional materials and activities that aid student learning and performance

(D) Define and describe the nature of the driving task on public highways;

(E) Establish and maintain classroom organization;

(F) Manage enrollment, student scheduling, student records, and required reports; and

(G) Plan a course of student instruction with outlines, lesson plans, and student performance evaluation tools.

(3) Not less than thirty days prior to any instructor training being conducted by an instructor-trainer, the instructor-trainer or owner of the driver training school where the instructor-trainer is employed shall submit a course curriculum for department review and approval.

(4) Any revision to the instructor training course curriculum used by an instructor-trainer must be submitted for review and approval by the department.

(5) The department may consider other academic instruction in lieu of that listed in subsection (2)(b) of this section.

(6) The department may monitor instructor education courses at any time to ensure that the instructor training requirements of this section are being satisfied.

AMENDATORY SECTION (Amending WSR 91-01-063, filed 12/14/90)

WAC 308-108-100 (~~(Driver training schools—)~~)
Place of business—Classroom space. (~~(In order to comply with the business practices relating to place of business provided for in RCW 46.82.360, a driver training school must meet the requirements of this section.)~~)

(1) (~~(No)~~) The place of business (~~(shall be established nor any business)~~) of a driver training school:

(a) Shall not be established nor any business of a driver training school conducted or solicited within one thousand feet of an office building owned or leased by the department of licensing in which examinations for driver's licenses are conducted. The distance of one thousand feet shall be measured along the public streets by the nearest route from the place of business to such building. If the department establishes an office in which examinations for driver's licenses are conducted within one thousand feet of a driver training school's existing location, the driver training school may continue operations in such location until there is a change in school ownership, or the license to operate is not renewed or is revoked for cause.

(b) Shall be regularly occupied and used exclusively for the business of giving driver instruction. Regularly occupied means that the public and the department can expect to make contact with the school owner or its staff or instructors at the main office during its business hours; and

(c) Meet all applicable requirements of chapter 46.82 RCW.

(2) A driver training school's classroom space shall:

(a) Provide sufficient seating and table or desk space for all students enrolled in each class;

(b) Be properly equipped with all other equipment necessary for student training and instruction purposes; and

(c) Use walls, partitions, or separate scheduling of classroom and office activities if the classroom shares a single space with the driver training school office in order to mitigate student distraction or disruption of the instruction.

~~((A driver training school shall have an established place of business owned, rented, or leased by the school and regularly occupied and used exclusively for the business of giving driver instruction.~~

~~(3) A driver training school established, or a driver training school establishing a new location, after July 23, 1989, shall be located in a district that is zoned for business or commercial purposes. The established place of business, branch office, or classroom or advertised address of any such driver training school shall not consist of or include a house trailer, residence, tent, temporary stand, temporary address, bus, telephone answering service if such service is the sole means of contacting the driver training school, a room or rooms in a hotel or rooming house or apartment house, or premises occupied by a single or multiple unit dwelling house. This subsection shall not be construed as limiting the authority of~~

~~local governments to grant conditional use permits or variances from zoning ordinances.))~~

NEW SECTION

WAC 308-108-110 Traffic safety education vehicles.

(1) All vehicles used for student instruction by a commercial driver training school shall:

(a) Carry a first aid kit, fire extinguisher, and emergency strobe light or reflective triangles;

(b) Pass an annual inspection meeting minimum equipment and safety criteria established by the department that has been conducted by or for the school owner; and

(c) Be used exclusively for driver training purposes at all times when student instruction is being given.

(2) Records of all traffic safety education vehicles used by a commercial driver training school shall:

(a) Be maintained at the school's primary place of business; and

(b) Include the original insurance policy or policies covering the vehicles and copies of the current vehicle registrations.

NEW SECTION

WAC 308-108-120 Administration. (1) The driver training school's license and all instructor certificates shall be posted in a conspicuous place at the location where instruction takes place. The school license must be posted before:

(a) Enrolling any students in a course of instruction;

(b) Issuing a verification of enrollment to any student; and

(c) Any classroom or behind the wheel instruction begins.

(2) Each driver training school shall adopt a written policy that includes, but is not limited to:

(a) Enrollment criteria;

(b) Student fees and student fee refunds;

(c) Course failures and course repeats; and

(d) The minimum and maximum course duration.

(3) Driver training school owners and instructors shall maintain individual student records on forms provided by the department or on substantially similar forms that have been approved by the department. Student records shall document for each student:

(a) Course attendance;

(b) Instruction starting and ending dates and times;

(c) Classroom and behind the wheel progress and time involvement or flowchart;

(d) Performance evaluation results; and

(e) The name of the instructor who provided each classroom and behind the wheel training session in which the student participated.

(4) Student records must be maintained by a driver training school for the past five years.

(5) Driver training school records, including but not limited to the school's written curriculum guide, insurance policies, collision or injury reports, traffic safety education vehicle registration records, and records of any traffic violations committed by an instructor employed by the school, must be

maintained by a driver training school for the past three years.

(6) Upon the sale or other transfer of a school by its owner, the school and student records shall be transferred to the new owner and become the property and responsibility of the new owner.

NEW SECTION

WAC 308-108-130 Inspection and review. (1) The department may require that a driver training school owner submit to an inspection or review of the school's operations and records at any time during regular business hours.

(2) Records shall be immediately available for inspection at a driver training school's primary place of business. Branch office records not immediately available for inspection must be made available for inspection within forty-eight hours following a request for review by the department.

NEW SECTION

WAC 308-108-140 Reporting requirements. All driver training school owners shall:

(1) Report to the department within thirty days any driving or traffic-related incidents involving an instructor employed by the school, including but not limited to:

(a) Conviction for a traffic violation;

(b) Finding that a traffic infraction has been committed;

(c) Entry into a deferred prosecution agreement; or

(d) Suspension, revocation, cancellation, or denial of driving privileges.

(2) Report to the department within twenty-four hours following any traffic safety education vehicle involved in a traffic collision for which an accident report must be or has been made under the provisions of RCW 46.52.030.

(3) Forward to the department a monthly report of student participation in and completion of traffic safety education courses provided by the school, including but not limited to:

(a) The start date and end date of any courses provided by the school that are completed during the reporting period, including the total number of students enrolled in each course;

(b) The names and certificate numbers of all instructors providing classroom and/or behind the wheel instruction for each course;

(c) The names and instruction permit or driver's license numbers of all students enrolled in each course, along with the issue date and identifying number of the traffic safety education certificate issued to each student upon successful completion of the course.

(4) Forward to the department a report of the annual inspection of each traffic safety education vehicle conducted under WAC 308-108-110 (1)(b). The driver training school owner must maintain a copy of the report in the school's records.

PROPOSED

NEW SECTION

WAC 308-108-150 Curriculum schedule. A driver training school may offer classroom and behind the wheel instruction to students throughout the year.

(1) Classroom and behind the wheel instruction must be complementary. This means that classroom instruction is augmented in a timely manner by behind the wheel instruction.

(2) Students under age eighteen shall complete no more than two hours of classroom instruction and no more than one hour of behind the wheel instruction and one hour of driver observation during any single day.

(3) For purposes of meeting the traffic safety education requirement of RCW 46.20.100, instruction for students under the age of eighteen must:

(a) Include not less than thirty hours of classroom instruction; and

(b) Meet the behind the wheel instruction and observation requirements of WAC 308-108-160.

(4) Classroom and behind the wheel instruction must be provided in a course that is scheduled for not less than thirty days and not more than twenty-six contiguous weeks in length.

(5) Student enrollment in a class may be open for no later than the second class session after the start date of a traffic safety education course. Once enrollment is closed, no new students may be enrolled in that traffic safety education course or participate in the classroom instruction or behind the wheel instruction and observation for that course.

NEW SECTION

WAC 308-108-160 Behind the wheel instruction and observation. Instruction provided to students under the age of eighteen must include:

(1) Behind the wheel instruction consisting of:

(a) Four or more hours of on-street behind the wheel vehicle operation under the direct supervision and direction of a licensed instructor; or

(b) Three or more hours of on-street behind the wheel vehicle operation and four or more hours of driving simulation instruction under the direct supervision and direction of a licensed instructor; and

(2) One or more hours of additional in-vehicle driver observation.

NEW SECTION

WAC 308-108-170 Ensuring student accomplishment. (1) Each driver training school must have a written curriculum guide available to each instructor and such guide shall be used for student instruction.

(2) At a minimum, all students under the age of eighteen must receive instruction according to the student curriculum as approved by the driver instructors' advisory committee.

(3) If authorized by the department in advance of their use, a driver training school and its instructors may use resource materials, learning tools, and programs in addition to student instruction given in a classroom setting.

(4) In order to satisfactorily complete a school's driver training course, all students under the age of eighteen must pass a comprehensive driving knowledge and skills test or tests meeting standards established by the department.

NEW SECTION

WAC 308-108-180 Disciplinary action—Term of license denial, suspension, or revocation—Public notice of actions taken. (1) Licensee responsibilities:

(a) School owners and instructors are responsible for knowing and complying with the requirements of chapter 46.82 RCW and rules promulgated under that chapter.

(b) Any failure to comply with these requirements may lead to disciplinary action affecting an applicant's or licensee's privileges to be licensed or to otherwise operate a commercial driver training school and/or to provide classroom and behind the wheel instruction.

(2) For purposes of consistently administering RCW 46.82.350 and 46.82.360, the department will use the following guidelines for determining the length of license denial, suspension, or revocation of a driver training school or instructor:

(a) Permanent revocation or denial of a license for conviction of a sexual offense involving a minor;

(b) Revocation or denial of a license for ten years for conviction of a felony, when the felony is related to the activity for which the person is seeking licensure;

(c) Except as otherwise provided in subsections (2)(a) and (2)(b) of this section, revocation or denial of a license for one year for conviction of a felony, crime of violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude;

(d) Revocation or denial of a license for one year for:

(i) Falsification, fraud, or deceit in connection with an original or renewal license or application;

(ii) Fraudulent business practices;

(iii) Fraud or inducement to commit fraud in order to obtain a driver's license; or

(iv) Failure to secure and maintain liability insurance;

(e) Suspension or denial of a license for not less than one hundred eighty days nor more than one year for:

(i) Allowing or conducting unlicensed classroom or behind the wheel instruction, except when under the direct supervision and in the presence of an approved instructor-trainer.

(ii) Failing to satisfactorily adhere to and utilize all required classroom and behind the wheel concepts;

(iii) Failing to maintain or submit student and school records as required by the department; or

(iv) Failing to submit to an inspection or technical assistance visit by the department;

(f) Suspension or denial of a license for ninety days for:

(i) Violating vehicle equipment and signage requirements;

(ii) Instructing a student who is not in possession of a valid instruction permit or driver's license;

(iii) Prohibited advertising;

(iv) Doing business or providing instruction in a prohibited or unlicensed location; or

(v) Instructing or training on a department of licensing driver license testing route;

(g) Suspension or denial of a license for no more than thirty days:

(i) For failing to display the school or instructor license or licenses, or the required minimum curriculum; or

(ii) For failing to satisfy the other conditions of these rules or of chapter 46.82 RCW.

(3) The department may stay all or any portion of the period of a license revocation, suspension, or denial for causes specified in subsections (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), or (2)(g) of this section, subject to such terms and conditions as shall be deemed by the department to be appropriate.

(4) The original or a facsimile of each final order imposing disciplinary action that is issued to a driver training school or any of its instructors by the department shall be conspicuously displayed immediately adjacent to the driver training school's license. The final order shall be displayed for not less than the duration of the sanction period plus the next sixty days or for one year, whichever is less.

WSR 04-19-157
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed September 22, 2004, 11:11 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-23-121.

Title of Rule and Other Identifying Information: Escrow Agent Registration Act, chapter 18.44 RCW. Examination and investigation fees and expenses—authority to retain specialists.

Hearing Location(s): Department of Financial Institutions, Boardroom, 150 Israel Road S.W., Olympia, WA 98501, on October 26, 2004, at 9:00 a.m.

Date of Intended Adoption: October 27, 2004.

Submit Written Comments to: Andrew Ledbetter, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, fax (360) 704-6970, e-mail aledbetter@dfi.wa.gov, by October 19, 2004.

Assistance for Persons with Disabilities: Contact Darlene Christianson by October 21, 2004, TDD (360) 664-8126 or (360) 902-8760.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amend WAC 208-680G-050 to implement RCW 18.44.121(5), which states that director "shall charge...an hourly audit fee." The amendment would clarify that both in-state and out-of-state escrow agents may be charged for examinations and investigations and provides detail of examination and investigation expenses. Upon adoption of this amendment, DFI plans to begin charging an hourly fee for its examinations.

The legislature intended that RCW 18.44 be interpreted and administered to protect escrow agent clients. "When read in its entirety, the Act reflects a legislative intent to protect

clients of escrow agents." *Estate of Jordan v. Hartford Accident & Indem. Co.*, 120 Wn.2d 490, 497 (1993). To that end, pursuant to RCW 18.44.410, the director "has the power and broad administrative discretion to administer and interpret this chapter to facilitate the delivery of services to citizens of this state by escrow agents." The director believes adoption of this amendment is consistent with that intent and within the power and discretion granted to her.

Summary and Explanation of Proposed Amendment: WAC 208-680G-050, as adopted in 2001, provides in subsection (1) that the director may retain attorneys, CPAs, and other professionals as examiners or investigators at the expense of the person that is the subject of the examination or investigation. The current language in subsection (2) specifically provides that the expenses for required travel and services associated with an examination or investigation outside the state are to be borne by the person examined and investigated.

The current language is potentially misleading. Subsection (1) clearly authorizes reimbursement to DFI if it hires outside professionals and specialists, but is less clear when it comes to reimbursement of the costs of examinations by DFI examiners. Similarly, subsection (2) specifically allows the reimbursement of travel related expenses for out-of-state examinations, but is silent as to in-state examinations. The proposed amendments will clarify these possible ambiguities.

Subsection (2) would be amended to clearly state that examination and investigation related expenses are to be borne by the person examined or investigated, regardless of where that person is located. New subsection (3) provides examples of the expenses for which reimbursement may be owed. Such expenses include staff time and travel expenses. The subsection requires DFI to provide an invoice detailing such expenses at a reasonable time following the investigation or examination. Payment of the invoiced amount is due within 30 days of the invoice date.

Reasons Supporting Proposal: RCW 18.44.121 states:

The director shall charge and collect the following fees as established by rule...

(5) An hourly audit fee...

In establishing these fees, the director shall set the fees at a sufficient level to defray the costs of administering this chapter.

Examination fees have not been charged to date and the other Escrow Agent Registration Act ("act") fees collected by DFI fall far short of defraying the costs of administering the act. DFI took over administration of the act on July 1, 1997. Since that date (though February 29, 2004), act-related disbursements have exceeded escrow-related revenues by over \$1.3 million. Clearly, the current fee structure does not satisfy the legislative mandate to make the escrow program self-supporting.

Effects: Amending WAC 208-680G-050 will give DFI clear authority to implement RCW 18.44.121(5) by clarifying the expenses for which DFI can seek reimbursement. Upon adoption of this rule, DFI plans to begin charging an hourly examination fee. The anticipated fee is \$62.50 per hour. As detailed in the attached small business economic impact statement, DFI initially plans to charge only for time spent on-site at the office of an escrow agent, which generally aver-

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ages about three days, and will not charge for the substantial off-site time relating to preparation, debriefing, or writing up examination findings, which generally averages about two days. Assuming DFI is able to perform sixty-six examinations per year and that it will collect \$1,500 for each exam, this rule would result in approximately \$100,000 in additional revenue for the year following adoption of the rule. (It is likely that DFI will collect less revenue as some exams may take less than three days on-site.) This revenue will help defray the costs of running the escrow program, but is not sufficient to make the program self-supporting. Additional fees and/or fee increases will be necessary in the future.

Statutory Authority for Adoption: RCW 18.44.121, [18.44].410.

Statute Being Implemented: RCW 18.44.121.

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

Name of Proponent: Department of Financial Institutions, Securities Division, governmental.

Name of Agency Personnel Responsible for Drafting: Andrew Ledbetter, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760; Implementation: Helen P. Howell, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760; and Enforcement: Martin Cordell, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Industry Description: This proposal pertains to persons subject to licensure under the Escrow Agent Registration Act, chapter 18.44 RCW. There are currently approximately one hundred eighty licensed escrow agents and three hundred eighty licensed escrow officers operating from approximately two hundred ten locations.

Escrow Agent Registration Act - Chapter 18.44 RCW: The Escrow Agent Registration Act ("act") was enacted by the legislature to protect escrow agent clients. "When read in its entirety, the act reflects a legislative intent to protect clients of escrow agents." *Estate of Jordan v. Hartford Accident & Indem. Co.*, 120 Wn.2d 490, 497 (1993). To that end, pursuant to RCW 18.44.410, the director "has the power and broad administrative discretion to administer and interpret this chapter to facilitate the delivery of services to citizens of this state by escrow agents... [and] may issue rules and regulations to govern the activities of licensed escrow agents and escrow officers."

RCW 18.44.121(6) states that the director shall charge an hourly audit fee and that in establishing fees, "the director shall set the fees at a sufficient level to defray the costs of administering this chapter."

Summary of Proposed Amendment: WAC 208-680G-050, as adopted in 2001, provides in subsection (1) that the director may retain attorneys, CPAs, and other professionals as examiners or investigators at the expense of the person that is the subject of the examination or investigation. The current language in subsection (2) specifically provides that the expenses for required travel and services associated with an examination or investigation outside the state are to be borne by the person examined and investigated.

The current language is potentially misleading. Subsection (1) clearly authorizes reimbursement to DFI if it hires outside professionals and specialists, but is less clear when it comes to reimbursement of the costs of examinations by DFI examiners. Similarly, subsection (2) specifically allows the reimbursement of travel related expenses for out-of-state examinations, but is silent as to in-state examinations. The proposed amendments will clarify these possible ambiguities.

Subsection (2) would be amended to clearly state that examination and investigation related expenses are to be borne by the person examined or investigated, regardless of where that person is located. New subsection (3) provides examples of the expenses for which reimbursement may be owed and requires DFI to provide an invoice detailing such expenses at a reasonable time following the investigation or examination. Payment of the invoiced amount is due within thirty days of the invoice date.

Opportunity for Industry Involvement in Rule Making: A CR-101 and a preliminary draft of the amended rule have been sent to all escrow agents and have been published on DFI's website. Copies have also been distributed and discussed at Escrow Commission meetings in October 2003, February 2004, and April 2004.

In April 2004, a survey was sent to all licensed escrow agents and published on DFI's website. The survey requested information concerning revenues, employees and other factors to be considered in the preparation of this SBEIS. Out of approximately one hundred eighty licensed escrow agents, thirty-seven escrow agents responded to the survey. The preliminary results of that survey were discussed at the July 2004, Escrow Commission meeting.

DFI staff also met during the rule development process with state of Washington legislative staff. DFI discussed the proposed rule and received feedback from legislative staff about concerns raised by the escrow industry and possible ways to mitigate those concerns. As a final step prior to completion of the rule proposal, DFI met in August 2004 in executive session with members of the Escrow Commission, to discuss in detail several alternatives for implementation of the proposed rule and to assess the range of impacts that each alternative might have on the industry and individual escrow agents. These meetings resulted in significant changes to DFI's plan for implementation of the proposed rule. The proposed mitigation discussed at the end of this report was a direct result of these meetings and industry involvement.

Lost Sales or Revenues: The proposed amendments to WAC 208-680G-050 will not directly affect the relations between escrow agents and their customers. Therefore, loss of sales or revenues seems unlikely.

Costs of Compliance:

Reporting and recordkeeping: The proposed amendments will not require increased reporting or recordkeeping.

Professional services: DFI does not believe that the proposed amendments will require escrow agents to retain additional professional services.

Equipment, supplies, labor, and administrative costs: DFI does not believe that the proposed amendments will require escrow agents to incur additional equipment, supplies, labor, or administrative costs.

Examination fees: DFI believes that the only significant costs of compliance resulting from these amendments will be the fees charged by DFI for examination of escrow agents. DFI will be reimbursed for the costs it incurs in examining escrow agents. Those costs consist primarily of the salaries, benefits, and other costs associated with supporting the two field examiners that perform the escrow agent examinations. DFI estimates those costs as follows:

Costs	Per Year	Notes
Salary	\$117,312	2 examiners @ Fin. Examiner 3 - midrange
Benefits	\$29,328	Calculated at 25% of salary
Travel	\$15,000	\$7,500 per examiner
Goods & Services	\$2,982	Cell phone, Blackberry, Wireless access
Total Cost	\$164,622	

Each examiner will perform an estimated thirty-three examinations per year (sixty-six examinations total). DFI estimates that an average examination will take approximately one week and involve approximately three days onsite and two days for preparation, report writing, and follow-up. Generally, larger firms will take longer to examine than smaller companies. Using the one-week exam estimate, DFI's per exam cost is therefore approximately \$2,500 (\$164,622 + 66) or \$62.50 per hour (\$2,500 + 40).

The average exam cycle will be approximately 3.18 years (two hundred ten escrow agent locations + sixty-six examinations per year), although DFI intends to employ a risk-based examination cycle under which the examination cycle for each particular escrow agent will vary from approximately yearly to once every seven years.

Survey and Mitigation: The Regulatory Fairness Act, chapter 19.85 RCW, requires an agency to assess whether the proposal will disproportionately impact "small business," which is defined as a business entity that has fifty or fewer employees. RCW 19.85.040(1) provides:

To determine whether the proposed rule will have a disproportionate impact on small businesses, the impact statement must compare the cost of compliance for small business with the cost of compliance for the 10% of businesses that are the largest businesses required to comply with the proposed

rules using one or more of the following as a basis for comparing costs:

- (a) Cost per employee;
- (b) Cost per hour of labor; or
- (c) Cost per one hundred dollars of sales.

RCW 19.85.030(2) further states:

Based upon the extent of disproportionate impact on small business identified in the statement prepared under RCW 19.85.040, the agency shall, where legal and feasible in meeting the stated objectives of the statutes upon which the rule is based, reduce the costs imposed by the rule on small businesses. Methods to reduce the costs on small businesses may include:

- (a) Reducing, modifying, or eliminating substantive regulatory requirements;
- (b) Simplifying, reducing, or eliminating recordkeeping and reporting requirements;
- (c) Reducing the frequency of inspections;
- (d) Delaying compliance timetables;
- (e) Reducing or modifying fine schedules for noncompliance; or
- (f) Any other mitigation techniques.

To gather the data necessary to comply with these statutes, DFI sent a survey to all licensed escrow agents on April 14, 2004. The survey was also published on DFI's website. By the return date of April 30, 2004, thirty-seven escrow agents responded to the survey. None of the respondents had more than fifty employees. Therefore, all respondents are "small businesses." Since no respondent indicated that it was not a small business, DFI cannot perform the comparison described in RCW 19.85.040(1) and the agency is not required to reduce the costs imposed by the rule under RCW 19.85.030(2). Nevertheless, DFI desires to minimize the impact of this proposal to the extent practicable. To that end a discussion of the survey results and DFI's plan to mitigate the impact of the rule follows.

Survey Results: A total of thirty-seven escrow agents, operating forty-two physical locations, responded to the survey. Some agents did not respond to all survey questions. The largest escrow agent responding to the survey had thirty-seven employees and approximately \$3.8 million in revenue in 2003. The smallest respondent had approximately \$70,000 in 2003 revenue and one employee. The following table summarizes the results of the survey:

	Employees	2002 Revenue	2003 Revenue	2002 Income	2003 Income	2002 Closings	2003 Closings	Trust Accts	Open Escrow Accts
Company Average - Mean	5.27	\$517,494	\$637,759	\$107,689	\$158,174	842	1,052	1.39	153
Company Average - Median	4.00	\$379,294	\$417,659	\$50,160	\$46,510	700	750	1.00	66
Average per locat.	4.64	\$443,566	\$551,575	\$92,305	\$136,799	721	910	1.22	134

Observations: The small number of companies responding to the survey makes it difficult to draw firm conclusions regarding the industry. Nevertheless, from the survey results and its understanding of the industry, DFI makes the following observations:

- Due to historically low interest rates, 2002 and 2003 were high-volume years for the escrow industry.
- An exam fee of \$2,500 would constitute approximately 0.6% of 2003 median revenue. If the exam fee is annualized over the average exam cycle (\$2,500 ÷ 3.33

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years = \$786/year annualized) the percentage drops to 0.2% of 2003 median revenue.

- Escrow agents are routinely entrusted with large amounts of money and are typically regulated only by DFI.
- In light of the risks posed by the industry, the fees discussed above appear reasonable and affordable.
- Escrow agents have not been charged for examinations previously and some agents are concerned about the potential costs of such examinations.

Proposed Mitigation: DFI intends to institute the following mitigatory measures for the first year following the adoption of the rule:

- The hourly exam fee will be \$62.50 per hour.
- The exam fee will be charged only for the time the examiner is on site.

Mitigating the fees in this manner will be advantageous to escrow agents for the following reasons:

- An escrow agent will be in a position to verify the time for which the examiner was on site. The agent will not be charged for exam time that it was not able to observe. Additionally, in not charging for off-site time, the total charge to the agent for examination will decrease, facilitating the ability of escrow agents to budget for this new cost.
- Escrow agents that are distant from Olympia will not be penalized by paying for actual travel costs.

Conclusion: Escrow agents handle millions of dollars on behalf of clients each year. DFI is typically the only entity regulating escrow agents. The Escrow Agent Registration Act was enacted to protect escrow agent clients. To effectively carry out this intent, it is necessary to have a robust field examination program. To that end, DFI has hired two dedicated, highly qualified escrow agent field examiners.

The proposed rule implements RCW 18.44.121(6), which requires the director to charge an hourly examination fee. Since examination fees have not been previously charged, the rule will have an economic impact on escrow agents. In response to the concerns raised by some agents, DFI will initially, as discussed above, mitigate the potential impact of the rule. While such mitigation is not required under chapter 19.85 RCW, DFI understands the concerns that have been raised by some agents and believes that proposed mitigation will help address those concerns and further the relationship between DFI and the escrow industry.

A copy of the statement may be obtained by contacting Kelli Skeels, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 902-8774, fax (360) 704-6974. A copy is also available at <http://www.dfi.wa.gov/sd/rulechanges.htm>.

RCW 34.05.328 does not apply to this rule adoption. The Department of Financial Institutions is not one of the agencies listed in RCW 34.05.328.

September 20, 2004
Helen P. Howell
Director

AMENDATORY SECTION (Amending WSR 01-08-055, filed 4/2/01, effective 5/3/01)

WAC 208-680G-050 Examination and investigation fees and expense—Authority to retain specialists. (1) The director may retain attorneys, appraisers, independent certified public accountants, or other professionals and specialists as examiners, auditors, or investigators, the cost of which shall be borne by the person who is the subject of the examination, audit, or investigation.

(2) The expense of ~~((required travel and services related to))~~ an examination or investigation pursuant to WAC 208-680G-010 or 208-680G-020 inside or outside this state shall be borne by the person examined or investigated. ~~((Such expense includes, but is not limited to, travel, lodging, and per diem expense.))~~

(3) The expenses of an examination or investigation pursuant to this section may include, but are not limited to, staff time, travel, lodging, per diem, and any other expenses related to the examination or investigation. At a reasonable time following each examination or investigation performed, the director shall provide the person examined with an invoice for the expenses incurred during the examination or investigation. Payment of the invoiced amount is due within thirty days of the date of the invoice.

WSR 04-19-158
PROPOSED RULES
DEPARTMENT OF
FINANCIAL INSTITUTIONS
[Filed September 22, 2004, 11:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-23-120.

Title of Rule and Other Identifying Information: Escrow Agents: Chapter 18.44 RCW, new rule WAC 208-680E-025, regarding periodic reports; amending WAC 208-680F-020, concerning permissible securities for purposes of RCW 18.44.201 and WAC 208-680A-040 Definitions.

Hearing Location(s): Department of Financial Institutions, 150 Israel Road S.W., Room 220, Olympia, WA 98501, on October 26, 2004, at 9:00 a.m.

Date of Intended Adoption: October 27, 2004.

Submit Written Comments to: Andrew Ledbetter, Securities Division, P.O. Box 9033, Olympia WA 98507-9033, fax (360) 704-6970, e-mail aledbetter@dfi.wa.gov, by October 19, 2004.

Assistance for Persons with Disabilities: Contact Darlene Christianson by October 21, 2004, TDD (360) 664-8126 or (360) 902-8760.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: A new rule concerning periodic reporting will help the division monitor compliance with chapter 18.44 RCW and the regulations adopted thereunder. Amendments to WAC 208-680F-020 and 208-680A-040 are needed to clarify the types of securities that may be substituted for the errors and omissions policy required by RCW 18.44.201.

The legislature intended that chapter 18.44 RCW be interpreted and administered to protect escrow agent clients. "When read in its entirety, the act reflects a legislative intent to protect clients of escrow agents." *Estate of Jordan v. Hartford Accident & Indem. Co.*, 120 Wn.2d 490, 497 (1993). To that end, under RCW 18.44.410 the director "has the power and broad administrative discretion to administer and interpret this chapter to facilitate the delivery of services to citizens of this state by escrow agents." The director believes adoption of these rules is consistent with that intent and within the power and discretion granted to her.

WAC 208-680E-025 Quarterly reports: This new rule would mandate that escrow agents prepare and file quarterly reports. The reports would be due within thirty days following the end of each fiscal quarter. Failure to comply would be grounds for taking action to deny, suspend, decline to renew, or revoke an escrow agent's license.

- Quarterly reports will allow DFI to monitor escrow agents more effectively and efficiently.
- Under RCW 18.44.121, the director is required to efficiently administer the statute such that the fees collected from licensees pay for the costs of administration. There are approximately two hundred escrow agents, most of which are small businesses. Mandatory reports, while not a substitute for on-site inspections, will allow the director to better monitor the industry at a minor cost to the industry and DFI.
- Many escrow agents have been voluntarily submitting quarterly reports for several years. The old reports are cumbersome to complete and review and they require a great deal of supporting documentation. This rule would make reporting mandatory, but the new required report will be simple and much easier to complete.
- A draft copy of the new report form was shared with the attendees of the February 10, 2004, and April 6, 2004, Escrow Commission meetings, who commented that it appeared to be a much easier form to complete. Several agents have commented on the draft form. Those comments have been considered and incorporated as appropriate in the new form.
- The new report includes sections concerning trust account administration and reconciliation, operations (including changes in financial condition, legal proceedings, changes in ownership, locations of offices and records, and insurance coverage), and certain results of operations. In response to privacy concerns, the response to certain questions is optional.
- The new report does not require escrow agents to keep any records beyond those already required by statute and existing regulations.
- The new form has been implemented on a voluntary basis for the quarter-ended March 31, 2004. Several escrow agents have commented to the division that the revised form is much easier to use.

WAC 208-680F-020 Errors and omissions policy—Securities alternative and 208-680A-040 Definitions: The proposed amendments to these sections would clarify the types of securities that may be used in lieu of the errors and omission ("E&O") policy required by RCW 18.44.201. Under that section, an escrow agent must maintain a \$50,000

E&O policy or deposit \$50,000 in cash or securities in an approved depository. The current definition of "securities" in WAC 208-680A-040 allows "any stock, treasury bill, bond, debenture or collateral trust certificate tendered in lieu of an errors or omissions policy." In addition to being overly broad, neither this definition nor WAC 460-680F-020 [208-680F-020] explicitly prohibits depositing securities issued by affiliates of the escrow agent.

The current rules virtually allow any security, regardless of quality, volatility, or liquidity, to be substituted for an E&O policy. This compromises the protection of escrow agent clients. Under the proposal, the definition of "securities" in WAC 208-680A-040 would [be] stricken and WAC 208-680F-020 would be amended to require that any securities deposited in lieu of an E&O policy meet the definition of "investment securities" under chapter 208-512 WAC. Those regulations, which pertain to the type of securities in which banks and trust companies may invest, define "investment securities" to generally include certain government obligations and certain investment grade corporate securities. By similarly limiting the securities that may be used by an escrow agent to satisfy RCW 18.44.201 to such high-quality obligations, escrow agent clients will be better protected.

To the division's knowledge, only one currently licensed escrow agent relies on WAC 208-680F-020. That agent, which maintains a \$50,000 cash deposit in an approved depository, would not be impacted by the proposed changes to the rule.

Statutory Authority for Adoption: RCW 18.44.410.

Statute Being Implemented: Chapter 18.44 RCW.

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

Name of Proponent: Department of Financial Institutions, Securities Division, governmental.

Name of Agency Personnel Responsible for Drafting: Andrew Ledbetter, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760; Implementation: Helen P. Howell, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760; and Enforcement: Martin Cordell, 150 Israel Road S.W., Olympia, WA 98501, (360) 902-8760.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposal does not impose more than minor costs on business.

RCW 34.05.328 does not apply to this rule adoption. The Department of Financial Institutions is not one of the agencies listed in RCW 34.05.328.

September 20, 2004

Helen P. Howell

Director

NEW SECTION

WAC 208-680E-025 Quarterly reports. (1) Each escrow agent shall file with the director, within thirty days following the end of each fiscal quarter, a report concerning its operations and trust account administration and reconciliation. The report shall be on a form provided by the director and shall include exhibits as specified therein.

(2) As to trust account matters, the designated escrow officer of the escrow agent shall certify under penalty of per-

jury, in a manner consistent with RCW 9A.72.085, that he or she has reviewed the report and any exhibits filed with it and that the information contained in the report and in any exhibits is true and correct. The chief executive officer or chief financial officer of the escrow agent, or other knowledgeable person acceptable to the director, may certify the information on the report not related to trust account matters.

(3) Failure to file the report within the time period specified in this rule shall be considered a violation of RCW 18.44.430.

AMENDATORY SECTION (Amending WSR 01-08-055, filed 4/2/01, effective 5/3/01)

WAC 208-680F-020 Errors and omissions policy—~~Securities alternative.~~ ~~((Each licensed escrow agent shall obtain and keep in effect an errors and omissions policy providing coverage in the minimum aggregate amount of \$50,000 or, alternatively, cash deposit or securities in the principal amount of \$50,000.))~~ (1) Securities used as an alternative to an errors and omissions policy shall be effectively delivered to the director ~~((For the purpose of fulfilling the requirements of chapter 18.44 RCW and these rules.))~~ and the escrow agent shall execute an irrevocable assignment and any supporting documentation as required by the director.

(2) Only those securities that meet the definition of "investment securities" under chapter 208-512 WAC may be used to satisfy RCW 18.44.201. Securities ~~((which are stocks or other interest in))~~ issued by the registered escrow ~~((agency))~~ agent or its affiliates are not acceptable securities for the purposes of fulfilling the requirements of ~~((chapter 18.44 RCW and these rules))~~ RCW 18.44.201.

AMENDATORY SECTION (Amending WSR 01-08-055, filed 4/2/01, effective 5/3/01)

WAC 208-680A-040 Definitions. The terms and definitions used in chapter 18.44 RCW have the same meanings given therein when used in these rules.

"Third party to the transaction" means those persons providing professional services necessary for the closing of the escrow. "Third party to the transaction" includes, but is not limited to: Real estate brokers, lenders, mortgage brokers, attorneys engaged to review the escrow, tax facilitators or underlying lien holders.

"Applicant" means any person applying for an escrow officer license or any person or group of persons applying for an escrow agent license. The term "applicant" includes the officers and controlling persons of the applicant, as well as any escrow officer seeking to become an escrow agent's designated escrow officer or designated branch escrow officer.

"Cash deposit" means funds deposited, in lieu of an errors and omissions policy, in an account in a recognized Washington state depository which account is maintained separate and apart from the escrow agent's own funds. The funds shall be deposited in such a manner to permit only the director to withdraw from the principal amount. The escrow agent may withdraw any interest accumulated to the account.

"Closing" means the transfer of title of real or personal property or execution of a real estate contract whichever event occurs first.

"Completed escrow" means a transaction in which the escrow agent has fully discharged its duties to the principal parties to the transaction. This includes obtaining all necessary documents, obtaining required signatures, completing reconveyance or title elimination, and disbursing funds to the principal parties to the transaction, the agents to the transaction, and to third parties to the transaction as agreed by the principal parties in the escrow instructions or on the settlement form (such as HUD1 or HUD1A).

"Conversion" means an unauthorized assumption and exercise of the right of ownership over moneys, property, or things of value belonging to another, to the alteration of the condition of, or the exclusion of the owner's rights to such moneys, property, or things of value. It includes any unauthorized act which deprives an owner of his/her property permanently or for an indefinite time, including but not limited to theft, embezzlement, forgery, swindling, and unauthorized control.

"Escrow instructions" are the instructions, signed by the principal parties to the transaction that identify the duties and responsibilities of the escrow agent in carrying out the escrow, that identify the thing or things of value held by the escrow agent and the specified condition or set of conditions under which the thing or things of value are to be transferred.

"Investigation" means an examination undertaken for the purpose of detection of violations of chapter 18.44 RCW, and these rules or securing information lawfully required under chapter 18.44 RCW, and these rules. The director or his or her designee may make private or public investigations.

"Officers" of the escrow agent shall include the president, secretary, treasurer, vice-president, and any other persons with control over management decisions of the escrow agent.

"Overdue instrument" means a negotiable instrument that is overdue as defined in RCW 62A.3-304.

"Permanent record" means any record required to be kept under RCW 18.44.400 for a period of six years from the completion of the escrow transaction.

"Principal parties" means the buyers and sellers in a purchase transaction, and the borrower in a refinance transaction.

"Reconveyance" means an instrument used to transfer title from an individual holding such title in trust to the equitable owner of real estate, when title is held as collateral security for a debt.

~~(("Securities" means any stock, treasury bill, bond, debenture or collateral trust certificate tendered in lieu of an errors and omissions policy. It does not mean or include any insurance or endowment policy, annuity contract or letter of credit.))~~

"Split escrow" means a transaction in which two or more escrow agents act to effect and close an escrow transaction.

"Transfer of title" occurs at the time the seller executes a deed or bill of sale and such is delivered to the purchaser or recorded.

"Trust" means a fiduciary relationship whereby a thing of value is delivered to an escrow agent with the intention that such thing of value be administered by the escrow agent for the benefit of the principal parties to the transaction.

"Trust account" or "trust bank account" means a bank account holding funds of any party to the transaction.

"Unclaimed funds" means any funds that are abandoned under the Uniform Unclaimed Property Act, chapter 63.29 RCW.

WSR 04-19-159
PROPOSED RULES
DEPARTMENT OF HEALTH
 [Filed September 22, 2004, 11:21 a.m.]

Original Notice.

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

Title of Rule and Other Identifying Information: Update of method for calculating radiation dose to the skin, WAC 246-220-010 and 246-221-010.

Hearing Location(s): Washington State Department of Health, Radiation Materials Section, 7171 Cleanwater Lane, Building 5 Conference Room, Tumwater, WA 98504, on October 26, 2004, at 10:00 a.m.

Date of Intended Adoption: November 1, 2004.

Submit Written Comments to: Terry C. Frazee, Western Regional Director, P.O. Box 47827, Olympia, WA 98504-7827, (360) 236-3213, e-mail terry.frazee@doh.wa.gov, fax (360) 236-2255, by October 26, 2004.

Assistance for Persons with Disabilities: Contact Terry Frazee by October 20, 2004, TTY (800) 833-6388.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This rule updates the definition of "shallow dose equivalent" and revises the method of calculating the shallow radiation dose to the skin. The anticipated effect of these changes is to provide a less-restrictive procedure for limiting skin dose, and to permit reduced use of protective equipment known to expose workers to workplace stresses and unnecessary whole-body radiation dose. These changes are required for compatibility with United States Nuclear Regulatory Commission (USNRC) regulations, and will bring Washington's radiation regulations into conformance with national standards in accordance with RCW 70.98.050.

WAC 246-220-010 is amended to update the required definition of shallow dose equivalent; and WAC 246-221-010 is amended to specify the maximum area of the skin over which a radiation exposure can be averaged.

Statutory Authority for Adoption: RCW 70.98.050.

Statute Being Implemented: RCW 70.98.050.

Rule is necessary because of federal law, 67 F.R. 16298.

Name of Proponent: Washington State Department of Health.

Name of Agency Personnel Responsible for Drafting and Implementation: Terry C. Frazee, 7171 Cleanwater Lane, Tumwater, (360) 236-3213; and Enforcement: Arden C. Scroggs, 7171 Cleanwater Lane, Tumwater, (360) 236-3221.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule change is exempt from the small business impact statement requirement under RCW 19.85.025(3) because it adopts federal reg-

ulations without material change. This rule also has a "regulatory flexibility certification" prepared by NRC stating that the "rule will not have a significant economic impact upon a substantial number of small entities."

A cost-benefit analysis is not required under RCW 34.05.328. Under RCW 34.05.328 (5)(b)(iii) and (iv), RCW 34.05.328 does not apply to this rule adoption because this rule adopts federal regulations without material change. This rule is for conformance with the USNRC regulations and is mandatory under our agreement state status with the federal government.

September 21, 2004

M. C. Selecky
 Secretary

AMENDATORY SECTION (Amending WSR 01-05-110, filed 2/21/01, effective 3/24/01)

WAC 246-220-010 Definitions. As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain part will be found in that part.

(1) "Absorbed dose" means the energy imparted by ionizing radiation per unit mass of irradiated material. The units of absorbed dose are the gray (Gy) and the rad.

(2) "Accelerator produced material" means any material made radioactive by exposing it in a particle accelerator.

(3) "Act" means Nuclear energy and radiation, chapter 70.98 RCW.

(4) "Activity" means the rate of disintegration or transformation or decay of radioactive material. The units of activity are the becquerel (Bq) and the curie (Ci).

(5) "Adult" means an individual eighteen or more years of age.

(6) "Agreement state" means any state with which the United States Nuclear Regulatory Commission has entered into an effective agreement under section 274 b. of the Atomic Energy Act of 1954, as amended (73 Stat. 689).

(7) "Airborne radioactive material" means any radioactive material dispersed in the air in the form of particulates, dusts, fumes, mists, vapors, or gases.

(8) "Airborne radioactivity area" means a room, enclosure, or operating area in which airborne radioactive material exists in concentrations (a) in excess of the derived air concentration (DAC) specified in WAC 246-221-290, Appendix A, or (b) to such a degree that an individual present in the area without respiratory protective equipment could exceed, during the hours an individual is present in a week, an intake of 0.6 percent of the annual limit on intake (ALI) or twelve DAC-hours.

(9) "Air purifying respirator" means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element.

(10) "Alert" means events may occur, are in progress, or have occurred that could lead to a release of radioactive material but that the release is not expected to require a response by offsite response organizations to protect persons offsite.

(11) "Annual limit on intake" (ALI) means the derived limit for the amount of radioactive material taken into the

body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radionuclide in a year by the reference man that would result in a committed effective dose equivalent of 0.05 Sv (5 rem) or a committed dose equivalent of 0.5 Sv (50 rem) to any individual organ or tissue. ALI values for intake by ingestion and by inhalation of selected radionuclides are given in WAC 246-221-290.

(12) "Assigned protection factor" (APF) means the expected workplace level of respiratory protection that would be provided by a properly functioning respirator or a class of respirators to properly fitted and trained users. Operationally, the inhaled concentration can be estimated by dividing the ambient airborne concentration by the APF.

(13) "Atmosphere-supplying respirator" means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere, and includes supplied-air respirators (SARs) and self-contained breathing apparatus (SCBA) units.

(14) "Background radiation" means radiation from cosmic sources; naturally occurring radioactive materials, including radon, except as a decay product of source or special nuclear material, and including global fallout as it exists in the environment from the testing of nuclear explosive devices or from past nuclear accidents such as Chernobyl that contribute to background radiation and are not under the control of the licensee. "Background radiation" does not include sources of radiation from radioactive materials regulated by the department.

(15) "Becquerel" (Bq) means the SI unit of activity. One becquerel is equal to 1 disintegration or transformation per second (s^{-1}).

(16) "Bioassay" means the determination of kinds, quantities or concentrations, and, in some cases, the locations of radioactive material in the human body, whether by direct measurement, in vivo counting, or by analysis and evaluation of materials excreted or removed from the human body. For purposes of these regulations, "radiobioassay" is an equivalent term.

(17) "Byproduct material" means: (a) Any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material, and (b) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content, including discrete surface wastes resulting from uranium or thorium solution extraction processes. Underground ore bodies depleted by these solution extraction operations do not constitute "byproduct material" within this definition.

(18) "Calendar quarter" means not less than twelve consecutive weeks nor more than fourteen consecutive weeks. The first calendar quarter of each year shall begin in January and subsequent calendar quarters shall be so arranged such that no day is included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method of determining calendar quarters for purposes of these regulations except at the beginning of a calendar year.

(19) "Calibration" means the determination of (a) the response or reading of an instrument relative to a series of

known radiation values over the range of the instrument, or (b) the strength of a source of radiation relative to a standard.

(20) "CFR" means Code of Federal Regulations.

(21) "Class" means a classification scheme for inhaled material according to its rate of clearance from the pulmonary region of the lung. Materials are classified as D, W, or Y, which applies to a range of clearance half-times: For Class D, Days, of less than ten days, for Class W, Weeks, from ten to one hundred days, and for Class Y, Years, of greater than one hundred days. For purposes of these regulations, "lung class" and "inhalation class" are equivalent terms. For "class of waste" see WAC 246-249-040.

(22) "Collective dose" means the sum of the individual doses received in a given period of time by a specified population from exposure to a specified source of radiation.

(23) "Committed dose equivalent" ($H_{T,50}$) means the dose equivalent to organs or tissues of reference (T) that will be received from an intake of radioactive material by an individual during the fifty-year period following the intake.

(24) "Committed effective dose equivalent" ($H_{E,50}$) is the sum of the products of the weighting factors applicable to each of the body organs or tissues that are irradiated and the committed dose equivalent to each of these organs or tissues ($H_{E,50} = \sum w_T H_{T,50}$).

(25) "Constraint" or dose constraint means a value above which specified licensee actions are required.

(26) "Controlled area." See "Restricted area."

(27) "Curie" means a unit of quantity of radioactivity. One curie (Ci) is that quantity of radioactive material which decays at the rate of 3.7×10^{10} transformations per second (tps).

(28) "Declared pregnant woman" means a woman who has voluntarily informed the licensee or registrant, in writing, of her pregnancy, and the estimated date of conception. The declaration remains in effect until the declared pregnant woman withdraws the declaration in writing or is no longer pregnant.

(29) "Deep dose equivalent" (H_d), which applies to external whole body exposure, means the dose equivalent at a tissue depth of 1 centimeter (1000 mg/cm^2).

(30) "Demand respirator" means an atmosphere-supplying respirator that admits breathing air to the facepiece only when a negative pressure is created inside the facepiece by inhalation.

(31) "Department" means the department of health, division of radiation protection, which has been designated as the state radiation control agency.

(32) "Depleted uranium" means the source material uranium in which the isotope Uranium-235 is less than 0.711 percent by weight of the total uranium present. Depleted uranium does not include special nuclear material.

(33) "Derived air concentration" (DAC) means the concentration of a given radionuclide in air which, if breathed by the reference man for a working year of two thousand hours under conditions of light work, results in an intake of one ALI. For purposes of these regulations, the condition of light work is an inhalation rate of 1.2 cubic meters of air per hour for two thousand hours in a year. DAC values are given in WAC 246-221-290.

(34) "Derived air concentration-hour" (DAC-hour) means the product of the concentration of radioactive material in air, expressed as a fraction or multiple of the derived air concentration for each radionuclide, and the time of exposure to that radionuclide, in hours. A licensee or registrant may take two thousand DAC-hours to represent one ALI, equivalent to a committed effective dose equivalent of 0.05 Sv (5 rem).

(35) "Disposable respirator" means a respirator for which maintenance is not intended and that is designed to be discarded after excessive breathing resistance, sorbent exhaustion, physical damage, or end-of-service-life renders it unsuitable for use. Examples of this type of respirator are a disposable half-mask respirator or a disposable escape-only self-contained breathing apparatus (SCBA).

(36) "Dose" is a generic term that means absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed effective dose equivalent, total organ dose equivalent, or total effective dose equivalent. For purposes of these regulations, "radiation dose" is an equivalent term.

(37) "Dose commitment" means the total radiation dose to a part of the body that will result from retention in the body of radioactive material. For purposes of estimating the dose commitment, it is assumed that from the time of intake the period of exposure to retained material will not exceed fifty years.

(38) "Dose equivalent" (H_T) means the product of the absorbed dose in tissue, quality factor, and all other necessary modifying factors at the location of interest. The units of dose equivalent are the sievert (Sv) and rem.

(39) "Dose limits" means the permissible upper bounds of radiation doses established in accordance with these regulations. For purposes of these regulations, "limits" is an equivalent term.

(40) "Dosimetry processor" means a person that processes and evaluates individual monitoring devices in order to determine the radiation dose delivered to the monitoring devices.

(41) "dpm" means disintegrations per minute. See also "curie."

(42) "Effective dose equivalent" (H_E) means the sum of the products of the dose equivalent to each organ or tissue (H_T) and the weighting factor (w_T) applicable to each of the body organs or tissues that are irradiated ($H_E = \sum w_T H_T$).

(43) "Embryo/fetus" means the developing human organism from conception until the time of birth.

(44) "Entrance or access point" means any opening through which an individual or extremity of an individual could gain access to radiation areas or to licensed radioactive materials. This includes entry or exit portals of sufficient size to permit human entry, without respect to their intended use.

(45) "Exposure" means (a) being exposed to ionizing radiation or to radioactive material, or (b) the quotient of ΔQ by Δm where " ΔQ " is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having mass " Δm " are completely stopped in air. The special unit of exposure is the roentgen (R) and the SI

equivalent is the coulomb per kilogram. One roentgen is equal to 2.58×10^{-4} coulomb per kilogram of air.

(46) "Exposure rate" means the exposure per unit of time, such as roentgen per minute and milliroentgen per hour.

(47) "External dose" means that portion of the dose equivalent received from any source of radiation outside the body.

(48) "Extremity" means hand, elbow, arm below the elbow, foot, knee, and leg below the knee.

(49) "Filtering facepiece" (dust mask) means a negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium, not equipped with elastomeric sealing surfaces and adjustable straps.

(50) "Fit factor" means a quantitative estimate of the fit of a particular respirator to a specific individual, and typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator when worn.

(51) "Fit test" means the use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

(52) "Former United States Atomic Energy Commission (AEC) or United States Nuclear Regulatory Commission (NRC) licensed facilities" means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

(53) "Generally applicable environmental radiation standards" means standards issued by the United States Environmental Protection Agency (EPA) under the authority of the Atomic Energy Act of 1954, as amended, that impose limits on radiation exposures or levels, or concentrations or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

(54) "Gray" (Gy) means the SI unit of absorbed dose. One gray is equal to an absorbed dose of 1 joule/kilogram (100 rad).

(55) "Healing arts" means the disciplines of medicine, dentistry, osteopathy, chiropractic, podiatry, and veterinary medicine.

(56) "Helmet" means a rigid respiratory inlet covering that also provides head protection against impact and penetration.

(57) "High radiation area" means any area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving a dose equivalent in excess of 1 mSv (0.1 rem) in one hour at 30 centimeters from any source of radiation or 30 centimeters from any surface that the radiation penetrates. For purposes of these regulations, rooms or areas in which diagnostic X-ray systems are used for healing arts purposes are not considered high radiation areas.

(58) "Hood" means a respiratory inlet covering that completely covers the head and neck and may also cover portions of the shoulders and torso.

(59) "Human use" means the intentional internal or external administration of radiation or radioactive material to human beings.

(60) "Immediate" or "immediately" means as soon as possible but no later than four hours after the initiating condition.

(61) "IND" means investigatory new drug for which an exemption has been claimed under the United States Food, Drug and Cosmetic Act (Title 21 CFR).

(62) "Individual" means any human being.

(63) "Individual monitoring" means the assessment of:

(a) Dose equivalent (i) by the use of individual monitoring devices or (ii) by the use of survey data; or

(b) Committed effective dose equivalent (i) by bioassay or (ii) by determination of the time-weighted air concentrations to which an individual has been exposed, that is, DAC-hours.

(64) "Individual monitoring devices" (individual monitoring equipment) means devices designed to be worn by a single individual for the assessment of dose equivalent such as film badges, thermoluminescent dosimeters (TLDs), pocket ionization chambers, and personal ("lapel") air sampling devices.

(65) "Inspection" means an official examination or observation by the department including but not limited to, tests, surveys, and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the department.

(66) "Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

(67) "Internal dose" means that portion of the dose equivalent received from radioactive material taken into the body.

(68) "Irretrievable source" means any sealed source containing licensed material which is pulled off or not connected to the wireline downhole and for which all reasonable effort at recovery, as determined by the department, has been expended.

(69) "Lens dose equivalent" (LDE) applies to the external exposure of the lens of the eye and is taken as the dose equivalent at a tissue depth of 0.3 centimeters (300 mg/cm²).

(70) "License" means a license issued by the department in accordance with the regulations adopted by the department.

(71) "Licensed material" means radioactive material received, possessed, used, transferred, or disposed under a general or specific license issued by the department.

(72) "Licensee" means any person who is licensed by the department in accordance with these regulations and the act.

(73) "Licensing state" means any state with regulations equivalent to the suggested state regulations for control of radiation relating to, and an effective program for, the regulatory control of NARM and which has been granted final designation by the Conference of Radiation Control Program Directors, Inc.

(74) "Loose-fitting facepiece" means a respiratory inlet covering that is designed to form a partial seal with the face.

(75) "Lost or missing licensed material" means licensed material whose location is unknown. This definition includes licensed material that has been shipped but has not reached its

planned destination and whose location cannot be readily traced in the transportation system.

(76) "Member of the public" means an individual except when the individual is receiving an occupational dose.

(77) "Minor" means an individual less than eighteen years of age.

(78) "Monitoring" means the measurement of radiation, radioactive material concentrations, surface area activities or quantities of radioactive material and the use of the results of these measurements to evaluate potential exposures and doses. For purposes of these regulations, radiation monitoring and radiation protection monitoring are equivalent terms.

(79) "NARM" means any naturally occurring or accelerator-produced radioactive material. It does not include by-product, source, or special nuclear material. For the purpose of meeting the definition of a Licensing State by the Conference of Radiation Control Program Directors, Inc. (CRCPD), NARM refers only to discrete sources of NARM. Diffuse sources of NARM are excluded from consideration by the CRCPD for Licensing State designation purposes.

(80) "Natural radioactivity" means radioactivity of naturally occurring nuclides.

(81) "NDA" means a new drug application which has been submitted to the United States Food and Drug Administration.

(82) "Negative pressure respirator" (tight-fitting) means a respirator in which the air pressure inside the facepiece is negative during inhalation with respect to the ambient air pressure outside the respirator.

(83) "Nonstochastic effect" means a health effect, the severity of which varies with the dose and for which a threshold is believed to exist. Radiation-induced cataract formation is an example of a nonstochastic effect. For purposes of these regulations, a "deterministic effect" is an equivalent term.

(84) "Nuclear Regulatory Commission" (NRC) means the United States Nuclear Regulatory Commission or its duly authorized representatives.

(85) "Occupational dose" means the dose received by an individual in the course of employment in which the individual's assigned duties involve exposure to radiation or to radioactive material from licensed and unlicensed sources of radiation, whether in the possession of the licensee, registrant, or other person. Occupational dose does not include dose received: From background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released pursuant to chapters 246-239 and 246-240 WAC, from voluntary participation in medical research programs, or as a member of the public.

(86) "Ore refineries" means all processors of a radioactive material ore.

(87) "Particle accelerator" means any machine capable of accelerating electrons, protons, deuterons, or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of 1 MeV.

(88) "Permittee" means a person who has applied for, and received, a valid site use permit for use of the low-level waste disposal facility at Hanford, Washington.

(89) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent or agency of the foregoing, but shall not include federal government agencies.

(90) "Personal supervision" means supervision such that the supervisor is physically present at the facility and in such proximity that contact can be maintained and immediate assistance given as required.

(91) "Personnel monitoring equipment." See individual monitoring devices.

(92) "Pharmacist" means an individual licensed by this state to compound and dispense drugs, and poisons.

(93) "Physician" means an individual licensed by this state to prescribe and dispense drugs in the practice of medicine.

(94) "Planned special exposure" means an infrequent exposure to radiation, separate from and in addition to the annual occupational dose limits.

(95) "Positive pressure respirator" means a respirator in which the pressure inside the respiratory inlet covering exceeds the ambient air pressure outside the respirator.

(96) "Powered air-purifying respirator" (PAPR) means an air-purifying respirator that uses a blower to force the ambient air through air-purifying elements to the inlet covering.

(97) "Practitioner" means an individual licensed by the state in the practice of a healing art (i.e., physician, dentist, podiatrist, chiropractor, etc.).

(98) "Pressure demand respirator" means a positive pressure atmosphere-supplying respirator that admits breathing air to the facepiece when the positive pressure is reduced inside the facepiece by inhalation.

(99) "Public dose" means the dose received by a member of the public from exposure to sources of radiation under the licensee's or registrant's control or to radiation or radioactive material released by the licensee. Public dose does not include occupational dose or doses received from background radiation, from any medical administration the individual has received, from exposure to individuals administered radioactive material and released pursuant to chapters 246-239 and 246-240 WAC, or from voluntary participation in medical research programs.

(100) "Qualified expert" means an individual who has demonstrated to the satisfaction of the department he/she has the knowledge, training, and experience to measure ionizing radiation, to evaluate safety techniques, and to advise regarding radiation protection needs. The department reserves the right to recognize the qualifications of an individual in specific areas of radiation protection.

(101) "Qualitative fit test" (QLFT) means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.

(102) "Quality factor" (Q) means the modifying factor, listed in Tables I and II, that is used to derive dose equivalent from absorbed dose.

TABLE I
QUALITY FACTORS AND ABSORBED DOSE EQUIVALENCIES

TYPE OF RADIATION	Quality Factor (Q)	Absorbed Dose Equal to A Unit Dose Equivalent ^a
X, gamma, or beta radiation and high-speed electrons	1	1
Alpha particles, multiple-charged particles, fission fragments and heavy particles of unknown charge	20	0.05
Neutrons of unknown energy	10	0.1
High-energy protons	10	0.1

^a Absorbed dose in rad equal to 1 rem or the absorbed dose in gray equal to 1 Sv.

If it is more convenient to measure the neutron fluence rate rather than to determine the neutron dose equivalent rate in sievert per hour or rem per hour as required for Table I, then 0.01 Sv (1 rem) of neutron radiation of unknown energies may, for purposes of these regulations, be assumed to result from a total fluence of 25 million neutrons per square centimeter incident upon the body. If sufficient information exists to estimate the approximate energy distribution of the neutrons, the licensee or registrant may use the fluence rate per unit dose equivalent or the appropriate Q value from Table II to convert a measured tissue dose in gray or rad to dose equivalent in sievert or rem.

TABLE II
MEAN QUALITY FACTORS, Q, AND FLUENCE PER UNIT DOSE EQUIVALENT FOR MONOENERGETIC NEUTRONS

Neutron Energy (MeV)	Quality Factor ^a (Q)	Fluence per Unit Dose Equivalent ^b (neutrons cm ⁻² rem ⁻¹)	Fluence per Unit Dose Equivalent ^b (neutrons cm ⁻² Sv ⁻¹)
(thermal) 2.5 x 10 ⁻⁸	2	980 x 10 ⁶	980 x 10 ⁸
1 x 10 ⁻⁷	2	980 x 10 ⁶	980 x 10 ⁸
1 x 10 ⁻⁶	2	810 x 10 ⁶	810 x 10 ⁸
1 x 10 ⁻⁵	2	810 x 10 ⁶	810 x 10 ⁸
1 x 10 ⁻⁴	2	840 x 10 ⁶	840 x 10 ⁸
1 x 10 ⁻³	2	980 x 10 ⁶	980 x 10 ⁸
1 x 10 ⁻²	2.5	1010 x 10 ⁶	1010 x 10 ⁸
1 x 10 ⁻¹	7.5	170 x 10 ⁶	170 x 10 ⁸
5 x 10 ⁻¹	11	39 x 10 ⁶	39 x 10 ⁸
1	11	27 x 10 ⁶	27 x 10 ⁸
2.5	9	29 x 10 ⁶	29 x 10 ⁸
5	8	23 x 10 ⁶	23 x 10 ⁸
7	7	24 x 10 ⁶	24 x 10 ⁸
10	6.5	24 x 10 ⁶	24 x 10 ⁸
14	7.5	17 x 10 ⁶	17 x 10 ⁸
20	8	16 x 10 ⁶	16 x 10 ⁸
40	7	14 x 10 ⁶	14 x 10 ⁸
60	5.5	16 x 10 ⁶	16 x 10 ⁸
1 x 10 ²	4	20 x 10 ⁶	20 x 10 ⁸
2 x 10 ²	3.5	19 x 10 ⁶	19 x 10 ⁸
3 x 10 ²	3.5	16 x 10 ⁶	16 x 10 ⁸
4 x 10 ²	3.5	14 x 10 ⁶	14 x 10 ⁸

PROPOSED

- a Value of quality factor (Q) at the point where the dose equivalent is maximum in a 30-cm diameter cylinder tissue-equivalent phantom.
- b Monoenergetic neutrons incident normally on a 30-cm diameter cylinder tissue-equivalent phantom.

(103) "Quantitative fit test" (QNFT) means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

(104) "Quarter" means a period of time equal to one-fourth of the year observed by the licensee, approximately thirteen consecutive weeks, providing that the beginning of the first quarter in a year coincides with the starting date of the year and that no day is omitted or duplicated in consecutive quarters.

(105) "Rad" means the special unit of absorbed dose. One rad equals one-hundredth of a joule per kilogram of material; for example, if tissue is the material of interest, then 1 rad equals 100 ergs per gram of tissue. One rad is equal to an absorbed dose of 100 erg/gram or 0.01 joule/kilogram (0.01 gray).

(106) "Radiation" means alpha particles, beta particles, gamma rays, X rays, neutrons, high-speed electrons, high-speed protons, and other particles capable of producing ions. For purposes of these regulations, ionizing radiation is an equivalent term. Radiation, as used in these regulations, does not include magnetic fields or nonionizing radiation, such as radiowaves or microwaves, visible, infrared, or ultraviolet light.

(107) "Radiation area" means any area, accessible to individuals, in which radiation levels could result in an individual receiving a dose equivalent in excess of 0.05 mSv (0.005 rem) in one hour at thirty centimeters from the source of radiation or from any surface that the radiation penetrates.

(108) "Radiation machine" means any device capable of producing ionizing radiation except those devices with radioactive materials as the only source of radiation.

(109) "Radiation safety officer" means an individual who has the knowledge and responsibility to apply appropriate radiation protection regulations and has been assigned such responsibility by the licensee or registrant.

(110) "Radiation source." See "Source of radiation."

(111) "Radioactive material" means any material (solid, liquid, or gas) which emits radiation spontaneously.

(112) "Radioactive waste" means any radioactive material which is no longer of use and intended for disposal or treatment for the purposes of disposal.

(113) "Radioactivity" means the transformation of unstable atomic nuclei by the emission of radiation.

(114) "Reference man" means a hypothetical aggregation of human physical and physiological characteristics determined by international consensus. These characteristics may be used by researchers and public health workers to standardize results of experiments and to relate biological insult to a common base.

(115) "Registrable item" means any radiation machine except those exempted by RCW 70.98.180 or exempted by the department pursuant to the authority of RCW 70.98.080.

(116) "Registrant" means any person who is registered by the department or is legally obligated to register with the department in accordance with these regulations and the act.

(117) "Registration" means registration with the department in accordance with the regulations adopted by the department.

(118) "Regulations of the United States Department of Transportation" means the regulations in 49 CFR Parts 170-189, 14 CFR Part 103, and 46 CFR Part 146.

(119) "Rem" means the special unit of any of the quantities expressed as dose equivalent. The dose equivalent in rem is equal to the absorbed dose in rad multiplied by the quality factor (1 rem = 0.01 Sv).

(120) "Research and development" means: (a) Theoretical analysis, exploration, or experimentation; or (b) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes. Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

(121) "Respiratory protective equipment" means an apparatus, such as a respirator, used to reduce an individual's intake of airborne radioactive materials.

(122) "Restricted area" means any area to which access is limited by the licensee or registrant for purposes of protecting individuals against undue risks from exposure to radiation and radioactive material. "Restricted area" shall not include any areas used for residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

(123) "Roentgen" (R) means the special unit of exposure. One roentgen equals 2.58×10^{-4} coulombs/kilogram of air.

(124) "Sanitary sewerage" means a system of public sewers for carrying off waste water and refuse, but excluding sewage treatment facilities, septic tanks, and leach fields owned or operated by the licensee or registrant.

(125) "Sealed source" means any radioactive material that is encased in a capsule designed to prevent leakage or the escape of the radioactive material.

(126) "Self-contained breathing apparatus" (SCBA) means an atmosphere-supplying respirator for which the breathing air source is designed to be carried by the user.

(127) "Shallow dose equivalent" (H_s), which applies to the external exposure of the skin of the whole body or the skin of an extremity, means the dose equivalent at a tissue depth of 0.007 centimeter (7 mg/cm^2) (~~averaged over an area of 1 square centimeter~~).

(128) "SI" means an abbreviation of the International System of Units.

(129) "Sievert" means the SI unit of any of the quantities expressed as dose equivalent. The dose equivalent in sievert is equal to the absorbed dose in gray multiplied by the quality factor (1 Sv = 100 rem).

(130) "Site area emergency" means events may occur, are in progress, or have occurred that could lead to a significant release of radioactive material and that could require a response by offsite response organizations to protect persons offsite.

PROPOSED

(131) "Site boundary" means that line beyond which the land or property is not owned, leased, or otherwise controlled by the licensee or registrant.

(132) "Source container" means a device in which radioactive material is transported or stored.

(133) "Source material" means: (a) Uranium or thorium, or any combination thereof, in any physical or chemical form, or (b) ores which contain by weight one-twentieth of one percent (0.05 percent) or more of (i) uranium, (ii) thorium, or (iii) any combination thereof. Source material does not include special nuclear material.

(134) "Source material milling" means the extraction or concentration of uranium or thorium from any ore processing primarily for its source material content.

(135) "Source of radiation" means any radioactive material, or any device or equipment emitting or capable of producing ionizing radiation.

(136) "Special nuclear material" means:

(a) Plutonium, uranium-233, uranium enriched in the isotope 233 or in the isotope 235, and any other material that the United States Nuclear Regulatory Commission, pursuant to the provisions of section 51 of the Atomic Energy Act of 1954, as amended, determines to be special nuclear material, but does not include source material; or

(b) Any material artificially enriched in any of the foregoing, but does not include source material.

(137) "Special nuclear material in quantities not sufficient to form a critical mass" means uranium enriched in the isotope U-235 in quantities not exceeding three hundred fifty grams of contained U-235; Uranium-233 in quantities not exceeding two hundred grams; Plutonium in quantities not exceeding two hundred grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed "1" (i.e., unity). For example, the following quantities in combination would not exceed the limitation and are within the formula:

$$\begin{array}{r}
 \frac{175 \text{ (grams contained U-235)}}{350} \quad + \\
 \frac{50 \text{ (grams U-233)}}{200} \quad + \\
 \frac{50 \text{ (grams Pu)}}{200} \quad < 1
 \end{array}$$

(138) "Stochastic effect" means a health effect that occurs randomly and for which the probability of the effect occurring, rather than its severity, is assumed to be a linear function of dose without threshold. Hereditary effects and cancer incidence are examples of stochastic effects. For purposes of these regulations, probabilistic effect is an equivalent term.

(139) "Supplied-air respirator" (SAR) or "airline respirator" means an atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.

(140) "Survey" means an evaluation of the radiological conditions and potential hazards incident to the production, use, release, disposal, or presence of sources of radiation. When appropriate, such evaluation includes, but is not limited to, tests, physical examinations, calculations and measurements of levels of radiation or concentration of radioactive material present.

(141) "Test" means (a) the process of verifying compliance with an applicable regulation, or (b) a method for determining the characteristics or condition of sources of radiation or components thereof.

(142) "These regulations" mean all parts of the rules for radiation protection of the state of Washington.

(143) "Tight-fitting facepiece" means a respiratory inlet covering that forms a complete seal with the face.

(144) "Total effective dose equivalent" (TEDE) means the sum of the deep dose equivalent for external exposures and the committed effective dose equivalent for internal exposures.

(145) "Total organ dose equivalent" (TODE) means the sum of the deep dose equivalent and the committed dose equivalent to the organ or tissue receiving the highest dose.

(146) "United States Department of Energy" means the Department of Energy established by Public Law 95-91, August 4, 1977, 91 Stat. 565, 42 U.S.C. 7101 et seq., to the extent that the department exercises functions formerly vested in the United States Atomic Energy Commission, its chairman, members, officers and components and transferred to the United States Energy Research and Development Administration and to the administrator thereof pursuant to sections 104 (b), (c) and (d) of the Energy Reorganization Act of 1974 (Public Law 93-438, October 11, 1974, 88 Stat. 1233 at 1237, 42 U.S.C. 5814 effective January 19, 1975) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (Public Law 95-91, August 4, 1977, 91 Stat. 565 at 577-578, 42 U.S.C. 7151, effective October 1, 1977).

(147) "Unrefined and unprocessed ore" means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating, or refining.

(148) "Unrestricted area" (uncontrolled area) means any area which is not a restricted area. Areas where the external dose exceeds 2 mrem in any one hour or where the public dose, taking into account occupancy factors, will exceed 100 mrem total effective dose equivalent in any one year must be restricted.

(149) "User seal check" (fit check) means an action conducted by the respirator user to determine if the respirator is properly seated to the face. Examples include negative pressure check, positive pressure check, irritant smoke check, or isoamyl acetate check.

(150) "Very high radiation area" means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving an absorbed dose in excess of 5 Gy (500 rad) in one hour at one meter from a source of radiation or one meter from any surface that the radiation penetrates.

(151) "Waste handling licensees" mean persons licensed to receive and store radioactive wastes prior to disposal and/or persons licensed to dispose of radioactive waste.

PROPOSED

(152) "Week" means seven consecutive days starting on Sunday.

(153) "Weighting factor" w_T for an organ or tissue (T) means the proportion of the risk of stochastic effects resulting from irradiation of that organ or tissue to the total risk of stochastic effects when the whole body is irradiated uniformly. For calculating the effective dose equivalent, the values of w_T are:

ORGAN DOSE WEIGHTING FACTORS	
Organ or Tissue	w_T
Gonads	0.25
Breast	0.15
Red bone marrow	0.12
Lung	0.12
Thyroid	0.03
Bone surfaces	0.03
Remainder	0.30 ^a
Whole Body	1.00 ^b

- ^a 0.30 results form 0.06 for each of 5 "remainder" organs, excluding the skin and the lens of the eye, that receive the highest doses.
- ^b For the purpose of weighting the external whole body dose, for adding it to the internal dose, a single weighting factor, $w_T=1.0$, has been specified. The use of other weighting factors for external exposure will be approved on a case-by-case basis until such time as specific guidance is issued.

(154) "Whole body" means, for purposes of external exposure, head, trunk including male gonads, arms above the elbow, or legs above the knee.

(155) "Worker" means an individual engaged in activities under a license or registration issued by the department and controlled by a licensee or registrant but does not include the licensee or registrant. Where the licensee or registrant is an individual rather than one of the other legal entities defined under "person," the radiation exposure limits for the worker also apply to the individual who is the licensee or registrant. If students of age eighteen years or older are subjected routinely to work involving radiation, then the students are considered to be workers. Individuals of less than eighteen years of age shall meet the requirements of WAC 246-221-050.

(156) "Working level" (WL) means any combination of short-lived radon daughters in 1 liter of air that will result in the ultimate emission of 1.3×10^5 MeV of potential alpha particle energy. The short-lived radon daughters are — for radon-222: polonium-218, lead-214, bismuth-214, and polonium-214; and for radon-220: polonium-216, lead-212, bismuth-212, and polonium-212.

(157) "Working level month" (WLM) means an exposure to one working level for one hundred seventy hours — two thousand working hours per year divided by twelve months per year is approximately equal to one hundred seventy hours per month.

(158) "Year" means the period of time beginning in January used to determine compliance with the provisions of these regulations. The licensee or registrant may change the starting date of the year used to determine compliance by the

licensee or registrant provided that the change is made at the beginning of the year and that no day is omitted or duplicated in consecutive years.

AMENDATORY SECTION (Amending WSR 01-05-110, filed 2/21/01, effective 3/24/01)

WAC 246-221-010 Occupational dose limits for adults. (1) The licensee or registrant shall control the occupational dose to individual adults, except for planned special exposures pursuant to WAC 246-221-030, to the following dose limits:

- (a) An annual limit, which is the more limiting of:
 - (i) The total effective dose equivalent being equal to 0.05 Sv (5 rem); or
 - (ii) The sum of the deep dose equivalent and the committed dose equivalent to any individual organ or tissue other than the lens of the eye being equal to 0.50 Sv (50 rem).
- (b) The annual limits to the lens of the eye, to the skin of the whole body, and to the skin of the extremities which are:
 - (i) A lens dose equivalent of 0.15 Sv (15 rem); and
 - (ii) A shallow dose equivalent of 0.50 Sv (50 rem) to the skin of the whole body or to the skin of any extremity.

(2) Doses received in excess of the annual limits, including doses received during accidents, emergencies, and planned special exposures, must be subtracted from the limits specified in WAC 246-221-030 for planned special exposures that the individual may receive during the current year and during the individual's lifetime.

(3) The assigned deep dose equivalent (~~and shallow dose equivalent~~) shall be for the portion of the body receiving the highest exposure. The assigned shallow dose equivalent shall be the dose averaged over the contiguous ten square centimeters of skin receiving the highest exposure. The deep dose equivalent, lens dose equivalent and shallow dose equivalent may be assessed from surveys or other radiation measurements for the purpose of demonstrating compliance with the occupational dose limits, if the individual monitoring device was not in the region of highest potential exposure, or the results of individual monitoring are unavailable.

(4) Derived air concentration (DAC) and annual limit on intake (ALI) values are specified in WAC 246-221-290 and may be used to determine the individual's dose and to demonstrate compliance with the occupational dose limits.

(5) Notwithstanding the annual dose limits, the licensee shall limit the soluble uranium intake by an individual to 10 milligrams in a week in consideration of chemical toxicity.

(6) The licensee or registrant shall reduce the dose that an individual may be allowed to receive in the current year by the amount of occupational dose received while employed by any other person during the current year as determined in accordance with WAC 246-221-020.

WSR 04-19-160
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed September 22, 2004, 11:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 03-21-063.

Title of Rule and Other Identifying Information: Chapter 308-14 WAC regulating court reporters, amending WAC 308-14-085 Examination.

Hearing Location(s): Department of Licensing, Business and Professions Division, 405 Black Lake Boulevard S.W., Building 2, Conference Room 209, Olympia, WA 98504, on October 29, 2004, at 2:00 p.m.

Date of Intended Adoption: October 29, 2004.

Submit Written Comments to: Susan Colard, Court Reporter Program, P.O. Box 9026, Olympia, WA 98507-9026, e-mail scolard@dol.wa.gov, fax (360) 570-7002, by October 28, 2004.

Assistance for Persons with Disabilities: Contact Susan Colard by October 28, 2004, TTY (360) 664-8885 or (360) 664-6633.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To revise WAC 308-14-085, which will change these rules back to their original language before the adoption of the rules filed under notice WSR 04-17-072.

Reasons Supporting Proposal: The department believes that individuals impacted by the latest revisions to WAC 308-14-085, as adopted under notice WSR 04-17-072, may not have been considered or understood prior to the adoption of these rules. Therefore, in the interest of the general welfare and professional impact to these individuals, changing the rules back to their original language is necessary. This will allow the department the needed time to gather information through stakeholder input to determine the need for further rule revision.

Statutory Authority for Adoption: RCW 18.145.050, 43.24.023.

Statute Being Implemented: RCW 18.145.050.

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

Name of Proponent: Department of Licensing, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Susan Colard, 405 Black Lake Boulevard S.W., Olympia, WA 98502, (360) 664-6633.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This proposed rule does not have an economic impact on small businesses.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 does not apply to this rule revision. Washington State Department of Licensing is not a named agency, therefore, exempt from this provision.

September 22, 2004

Trudie Touchette
Administrator

AMENDATORY SECTION (Amending WSR 04-17-072, filed 8/13/04, effective 9/13/04)

WAC 308-14-085 Examination. (1) The examination for "court reporter," "shorthand reporter," "certified court reporter," or "certified shorthand reporter" shall be an examination developed, administered, and graded by the depart-

ment with the advice of the board or any examination prepared by a recognized person (institution, organization, corporation) approved by the department that meets the requirements stated in this regulation.

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

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

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

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

(d) Be offered at least twice a year;

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

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

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

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

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

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

~~((4))~~ (5) Applicants who have failed the examination may apply by submission of a reexamination application and the required fee.

PROPOSED



WSR 04-19-075
EXPEDITED RULES
DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:15 a.m.]

Title of Rule and Other Identifying Information:
Amending WAC 458-20-240 Manufacturer's new employee tax credits.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Allan C. Lau, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, fax (360) 664-0693 e-mail allanl@dor.wa.gov, AND RECEIVED BY November 22, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule is to explain the business and occupation tax credit program for manufacturing and research and development facilities located in rural counties and designated community empowerment zones.

The department is proposing to revise the rule to incorporate a legislative change to include a county that is smaller than two hundred and twenty-five square miles as part of the definition of a rural county.

Reasons Supporting Proposal: The legislature provides this incentive to businesses, both to retain and attract businesses. The amended rule is to incorporate provisions of SSB 6240, chapter 25, Laws of 2004.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: Chapter 82.62 RCW.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Allan C. Lau, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6134; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6125; and Enforcement: Janis P. Bianchi, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6147.

September 16, 2004

Alan R. Lynn
Rules Coordinator

AMENDATORY SECTION (Amending WSR 01-17-069, filed 8/15/01, effective 9/15/01)

WAC 458-20-240 Manufacturer's new employee tax credits. (1) Introduction. Chapter 82.62 RCW provides business and occupation (B&O) tax credits to certain persons engaged in manufacturing and research and development

activities. These credits are intended to stimulate the economy ((and)) by creating employment opportunities in specific ((distressed areas)) rural counties and community empowerment zones of this state. The credits are as much as \$4,000 per qualified employment position. This rule explains the eligibility requirements and application procedures for this program. It is important to note that an application for the tax credits must be submitted to the department of revenue before the actual hiring of qualified employment positions. See subsection (6) of this rule for additional information regarding this application requirement. This tax credit program is a companion to the tax deferral program under chapter 82.60 RCW; however, the eligible geographic areas in the two programs are not identical.

The department of employment security and the department of community, trade, and economic development administer programs for ((distressed areas)) rural counties and job training. These agencies should be contacted directly for information concerning those programs.

(2) **Who is eligible for these tax credits?** Subject to certain qualifications, an applicant (person applying for a tax credit under chapter 82.62 RCW) who is engaged in an eligible business project is entitled to the tax credits provided by chapter 82.62 RCW.

(a) **What is an eligible business project?** An "eligible business project" means manufacturing, commercial testing, or research and development activities conducted by an applicant in an eligible area at a specific facility, subject to the restriction noted in the following paragraph. An "eligible business project" does not include any portion of a business project undertaken by a light and power business or any portion of a business project creating employment positions outside an eligible area.

To be considered an "eligible business project," the applicant's number of average full-time qualified employment positions at the specific facility must be at least fifteen percent greater in the calendar year for which credit is being sought than the number of positions at the same facility in the immediately preceding calendar year. Subsection (4) of this rule explains how to determine whether this threshold is satisfied.

(b) **What is an eligible area?** As noted above, the facility must be located in an eligible area to be considered an eligible business project. An "eligible area" is:

(i) A rural county, which is a county with fewer than one hundred persons per square mile and, on and after April 1, 2004, a county smaller than two hundred twenty-five square miles, as determined annually by the office of financial management and published by the department of revenue effective for the period of July 1st through June 30th (see RCW 82.62.010(3)); or

(ii) A community empowerment zone (CEZ). CEZ means an area meeting the requirements of RCW 43.31C.020 and officially designated by the director of the department of community, trade, and economic development.

(iii) **How to determine whether an area is an eligible area.** Rural county designation information can be obtained from the office of financial management internet website at www.ofm.wa.gov/popden/rural.htm. The department has instituted a geographic information system (GIS) to assist

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taxpayers in determining taxing jurisdiction boundaries, local tax rates, and a mapping and address lookup system to determine whether a specific address is within a CEZ. The system is available on the department's internet website at www.dor.wa.gov.

(c) **What are manufacturing and research and development activities?** Manufacturing or research and development activities must be conducted at the facility to be considered an eligible business project.

(i) **Manufacturing.** "Manufacturing" has the meaning given in RCW [82.04.120](#). In addition, for the purposes of chapter [82.62](#) RCW "manufacturing" also includes computer programming, the production of computer software, other computer-related services, and the activities performed by research and development laboratories and commercial testing laboratories.

(ii) **Research and development.** "Research and development" means the development, refinement, testing, marketing, and commercialization of a product, service, or process before commercial sales have begun. "Commercial sales" does not include sales of prototypes or sales for market testing if the total gross receipts from such sales of the product, service, or process do not exceed one million dollars.

(iii) **Computer-related services.** "Computer-related services," for the purposes of chapter [82.62](#) RCW's definition of "manufacturing," are services that are connected with or interact directly in the manufacture of computer hardware or software or the programming of the manufactured hardware. "Computer-related services" includes the manufacture of hardware such as chips, keyboards, monitors, and any other hardware, and the components of these items. "Computer-related services" also includes creating operating systems and software that will be copied and sold as canned software. The activities performed by the manufacturer to test, correct, revise, or upgrade software or hardware before they are approved for sale to the consumer are considered computer-related services. "Computer-related services" does not include services such as information services.

(3) **What are the hiring requirements?** The average full-time qualified employment positions at the specific facility during the calendar year for which credits are claimed must be at least fifteen percent greater than the average full-time qualified employment positions at the same facility for the preceding calendar year.

(a) **What is a qualified employment position?** A "qualified employment position" means a position filled by a permanent full-time employee employed at an eligible business project for twelve consecutive months. Once a full-time position is established and filled it will continue to qualify for twelve consecutive periods so long as any person fills the position. The position is considered "filled" even during periods of vacancy, provided these periods do not exceed thirty consecutive days and the employer is training or actively recruiting a replacement employee.

(b) **What is a "permanent full-time employee"?** A "permanent full-time employee" is a position that is filled by an employee who satisfies any one of the following minimum thresholds:

(i) Works thirty-five hours per week for fifty-two consecutive weeks;

(ii) Works four hundred fifty-five hours, excluding overtime, each quarter for four consecutive quarters; or

(iii) Works one thousand eight hundred twenty hours, excluding overtime, during a period of twelve consecutive months.

(c) **"Permanent full-time employee" - Seasonal operations.** For applicants that regularly operate on a seasonal basis only and that employ more than fifty percent of their employees for less than a full twelve month continuous period, a "permanent full-time employee" is a permanent full-time employee as described above or an equivalent in full time equivalent (FTE) work hours.

(4) **How to determine if the fifteen percent employment increase requirement is met.** Qualification for tax credits depends upon whether the applicant hires enough new positions to meet the fifteen percent average increase requirement.

(a) **Determining the fifteen percent increase.** To determine the projected number of permanent full-time qualified employment positions necessary to satisfy the fifteen percent employment increase requirement:

(i) Determine the average number of permanent full-time qualified employment positions that existed at the facility during the calendar year prior to the year in which tax credit is being claimed.

(ii) Multiply the average number of full-time positions from subsection (i) by .15 or fifteen percent. The resulting number equals the number of positions that must be filled to meet the fifteen percent increase. Numbers are rounded up to the nearest whole number at point five (.5).

(b) **When does hiring have to occur?** All hiring increases must occur during the calendar year for which credits are being sought for purposes of meeting the fifteen percent threshold test. Positions hired in a calendar year prior to making an application are not eligible for a credit but the positions are used to calculate whether the fifteen percent threshold has been met.

(c) **The department will assist applicants to determine their hiring requirements.** Accompanying the tax credit application is a worksheet to assist the applicant in determining if the fifteen percent qualified employment threshold is satisfied. Based upon the information provided in the application, the department will advise applicants of their minimum number of hiring needs for which credits are being sought.

(d) **Examples.** The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax status of each situation must be determined after a review of all of the facts and circumstances.

(i) ABC Company anticipates increasing employment during the 2001 calendar year at a manufacturing facility by an average of 15 full-time qualified employment positions for a total of 113 positions. The average number of full-time qualified employment positions during the 2000 calendar year was 98. To qualify for the tax credit program the minimum average number of full-time qualified employment positions required for the 2001 calendar year is $98 \times .15 = 14.7$ (rounding up to 15 positions). Therefore, ABC Company's plan to hire 15 full-time qualified employment posi-

tions for 2001 meets the 15% employment increase requirement.

(ii) ABC anticipates increasing employment at this same manufacturing facility by an average of 15 additional full-time qualified employment positions during the 2002 calendar year to a total of 128 positions. To qualify for the tax credit program the minimum average number of full-time qualified employment positions required for the 2002 calendar year is 17 ($113 \times .15 = 16.95$, rounding up to 17). Therefore, ABC Company's plan to hire 15 full-time qualified employment positions for 2002 does not meet the 15% employment increase requirement.

(5) **Restriction against displacing existing jobs within Washington.** The law provides that no recipient may use tax credits approved under this program to decertify a union or to displace existing jobs in any community of the state. Thus, the average expected increase of employment positions at the specific facility for which application is made must reflect a gross increase in the applicant's employment of persons at all locations in this state. Transfers of personnel from existing positions outside of an eligible area to new positions at the specific facility within an eligible area will not be allowed for purposes of approving tax credits. Also, layoffs or terminations of employment by the recipient at other locations in Washington but outside an eligible area for the purpose of hiring new positions within an eligible area will result in the withdrawal of any credits taken or approved.

(6) **Application procedures.** A taxpayer must file an application with and obtain approval from the department of revenue to receive tax credits under this program. A separate application must be submitted for each calendar year for which credits are claimed. RCW 82.62.020 requires that application for the tax credits be made prior to the actual hiring of qualified employment positions. Applications failing to satisfy this statutory requirement will be disapproved.

(a) **How to obtain and file applications.** Application forms will be provided by the department upon request either by calling (360) 902-7175 or via the department's internet website at www.dor.wa.gov under forms. The completed application may be sent by fax to (360) ((902-7167)) 586-0527 or mailed to the following address: State of Washington

Department of Revenue
Taxpayer Account Administration
P.O. Box 47476
Olympia, WA 98504-7476

The U.S. Post Office postmark or FAX date will be used as the date of application.

(b) **Confidentiality.** Information contained in applications, reports, or any other information received by the department in connection with this tax credit program is not confidential and is subject to disclosure. All other taxpayer information is subject to the confidentiality provisions in RCW 82.32.330.

(c) **Department to act upon application within sixty days.** The department will determine if the applicant qualifies for tax credits on the basis of the information provided in the application and will approve or disapprove the application within sixty days. If approved, the department will issue a credit approval notice containing the dollar amount of tax

credits available for use and the procedures for taking the credit. If disapproved, the department will notify the applicant in writing of the specific reasons for disapproval. The applicant may seek administrative review of the department's disapproval of an application by filing a petition for review with the department. The petition must be filed within thirty days from the date of notice of the disallowance pursuant to the provisions of WAC 458-20-100, Appeals, small claims and settlements.

(d) **No adjustment of credit after approval.** After an application is approved and tax credits are granted, no upward adjustment or amendments of the application will be made for that calendar year.

(7) **How much is the tax credit?** The amount of tax credit is based on the number of and the wages and benefits paid to qualified employment positions created.

(a) **How much tax credit may I claim for each qualified employment position?** The amount of tax credit that may be claimed for each position created is as follows:

(i) Two thousand dollars for each qualified employment position that pays forty thousand dollars or less in wages and benefits annually and is employed in an eligible business project; and

(ii) Four thousand dollars for each qualified employment position that pays more than forty thousand dollars in wages and benefits annually and is employed in an eligible business project.

(b) **What qualifies as wages and benefits?** For the purposes of chapter 82.62 RCW, "wages" means compensation paid to an individual for personal services, whether denominated as wages, salary, commission, bonus, or otherwise. "Benefits" means compensation not paid as wages and includes Social Security, retirement, health care, life insurance, industrial insurance, unemployment compensation, vacation, holiday, sick leave, military leave, and jury duty. "Benefits" does not include any amount reported as wages.

(8) **How to claim approved credits.** The recipients must take the tax credits approved under this program on their regular combined excise tax return for their regular assigned tax reporting period. These tax credits may not exceed the B&O tax liability. The amount of credit taken should be entered into the "credit" section of the return form, with a copy of the credit approval notice issued to the recipient attached to the return.

(a) **When can credits be used?** The credits may be used as soon as hiring of the projected qualified employment positions begins or may accrue until they are most beneficial for the recipient's use. For example, if a recipient has been approved for \$12,000 of tax credits based upon projections to hire five new positions, that recipient may use \$2,000 or \$4,000 of tax credit at the time it hires each new employee, depending on the wage/benefit level of the position filled.

(b) **No refunds for unused credits.** No tax refunds will be made for any tax credits which exceed tax liability during the life of this program. If tax credits derived from qualified hiring exceed the recipients' business and occupation tax liability in any one calendar year under this program, they may be carried forward to the next calendar year(s), until used.

(9) **Annual report to be filed by recipient.** A recipient of tax credits under this program must complete and submit

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an annual report of employment activities to substantiate that he or she has complied with the hiring and retention requirements for approved credits. RCW 82.62.050. This report must be filed with the department by January 31st of the year following the calendar year for which credit was approved by the department. Based upon this report the department will verify that the recipient is entitled to the tax credits approved by the department when the application was reviewed. The completed annual report may be sent by FAX to (360) 586-0527 or mailed to the following address:

State of Washington

Department of Revenue

Taxpayer Account Administration

P.O. Box 47476

Olympia, WA 98504-7476

The U.S. Post Office postmark or FAX date will be used as the date of filing.

(a) **Verification of annual report.** The department will use the same report the recipient provides to the department of employment security, which is known as the quarterly employment security report, to verify the recipient's eligibility for tax credits. The recipient must maintain copies of the quarterly employment report for the year prior to the year for which credits are claimed, the year credits are claimed, and for the four quarters following the hiring of persons to fill the qualified employment positions. (The recipient does not have to forward copies of the quarterly employment report to the department each quarter.) The department may use other wage information provided to the department by the department of employment security. The taxpayer must provide additional information to the department, as the department finds necessary to calculate and verify wage eligibility.

(b) **Failure to file report.** The law provides that if any recipient fails to submit a report or submits an inadequate report, the department may declare the amount of taxes for which credit has been used to be immediately due and payable. An inadequate report is one which fails to provide information necessary to confirm that the requisite number of employment positions has been created and maintained for twelve consecutive months.

(10) **What if the required number of positions is not created?** The law provides that if the department finds that a recipient is not eligible for tax credits for any reason, other than failure to create the required number of qualified employment positions, the amount of taxes for which any credit has been used will be immediately due. No interest or penalty will be assessed in such cases. However, if the department finds that a recipient has failed to create the specified number of qualified employment positions, the department will assess interest, but not penalties, on the taxes against which the credit has been used. This interest on the assessment is mandatory and will be assessed at the statutory rate under RCW 82.32.050, retroactively to the date the tax credit was used. The interest will accrue until the taxes for which the credit was used are fully repaid. RCW 82.32.050. The interest rates under RCW 82.32.050 can be obtained from the department's internet website at (www.dor.wa.gov/reports/r2000-2.pdf?noframes) www.dor.wa.gov or by calling the department's information center at 1-800-647-7706.

(11) **Program thresholds.** The department cannot approve any credits that will cause the total credits approved to exceed seven million five hundred thousand dollars in any fiscal year. RCW 82.62.030. A "fiscal year" is the twelve-month period of July 1st through June 30th. If all or part of an application for credit is disallowed due to cap limitations, the disallowed portion will be carried over for approval the next fiscal year. However, the applicant's carryover into the next fiscal year is only permitted if the total credits approved for the next fiscal year does not exceed the cap for that fiscal year as of the date on which the department has disallowed the application.

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 04-19-077

EXPEDITED RULES

DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:18 a.m.]

Title of Rule and Other Identifying Information:
Amending WAC 458-30-262 Agricultural land valuation—
Interest rate—Property tax component.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kim M. Qually, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, fax (360) 664-0693 e-mail kimq@dor.wa.gov, AND RECEIVED BY November 22, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule is to provide county assessors with the rate of interest and property tax component used in valuing farm and agricultural land classified under chapter 84.34 RCW (the open space program) during assessment year 2005.

The rule is being amended to update the interest rate and property tax component used to value farm and agricultural land classified under chapter 84.34 RCW. The amendments provide information that local taxing officials need to value classified farm and agricultural land during assessment year 2005.

Reasons Supporting Proposal: RCW 84.34.065 requires the department to annually determine a rate of interest and property tax component. This information is to be set forth in a rule that is to be published in the State Register no later than January 1 each year for use in that assessment year.

Statutory Authority for Adoption: RCW 84.34.065.

Statute Being Implemented: RCW 84.34.065.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Kim M. Qually, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6113; Implementation and Enforcement: Peri Maxey, 1025 Union Avenue S.E., Suite #200, Olympia, WA, (360) 570-5860.

September 16, 2004

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending WSR 03-24-013, filed 11/20/03, effective 12/21/03)

WAC 458-30-262 Agricultural land valuation—Interest rate—Property tax component. For assessment year ((2004)) 2005, the interest rate and the property tax component that are to be used to value classified farm and agricultural lands are as follows:

- (1) The interest rate is ((8.34)) 6.34 percent; and
- (2) The property tax component for each county is:

COUNTY	PERCENT	COUNTY	PERCENT
Adams	((1.40)) <u>1.36</u>	Lewis	((1.15)) <u>1.13</u>
Asotin	((1.48)) <u>1.44</u>	Lincoln	((1.37)) <u>1.36</u>
Benton	((1.36)) <u>1.39</u>	Mason	((1.26)) <u>1.27</u>
Chelan	((1.34)) <u>1.33</u>	Okanogan	((1.20)) <u>1.24</u>
Clallam	((1.18)) <u>1.11</u>	Pacific	((1.33)) <u>1.44</u>
Clark	((1.35)) <u>1.33</u>	Pend Oreille	((1.33)) <u>1.16</u>
Columbia	((1.36)) <u>1.33</u>	Pierce	((1.51)) <u>1.50</u>
Cowlitz	((1.23)) <u>1.26</u>	San Juan	((0.73)) <u>0.67</u>
Douglas	1.37	Skagit	((1.22)) <u>1.20</u>
Ferry	((1.03)) <u>0.98</u>	Skamania	((1.02)) <u>0.99</u>
Franklin	((1.55)) <u>1.57</u>	Snohomish	((1.33)) <u>1.26</u>
Garfield	((1.58)) <u>1.60</u>	Spokane	((1.42)) <u>1.50</u>
Grant	((1.40)) <u>1.44</u>	Stevens	((1.09)) <u>1.13</u>
Grays Harbor	((1.35)) <u>1.37</u>	Thurston	((1.42)) <u>1.38</u>
Island	((0.99)) <u>0.94</u>	Wahkiakum	((1.07)) <u>1.06</u>
Jefferson	((1.16)) <u>1.11</u>	Walla Walla	1.43
King	((1.10)) <u>1.09</u>	Whatcom	((1.28)) <u>1.30</u>
Kitsap	((1.34)) <u>1.28</u>	Whitman	((1.57)) <u>1.59</u>
Kittitas	((1.05)) <u>1.07</u>	Yakima	((1.29)) <u>1.28</u>
Klickitat	((1.17)) <u>1.20</u>		

WSR 04-19-078

EXPEDITED RULES

DEPARTMENT OF REVENUE

[Filed September 17, 2004, 11:19 a.m.]

Title of Rule and Other Identifying Information:
Amending WAC 458-18-220 Refunds—Rate of interest.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD

PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kim M. Qually, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, fax (360) 664-0693 e-mail kimq@dor.wa.gov, AND RECEIVED BY November 22, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this rule is to provide the rate of interest that will be included when property taxes paid in 2004 are refunded to taxpayers.

The rates of interest reflected in this rule are included when property taxes are refunded. The rates of interest are listed in chronological order with reference to the year the property taxes were paid. The rule is being amended to provide the rate of interest for treasury bill auction year 2004, which is used as a basis for refunding taxes paid in 2005 and refunded in a subsequent year. This rule is updated annually.

Reasons Supporting Proposal: RCW 84.69.100 requires interest to be paid when property taxes are refunded. It also requires the department to annually adopt a rule that specifies the amount of interest to be collected for each year property taxes were paid.

Statutory Authority for Adoption: RCW 84.69.100.

Statute Being Implemented: RCW 84.69.100.

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

Name of Proponent: Department of Revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Kim M. Qually, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 570-6113; Implementation and Enforcement: Peri Maxey, 1025 Union Avenue S.E., Suite #200, Olympia, WA, (360) 570-5860.

September 16, 2004

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending WSR 03-24-014, filed 11/20/03, effective 12/21/03)

WAC 458-18-220 Refunds—Rate of interest. The following rates of interest shall apply on refunds of taxes made pursuant to RCW 84.69.010 through 84.69.090 in accordance with RCW 84.69.100. The following rates shall also apply to judgments entered in favor of the plaintiff pursuant to RCW 84.68.030. The interest rate is derived from the equivalent coupon issue yield of the average bill rate for twenty-six week treasury bills as determined at the first bill market auction conducted after June 30th of the calendar year preceding the date the taxes were paid. The rate thus determined shall be applied to the amount of the judgment or the amount of the refund, until paid:

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Year tax paid	Auction Year	Rate
1985	1984	11.27%
1986	1985	7.36%
1987	1986	6.11%
1988	1987	5.95%
1989	1988	7.04%
1990	1989	8.05%
1991	1990	8.01%
1992	1991	5.98%
1993	1992	3.42%
1994	1993	3.19%
1995	1994	4.92%
1996	1995	5.71%
1997	1996	5.22%
1998	1997	5.14%
1999	1998	5.06%
2000	1999	4.96%
2001	2000	5.98%
2002	2001	3.50%
2003	2002	1.73%
2004	2003	0.95%
<u>2005</u>	<u>2004</u>	<u>1.73%</u>

WSR 04-19-086
EXPEDITED RULES
DEPARTMENT OF
NATURAL RESOURCES
 (Aquatic Resources Division)
 [Filed September 20, 2004, 9:38 a.m.]

Title of Rule and Other Identifying Information: Chapter 332-44 WAC, Stray logs. Chapter 332-44 WAC was adopted by the Board of Natural Resources in 1965 in order to implement chapter 76.40 RCW. Chapter 76.40 RCW was repealed by the Washington state legislature in 1994, making chapter 332-44 WAC no longer enforceable. Prior to the repeal of chapter 76.40 RCW, chapter 332-44 WAC provided "licensed log patrolmen" in Washington state with a means of marking stray logs that had been recovered under the provisions of chapter 76.40 RCW, enabling their recovery in the event of theft or commingling with other recovered stray logs. Chapter 332-44 WAC has not been implemented since 1994.

NOTICE

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

OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Heather White, Rules Coordinator, Department of Natural Resources, SEPA Center, 1111 Washington Street S.E., P.O. Box 47015, Olympia, WA 98504-7015, AND RECEIVED BY 5 p.m., November 22, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Department of Natural Resources proposes the expedited repeal of chapter 332-44 WAC, Stray logs. Chapter 332-44 WAC was adopted by the Board of Natural Resources in 1965 in order to implement chapter 76.40 RCW. Chapter 76.40 RCW was repealed by the Washington state legislature in 1994, making chapter 332-44 WAC no longer enforceable. Prior to the repeal of chapter 76.40 RCW, chapter 332-44 WAC provided "licensed log patrolmen" in Washington state with a means of marking stray logs that had been recovered under the provisions of chapter 76.40 RCW, enabling their recovery in the event of theft or commingling with other recovered stray logs.

According to RCW 34.05.353(2), an agency may file notice for the expedited repeal of a rule if the rule meets any one of the several criteria, including situations in which the statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule. Because chapter 76.40 RCW was repealed in 1994 and was never replaced by another statute providing authority for the rule, the Department of Natural Resources proposes the expedited repeal of chapter 332-44 WAC under the procedures set forth in RCW 34.05.353.

Because statutory authority no longer exists for the rule, it is currently unenforceable and its repeal will not have any effect other than removing the unnecessary section from the Washington Administrative Code.

Statutory Authority for Adoption: Not applicable.

Statute Being Implemented: Not applicable.

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

Name of Proponent: Department of Natural Resources, Aquatic Resources Division, public.

Name of Agency Personnel Responsible for Drafting: Matt Niles, 1111 Washington Street S.E., P.O. Box 47015, Olympia, WA 98504-7015, (360) 902-1065.

September 17, 2004

Francea McNair
Aquatics Steward

REPEALER

The following section of the Washington Administrative Code is repealed:

Chapter 332-44 WAC Stray logs

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 04-19-124

EXPEDITED RULES

DEPARTMENT OF AGRICULTURE

[Filed September 21, 2004, 2:08 p.m.]

Title of Rule and Other Identifying Information: WAC 16-354-040 Hop rootstock certification application and fees and 16-354-050 Hop rootstock tags and identity, this proposal changes the hop rootstock certification field inspection fees by making them equal to the fees charged for other nursery services as specified in chapter 16-401 WAC and clarifies existing language so that it is easier to read and understand.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO George Huffman, Rules Coordinator, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, AND RECEIVED BY November 23, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: This proposal changes the hop rootstock certification field inspection fees by making them equal to the fees charged for other nursery services and clarifies existing language so that it is easier to read and understand. The current rule requires program participants to pay for hop rootstock certification inspections at the rate of \$16 per acre with a 5-acre minimum. This proposal would replace the \$16 per acre charge with the fee schedule established in chapter 16-401 WAC that is used for other nursery services. The proposal will reduce the cost of hop rootstock certification inspections to the current participants.

Reasons Supporting Proposal: Participation in the production of certified hop rootstock is entirely voluntary. The intent of this voluntary fee-for-service program is to produce a known, high-quality agricultural product that is apparently free of specified diseases and other pests, which will normally command a premium market price. Currently, there are only three participants in the certification program. The proposal will reduce the cost of hop rootstock certification inspections to the current participants and will still allow the department to recover its costs.

Statutory Authority for Adoption: Chapters 15.14 and 34.05 RCW.

Statute Being Implemented: Chapter 15.14 RCW.

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

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

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforce-

ment: Tom Wessels, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1984.

September 21, 2004
Mary A. Martin Toohey
Assistant Director

AMENDATORY SECTION (Amending WSR 98-09-049, filed 4/15/98, effective 5/16/98)

WAC 16-354-040 Hop rootstock certification application and fees. (1) Application for inspection and testing of certified mother blocks and certified stock shall be filed with the department by April 1 of each year accompanied by a seventy-five dollar application fee.

(2) As a condition of participation in the hop rootstock certification program, the applicant grower must furnish to the department all requested information pertinent to the operation of the program and must give consent to the department to take material from certified mother blocks and/or greenhouses for examination and testing.

(3) ~~((Field inspection fees are sixteen dollars for each acre per inspection with a minimum fee of eighty dollars for five acres or less per inspection.~~

(4)) Fees for field inspections or inspection of harvested rootstock for grade, phytosanitary certification, or other purposes are assessed at the appropriate rate established in ((WAC 16-401-025)) chapter 16-401 WAC.

~~((5))~~ (4) Payment for each inspection is due upon completion of the inspection. Billing may be arranged subject to department policies and processes.

AMENDATORY SECTION (Amending WSR 98-09-049, filed 4/15/98, effective 5/16/98)

WAC 16-354-050 Hop rootstock tags and identity.

(1) ~~((Application for inspection and testing of certified mother blocks and certified stock shall be filed with the department by April 1 of each year accompanied by a seventy-five dollar application fee.~~

(2)) Any person selling or offering for sale hop rootstock bearing a certification tag or otherwise identified as certified is responsible for the following:

(a) Accurately identifying the rootstock as to variety and year of harvest;

(b) Accurately identifying the rootstock as complying with all of the conditions of the certified hop rootstock program.

~~((3))~~ (2) Any person issued certification tag(s) must keep written records of stock produced and sold. These records must be produced at the request of the department.

EXPEDITED

WSR 04-19-143
EXPEDITED RULES
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter No R 2004-06—Filed September 22,
2004, 9:20 a.m.]

Title of Rule and Other Identifying Information: Reinsurance contract.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kacy Scott, Insurance Commissioner, P.O. Box 40255, Olympia, WA 98504-0255, AND RECEIVED BY November 23, 2004.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of this proposed rule making is to correct a reference and make the regulation more clear.

Reasons Supporting Proposal: The commissioner is committed to the review of existing regulations to improve the clarity and efficiency of Title 284 WAC. The OIC received a rule-making petition by Reinsurance Association of America to correct a reference that resulted from the passage of a law in 1997.

Statutory Authority for Adoption: RCW 48.02.060, 48.12.154.

Statute Being Implemented: RCW 48.12.162.

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

Name of Proponent: Mike Kreidler, Insurance Commissioner, governmental.

Name of Agency Personnel Responsible for Drafting: Jim Tompkins, P.O. Box 40255, Olympia, WA 98504, (360) 725-7218; Implementation and Enforcement: Jim Odiorne, P.O. Box 40255, Olympia, WA 98504, (360) 725-7214.

September 22, 2004

Mike Kreidler

Insurance Commissioner

AMENDATORY SECTION (Amending Order R 93-6, filed 9/1/93, effective 10/2/93)

WAC 284-13-580 Reinsurance contract. ~~((Credit will not be granted to a ceding insurer for reinsurance effected with assuming insurers meeting the requirements of this regulation or otherwise in compliance with RCW 48.12.160 after the adoption of this regulation unless))~~ The reinsurance agreement between any ceding insurer claiming credit for reinsurance and an assuming insurer that meets the requirements of this regulation or is in compliance with RCW 48.12.160 and 48.12.162 must include:

(1) ~~((Includes))~~ A proper insolvency clause pursuant to RCW ~~((48.12.160(2)))~~ 48.12.162 (1)(b); and

(2) ~~((Includes))~~ A provision ~~((whereby the))~~ stating that an unauthorized assuming insurer ~~((, if an unauthorized assuming insurer,))~~;

(a) Has submitted to the jurisdiction of an alternative dispute resolution panel or court of competent jurisdiction within the United States~~((;))~~;

(b) Has agreed to comply with all requirements necessary to give such court or panel jurisdiction~~((;))~~;

(c) Has designated an agent upon whom service of process may be effected~~((;))~~; and

(d) Has agreed to abide by the final decision of such court or panel.

EXPEDITED

WSR 04-18-038
PERMANENT RULES
LIQUOR CONTROL BOARD

[Filed August 25, 2004, 4:42 p.m., effective September 25, 2004]

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

Purpose: Make following changes to rules regarding mandatory alcohol server training: Require standardized exam. Allow the Liquor Control Board (LCB) to consider if a trainer or provider has been suspended in Washington or another state in the last five years. Prohibit stand-alone videotape training for the class 12 permit. Require prospective trainers to either attend their provider's approved train-the-trainer program or attend a LCB briefing on liquor laws and rules. Technical changes for clarification and to correct references to other WACs.

Citation of Existing Rules Affected by this Order: Amending WAC 314-17-020, 314-17-030, 314-17-050, 314-17-055, 314-17-060, 314-17-065, 314-17-070, 314-17-080, 314-17-085, 314-17-095, and 314-17-105.

Statutory Authority for Adoption: RCW 66.08.030, 66.12.160, 66.44.010, 66.44.200, 66.44.240, 66.44.270, 66.24.291 [66.44.290], 66.44.310.

Adopted under notice filed as WSR 04-08-111 on April 6, 2004.

Changes Other than Editing from Proposed to Adopted Version: WAC 314-17-055 Added language that MAST providers and trainers will be given until January 1, 2005, to deplete their existing stock of exams.

WAC 314-17-050 and 314-17-065, stated that providers must either: (1) Have an approved train-the-trainer program; or (2) have any new trainers attend an LCB licensee briefing (option #2 is new from original filing).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 11, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 11, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 11, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 11, Repealed 0.

Date Adopted: July 21, 2004.

Merritt D. Long
Chairman

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-020 How long are the permits good for, and how does a permit holder renew? (1) Class 12 mixologist and Class 13 server permits are valid for five years. The permits expire on the first day of the month, five years fol-

lowing the month the person successfully completed the alcohol server education course.

(2) In order to renew the permit, the mixologist or server must attend an alcohol server education course given by a board certified trainer or provider prior to the expiration of the permit.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-030 Are employers responsible to ensure that their employees hold an alcohol server permit? All licensees who hold a license to sell liquor for on-premises consumption must ensure that any person that engages in the sale or service of liquor, or who supervises such activities, has a current and valid Class 12 mixologist or Class 13 server permit within sixty days of the date of hire. See RCW 66.20.310(7) for exceptions for grocery stores that have an on-premises liquor license.

(1) The permit must be in the same name and with the same identifying characteristics as indicated on the permit holder's identification (acceptable forms of identification are outlined in (~~RCW 66.16.040~~) WAC 314-11-025).

(2) Per WAC (~~(314-16-070(1))~~) 314-11-040, a person twenty-one years of age or older must be on the licensed premises to supervise the sale, service, and consumption of liquor.

(3) The permit is the sole property of the permit holder.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-050 How can a person receive certification as a Class 12 mixologist or Class 13 server permit provider? An individual, partnership, corporation, college, educational institute, or other bona fide legal entity may apply to be certified by the board to become a Class 12 mixologist and/or a Class 13 server permit provider.

(1) In order to get a course certified, the proposed provider must submit the following information to the board's licensing and regulation division:

- (a) A completed application form provided by the board;
- (b) A copy of the proposed curriculum (see WAC 314-17-060);
- (c) A copy of all audio, video, and instructional materials that will be used in the course;
- (d) A copy of all printed materials that will be provided to participants as part of the course; and

(e) (~~A copy of the examination(s) and~~) An explanation of the examination procedures necessary to pass the course.

(2) The board's licensing and regulation division will respond to the request for certification within forty-five days of receipt of the material. The board will either:

(a) Issue a letter of certification which will be valid for five years, or

(b) Provide a letter outlining what additions or changes need to be made to the course to meet the requirements outlined in this title. If the additions or changes are not received by the licensing and regulation division within thirty days, the application for course certification will be withdrawn.

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(3)(a) Upon certification of the program, the board will provide the standardized exam to be used for all training conducted. Trainers may use existing, board-approved exams until January 1, 2005.

(b) With board approval, trainers may provide an additional exam or add questions to the standardized exam, as long as the questions on the standardized exam are not altered and are left in the same order.

~~((3))~~ (4) The board or its designee may attend any class provided by certified providers and their trainers at no charge, in order to evaluate the course for conformance with this title.

~~((4))~~ (5) The provider must receive prior approval from the board's licensing and regulation division before making any changes to the course content or method of presentation ~~((which))~~ that has been certified by the board.

(6) Providers who wish to renew their program must submit a complete program to the board's mandatory alcohol server training program manager at least forty-five days prior to expiration of their certification, as outlined in subsection (2) of this rule.

(7) The board may consider any information pertaining to a provider or trainer's certification in any state, including any certification suspensions or revocations in the past five years.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-055 Temporary certification as a provider. (1) Persons or entities may apply for temporary certification by the board to become a Class 12 mixologist and/or a Class 13 server permit provider. Temporary certification may be issued by the board for up to six months. During this time period, the provider may adjust their course content or method of presentation without prior board approval, within the guidelines set by the board's licensing and regulation division in the temporary certification.

(2) In order to get a course certified, the proposed provider must submit the information outlined in WAC 314-17-050(1).

(3) The board's licensing and regulation division will evaluate the program to see if it meets the minimum standards set by RCW 66.20.300 through 66.20.350, and will respond to the request for temporary certification within forty-five days of receipt of the material. The board will either:

(a) Issue a letter of temporary certification which will be valid for up to six months, or

(b) Provide a letter outlining what additions or changes need to be made to the course to meet the requirements outlined in this title. If the additions or changes are not received by the licensing and regulation division within thirty days, the application for temporary certification will be withdrawn.

(4)(a) Upon temporary certification of the program, the board will provide the standardized exam to be used for all training conducted. Trainers may use existing, board-approved exams until January 1, 2005.

(b) With board approval, trainers may provide an additional exam or add questions to the standardized exam, as

long as the questions on the standardized exam are not altered and are left in the same order.

~~((4))~~ (5) The board or its designee may attend any class provided by certified providers and their trainers at no charge in order to evaluate the course for conformance with this title. If, in the opinion of the board or their designee, the provider does not comply with the lesson plan submitted and approved or any of the requirements of this title, the temporary certification may be immediately revoked.

~~((5))~~ (6) If permanent certification is not obtained during the six-month temporary certification period, at the end of the temporary certification period, the provider must return the following materials to the board's licensing and regulation division:

- (a) The original letter of board certification,
- (b) Any Class 12 mixologist and/or Class 13 server permit forms, and
- (c) Records of all permits issued during the temporary certification period.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-060 What are the course standards for Class 12 mixologist and Class 13 server permits?

<p>(1) Requirements for a Class 12 mixologist permit course</p>	<p>(a) The course of instruction must be at least three hours in length. The course may be by video or audio-visual presentation ((("video" includes via videotape or via computer, including Internet applications and CD-ROMS))) together with facilitation by an authorized provider or trainer.</p> <p>(b) In addition to meeting the requirements of RCW 66.20.320 (1)(d), the course must contain a standard workbook that covers the specifics of Washington liquor laws and regulations as they relate to:</p> <ul style="list-style-type: none"> (i) recognizing and dealing with intoxicated persons, (ii) how to check identification, (iii) employment of persons under twenty-one years of age, (iv) legal hours of liquor sale and service, (v) prohibited conduct by patrons and employees, (vi) required signs in liquor licensed establishments, (vii) minimum lighting requirements, and (viii) administrative and criminal sanctions against liquor licensees and Class 12 and Class 13 permit holders.
<p>(2) Requirements for a Class 13 server permit course</p>	<p>(a) The course of instruction must be at least one hour in length. The course may be by video or audio-visual presentation of not less than thirty minutes together with facilitation by an authorized provider or trainer, or a sixty-minute self-teaching video ((("video" includes via videotape or via computer, including Internet applications and CD-ROMS))).</p>

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	<p>(b) In addition to meeting the requirements of RCW 66.20.320 (1)(d), the course must contain a standard workbook that covers the specifics of Washington liquor laws and regulations as they relate to:</p> <ul style="list-style-type: none"> (i) recognizing and dealing with intoxicated persons, (ii) how to check identification, (iii) employment of persons under twenty-one years of age, (iv) legal hours of liquor sale and service, (v) prohibited conduct by patrons and employees, and (vi) administrative and criminal sanctions against licensees and Class 13 server permit holders.
<p>(3) Requirements and guidelines for both Class 12 mixologist and Class 13 server permit courses</p>	<p>(a) At the beginning of each class, the trainer must give each student:</p> <ul style="list-style-type: none"> (i) an enrollment agreement that clearly states the obligations of the trainer and student, refund policies, and procedures to terminate enrollment; (ii) a statement that says, "If you have questions, comments, or complaints about the program, please call the liquor control board" and includes the appropriate board telephone numbers; and (iii) a notice that students must complete the course in order to take the exam. <p>(b) Students must complete written examination in the presence of the certified trainer that demonstrates the student is familiar with the liquor laws and rules outlined in subsections (1) and (2) ((and (3))) of this rule. During the examination, trainees may not ((to)) refer to any written or video material or have a discussion with another person during the exam (unless the instructor authorizes the student to use an interpreter).</p> <p>(c) Providers or trainers may not suggest that the state of Washington, the board, or any state agency endorses or recommends the provider's program to the exclusion of any other program.</p>

- (vi) Hospitality industry.
- (b) Hold a Class 12 mixologist permit; and
- (c) Meet the criminal history requirements outlined in WAC 314-17-070.

(3) The board may consider any information pertaining to a provider or trainer's certification in any state, including any certification suspensions or revocations in the past five years.

(4) Prior to receiving certification, the applicant trainer must attend either:

(a) A board-approved train-the-trainer course provided by the MAST provider; or

(b) A briefing conducted by a liquor control board enforcement officer. Proof of the training must be submitted with the trainer registration form.

~~((3))~~ (5) The board's licensing and regulation division will respond to the request for trainer certification within thirty days of receipt of the request. The board will either:

(a) Issue a letter to the provider and each trainer that authorizes the trainer(s) to teach the approved course (the trainer's authorization expires on the date the provider's certification expires); or

(b) Send a letter to the provider outlining why an applicant trainer does not meet the qualifications outlined in this title.

(c) Trainers may not begin training certified alcohol server education courses until they receive their authorization letter from the board.

(d) Trainers must teach the provider's program as approved and may not change the method of presentation or course content without approval from the provider and the liquor control board's mandatory alcohol server training program manager.

~~((4))~~ (6) It is the responsibility of the approved provider to keep the board's licensing and regulation division informed of all current trainers.

(a) The provider must notify the board's licensing and regulation division within seventy-two hours of the termination of a trainer, or within seventy-two hours of when the provider is notified that a trainer has terminated ~~((their))~~ his/her employment.

(b) For the hiring of new trainers, the provider can either:

(i) Notify the board's licensing and regulation division in writing of any new trainers within thirty days of the date of hire; or

(ii) Provide a list of all current trainers to the board's licensing and regulation division monthly.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-070 What criminal history would prevent a person from receiving certification to be a trainer?

(1) The board's licensing and regulation division may ~~((process))~~ conduct a criminal history check on a person applying to be an alcohol server education trainer, using ~~((a))~~ the point system below ~~((to determine if the person qualifies)). ((The licensing and regulation division will not certify a trainer who accumulates eight or more points as indicated below:))~~

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-065 How does a provider receive certification for its trainers? (1) To receive board certification for trainers to teach a course approved by the board, the provider must submit a form provided by the board to the board's licensing and regulation division.

(2) The provider will only contract with trainers who:

(a) Have a minimum of two years of post-secondary education in one or more of the following fields or a combination of the following fields, or equivalent years of experience:

- (i) Training;
- (ii) Education;
- (iii) Law;
- (iv) Law enforcement;
- (v) Substance abuse rehabilitation; and/or

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The application may be denied if the applicant's criminal history totals eight or more points:

Description	Time period during which points will be assigned	Points the board will assign
Gross misdemeanor conviction	Three years	5 points
Misdemeanor conviction - involving alcohol	Three years	4 points
Misdemeanor conviction - not involving alcohol	Three years	3 points
Driving under the influence conviction	Three years	5 points
Reckless and/or negligent driving conviction - alcohol related	Three years	5 points
Reckless and/or negligent driving conviction - not alcohol related	Three years	4 points
Hit and run, attended - conviction	Three years	5 points
Two to five failures to appear for court conviction	Three years	4 points
Six or more failures to appear for court conviction	Three years	8 points
Felony conviction	Five years	12 points
On parole from a felony	((Five years)) n/a	8 points
Nondisclosure of ((arrests or convictions to)) information requested by the board	((Any arrest or conviction since age eighteen)) n/a	4 points each, PLUS the points of the fact which was not disclosed
Misrepresentation of fact to the board	n/a	8 points, PLUS the points of the fact which was not disclosed

(2) ~~((If a case is))~~ For pending ~~((for an alleged conviction))~~ criminal charges that would ~~((earn))~~ score eight or more points in the event of conviction, the board's licensing and regulation division will hold the trainer's application ~~((for the))~~ pending disposition of the ~~((case))~~ matter. If the ~~((disposition))~~ matter is not ~~((settled))~~ resolved within ninety days, the board will withdraw the application.

(3) ~~A ((P))~~ person~~((s))~~ whose application~~((s))~~ to become an alcohol server education trainer ~~((are))~~ is denied by the licensing and regulation division due to a criminal history may request an adjudicative hearing under the provisions of the Administrative Procedure Act (chapter 34.05 RCW). At the board's discretion it may elect to conduct the adjudicative hearing itself or it may assign the matter to the office of administrative hearings.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-080 What are the age requirements for trainees to receive, and trainers to issue, Class 12 mixologist and Class 13 server permits? (1) Class 12 mixologist permits are only issued to persons twenty-one years of age or older. Therefore, any person who is eighteen, nineteen, or twenty years of age who successfully completes a Class 12 mixologist course will be issued a Class 13 server permit.

(2) Class 13 server permits may only be issued to persons eighteen years of age and older.

(3) Upon turning twenty-one years of age, a Class 13 server permit holder may receive an upgraded Class 12 mixologist permit from the provider or trainer who issued the permit. The expiration date of the permit will remain five years from the date of the class.

(4) If a provider or trainer issues a Class 12 mixologist permit in error to a person under twenty-one years of age, the provider or trainer must take the following steps:

(a) Contact the permit holder and notify him/her that ~~((they received the incorrect permit))~~ the permit was issued in error;

(b) ~~((Obtain))~~ Retrieve the original Class 12 mixologist permit from the permit holder; and

(c) Issue the correct Class 13 server permit (only after receiving the original Class 12 mixologist permit that was issued in error).

(d) Within thirty days of the date the permit was issued in error, or of being notified by the board of the error, the provider or trainer must:

(i) Provide the tear-off portion of the corrected Class 13 server permit to the board's licensing and regulation division; or

(ii) If unable to contact the permit holder and issue a corrected permit, the provider or trainer can provide the board's licensing and regulation division proof that a certified letter was sent to the trainee who received the Class 12 mixologist permit in error.

(5) If a provider or trainer issues a Class 13 servers permit in error to a person under eighteen years of age, the provider or trainer must take the following steps:

(a) Contact the permit holder and notify him/her that the permit was issued in error.

(b) Retrieve the original Class 13 server permit from the permit holder.

(i) If unable to contact the permit holder and retrieve the invalid permit, the provider or trainer must provide the board's licensing and regulation division proof that a certified letter was sent to the trainee informing the trainee the permit was issued in error and that serving liquor with the unauthorized permit may be cause for a criminal citation.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-085 What records does the provider or trainer need to provide to the board or keep on file? (1) A list of the individuals receiving the class 12 or class 13 permits must be forwarded to the board's licensing and regulation division within three calendar days of the completion of the class.

~~((+))~~ (2) Within thirty days of all training classes, the provider or trainer must give all class participants who successfully pass the exam their permit and submit the tear-off portion of the permit form, completed in full, for all Class 12 and/or Class 13 permits issued to the board's licensing and regulation division.

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~~((2))~~ (3) The following information must be kept at the trainer's place of business, available for inspection and copying by board employees, for a period of five years:

(a) Copies of all Class 12 and/or Class 13 permits issued by the provider or authorized trainers (electronic records may be kept in lieu of hard copies of the permit forms for those programs using an automatic upload process); and

(b) All course presentation information, including the location, date, and time of every class given, together with the names of the trainer and names of students that attended each class.

~~((3))~~ (4) The provider or trainer must provide the following information to the board or its designee upon request:

(a) Advance notice of any classes that have been pre-scheduled; and

(b) Copies of program publications, brochures, pamphlets, scripts, or any other advertising materials related to the alcohol server training course.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-095 Is the provider responsible for the acts of its trainers? The board may hold a provider responsible for any act or omission of the provider's program personnel, authorized trainers, or representatives that violates any law or rule affecting provider privileges.

(1) If a provider discovers a trainer has not complied with a provision of the alcohol server training requirements, the provider must contact the board's mandatory alcohol server training manager within five calendar days.

(2) The provider must submit an action plan to the board's mandatory alcohol server training program manager within ten calendar days. The action plan must include corrective action that will be taken to ensure compliance with liquor control board laws and rules.

AMENDATORY SECTION (Amending WSR 01-03-085, filed 1/17/01, effective 2/17/01)

WAC 314-17-105 What are the penalties if a permit holder violates ~~((the))~~ a liquor law~~(s))~~ or rule? (1) Penalties assessed for violations within a three-year period will normally be as follows:

Violation Type	1st Violation	2nd Violation	3rd Violation	4th Violation
AFTER HOURS: Selling, serving, or allowing alcohol to be consumed between 2 a.m. and 6 a.m. See WAC ((314-16-050)) <u>314-11-070</u> .	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
DISORDERLY CONDUCT: Disorderly conduct by the licensee or employee, or allowing patrons to engage in disorderly conduct. See WAC ((314-16-120)) <u>314-11-050</u> .	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
FALSIFICATION OF PERMIT: <u>Falsifying a class 12 or class 13 permit or possessing a class 12 or class 13 permit contrary to this title. See RCW 66.20.310(2) and WAC 314-17-025.</u>	<u>5 day permit suspension OR \$100 monetary option</u>	<u>10 day permit suspension OR \$200 monetary option</u>	<u>30 day permit suspension OR \$400 monetary option</u>	<u>revocation of permit</u>
INTOXICATED PERSONS: Selling or serving to an apparently intoxicated person or allowing such a person to possess or consume alcohol. See RCW 66.44.200 and WAC ((314-16-150)) <u>314-11-035</u> .	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
LEWD CONDUCT: Allowing lewd conduct on the licensed premises. See WAC ((314-16-125)) <u>314-11-050</u> .	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
MISCELLANEOUS: Violation of other retail liquor laws or rules.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
MINORS: Selling or serving alcohol to a person under twenty-one years of age. See RCW 66.44.310 and WAC ((314-16-150)) <u>314-11-020(1)</u> .	5 day permit suspension OR \$200 monetary option	10 day permit suspension OR \$400 monetary option	30 day permit suspension OR \$600 monetary option	revocation of permit

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Violation Type	1st Violation	2nd Violation	3rd Violation	4th Violation
MINORS: Allowing persons under twenty-one years of age to frequent a restricted premises or area. See RCW 66.44.310 and WAC ((314-16-150)) 314-11-020(2).	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
OBSTRUCTING AN OFFICER: Obstructing a law enforcement officer, or failure to allow an inspection. See RCW 66.28.090.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
OTHER VIOLATION OF LAWS: Conviction of liquor laws, DUI, or felony.	5 day permit suspension OR \$100 monetary option	revocation of permit		
PERMIT: Failure to produce permit and/or ID upon request. See RCW 66.20.310(2) and ((WAC 314-15-025)) 66.20.180.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit
PRIVATE CLUBS: Prohibitions involving club liquor and use by the general public. See WAC 314-40-010.	5 day permit suspension OR \$100 monetary option	10 day permit suspension OR \$200 monetary option	30 day permit suspension OR \$400 monetary option	revocation of permit

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 04-18-114
PERMANENT RULES
DEPARTMENT OF PERSONNEL**

[Filed September 1, 2004, 9:43 a.m., effective July 1, 2005]

Effective Date of Rule: July 1, 2005.

Purpose: These rules pertain to layoff and separation of state employees.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Adopted under notice filed as WSR 04-13-030 on June 9, 2004, and WSR 04-13-190 on June 23, 2004.

Changes Other than Editing from Proposed to Adopted Version: WAC 357-46-020, a subsection was added that requires employers to address in their layoff procedure the timeframe in which employees must select a layoff option. As a result of discussion with stakeholders it was determined that this addition was necessary.

WAC 357-46-025, language was added to subsection (2) stating that the employer and employee can agree to waive the fifteen-day notice period of layoff. Subsection (2)(a) and (b) were deleted from the proposed rule. As a result of discussion with stakeholders it was determined that these changes were necessary.

WAC 357-46-035, language which reads "in which the employee has held permanent status" was added to the third sentence of subsection (1)(a). In subsection (2)(a)(ii) "as defined in WAC 357-01-210" was added. The changes were made to clarify the intent of the proposed language.

WAC 357-46-120, subsection (3) was added which states that written notice may be provided using alternative methods for purposes of this rule. The change was made [to] allow employers to use alternative methods such as e-mail to notify employees of transition review period requirements.

WAC 357-46-135, language was added to subsection (1) which states that an individual's name must be removed from the layoff list when their eligibility expires. The change was made to clarify that an individual's name must be removed when his/her eligibility expires.

WAC 357-46-140, a continuance has been filed on this section.

WAC 357-46-210, this new section was originally proposed under WSR 04-13-190 as WAC 357-40-050. It was determined through discussion of the proposed rules with stakeholders that this new section should be in chapter 357-46 WAC.

WAC 357-46-215, this new section was originally proposed under WSR 04-13-190 as WAC 357-40-055. It was determined through discussion of the proposed rules with stakeholders that this new section should be in chapter 357-46 WAC.

WAC 357-46-220, this new section was originally proposed under WSR 04-13-190 as WAC 357-40-060. It was determined through discussion of the proposed rules with stakeholders that this new section should be in chapter 357-46 WAC.

WAC 357-46-225, this new section was originally proposed under WSR 04-13-190 as WAC 357-40-065. The WAC number referenced in the title of the rule and the body of the rule was changed to reflect the new WAC number. It was determined through discussion of the proposed rules with stakeholders that this new section should be in chapter 357-46 WAC.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

PERMANENT

Recently Enacted State Statutes: New 42, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 42, Amended 0, Repealed 0.

Date Adopted: July 29, 2004.

E. C. Matt
Director

Chapter 357-46 WAC

Layoff and Separation

NEW SECTION

WAC 357-46-005 What is the impact of a layoff?

Layoff is an employer-initiated action taken in accordance with WAC 357-46-010 that results in:

- (1) Separation from service with an employer;
- (2) Employment in a class with a lower salary range maximum;
- (3) Reduction in the work year; or
- (4) Reduction in the number of work hours.

NEW SECTION

WAC 357-46-010 What are the reasons for layoff?

(1) Employees may be laid off without prejudice according to layoff procedures that are consistent with these rules. The reasons for layoff include, but are not limited to, the following:

- (a) Lack of funds;
 - (b) Lack of work; or
 - (c) Organizational change.
- (2) Examples of layoff actions due to lack of work may include, but are not limited to:
- (a) Termination of a project or special employment;
 - (b) Availability of fewer positions than there are employees entitled to such positions;
 - (c) Employee's ineligibility to continue in a position following its reallocation to a class with a higher salary range maximum; or
 - (d) Employee's ineligibility to continue, or choice not to continue, in a position following its reallocation to a class with a lower salary range maximum.

NEW SECTION

WAC 357-46-015 How does an employer implement a layoff action? The employer must have a layoff procedure. When the employer determines a layoff is necessary, the procedure must be followed. The layoff procedure must be

available either electronically or in writing to employees subject to layoff.

NEW SECTION

WAC 357-46-020 What must be included in the employer's layoff procedure? The employer's layoff procedure must:

(1) Identify clearly defined layoff unit(s) that minimize disruption of the employer's total operation and provide options to employees scheduled for layoff;

- Employers may establish separate and exclusive layoff units for project employment or special employment programs.

(2) Provide opportunities to avoid or minimize layoff, such as transfers, voluntary demotion, voluntary reduced work schedule, or voluntary leave without pay;

(3) Require the appointing authority to provide written notice of layoff to employees in accordance with WAC 357-46-025;

(4) Provide layoff options for permanent employees being laid off as provided in WAC 357-46-035;

(5) Address the timeframe in which employees must select a layoff option;

(6) Define what the employer considers when determining the comparability of a position;

(7) Identify the employer's legitimate business requirements if the employer is going to consider those requirements in determining layoff options under WAC 357-46-035;

- Legitimate business requirements may include requirements such as circumstances or characteristics that render a position uniquely sensitive to disruption in continuity such as meeting critical deadlines, continuity in patient care, or research progress.

(8) Describe how employment retention ratings will be calculated, including options for factoring performance into ratings; and

(9) Specify how the employer will break ties when more than one employee has the same employment retention rating.

NEW SECTION

WAC 357-46-025 How much layoff notice must employers give employees? (1) Probationary employees being separated due to layoff must receive at least one (1) calendar day's notice. (See WAC 357-46-185)

(2) Permanent employees being laid off must receive at least fifteen (15) calendar days' notice unless the employer and employee agree to waive the fifteen (15) day notice period.

NEW SECTION

WAC 357-46-030 What must be included in the layoff notice? The layoff notice for permanent employees must be in writing and minimally include all the following items:

- (1) The reason or basis for layoff.

(2) The employee's layoff options as determined by WAC 357-46-035, including any requirement for the employee to serve a transition review period.

(3) The specific layoff list(s) that the employee is entitled to request placement on according to WAC 357-46-070 and WAC 357-46-080 and information on how to request placement on the statewide layoff list.

(4) The date by when the employee must select a layoff option.

(5) The employee's right to appeal the layoff.

NEW SECTION

WAC 357-46-035 Layoff option. (1) What option does a permanent employee have to take a position when the employee is scheduled for layoff?

Within the layoff unit, a permanent employee scheduled for layoff must be offered the option to take a position, if available, that meets the following criteria:

(a) The position is allocated to the class in which the employee holds permanent status at the time of the layoff. If no option to a position in the current class is available, the employee's option is to a position in a class in which the employee has held permanent status that is at the same salary range. If the employee has no option to take a position at the same salary range, the employee must be given an opportunity to take a position in a lower class in an occupational category/class series in which the employee has held permanent status, in descending salary order. The employee does not have to have held permanent status in the lower class in order to be offered the option to take a position in the class.

(b) The position is comparable to the employee's current position as defined by the employer's layoff procedure.

(c) The employee satisfies the competencies and other position requirements.

(d) The position is funded and vacant, or if no vacant funded position is available, the position is occupied by the employee with the lowest employment retention rating.

(2) What if the employee has no option under subsection 1?

(a) If a permanent employee has no option available under subsection (1) of this section, the employer must determine if there is an available position in the layoff unit to offer the employee in lieu of separation that meets the following criteria:

(i) The position is at the same or lower salary range maximum as the position the employee is being laid off from;

(ii) The position is vacant and less than comparable or held by a probationary employee or an employee in a nonpermanent appointment; and

(iii) The position is one for which the employee meets the competencies and other position requirements.

(b) If more than one qualifying position is available, the position with the highest salary range maximum is the one that must be offered.

(3) What happens when a class in which the employee previously held permanent status has been revised or abolished?

If a class in which an employee has previously held permanent status has been revised or abolished, the employer

shall determine the closest matching class to offer as a layoff option. The closest matching class must be at the same or lower salary range maximum as the class from which the employee is being laid off.

NEW SECTION

WAC 357-46-040 What makes one position comparable to another when determining layoff options? Comparability of positions is defined by the employer's layoff procedure, and may include such factors as geographic location, number of hours per week, the shift time of the position, and any other factors as defined by the employer in its layoff procedure.

NEW SECTION

WAC 357-46-045 How do employers establish competency and other position requirements? In establishing competency and other position requirements, employers may use any of the following documented criteria:

(1) Licensing/certification requirements;

(2) Position description;

(3) Class specification;

(4) Skills/competencies listed on the position's most recent recruitment announcement or the last announcement used to fill the position;

(5) Bona fide occupational requirement(s) approved by the Washington human rights commission; or

(6) Additional documented competencies or requirements not reflected in the position description.

NEW SECTION

WAC 357-46-050 How does an employer determine an employee's employment retention rating? The employer determines an employee's employment retention rating using seniority as calculated in WAC 357-46-055. Employers with performance management confirmation may consider properly documented performance in addition to seniority. If performance is not considered, an employee's employment retention rating is equal to the employee's seniority.

NEW SECTION

WAC 357-46-060 Does a veteran receive any preference in layoff? (1) An eligible veteran receives a preference by having his/her seniority increased. This is done by adding the eligible veteran's total active military service, not to exceed five (5) years, to his/her unbroken service date.

(2) An eligible veteran is defined as any permanent employee who:

(a) Has one or more years in active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government; and

(b) Has received, upon termination of such service:

(i) An honorable discharge;

(ii) A discharge for physical reasons with an honorable record; or

(iii) A release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge is given.

(3) "An eligible veteran" does not include any person who as a veteran voluntarily retired with twenty (20) or more years' active military service and has military retirement pay in excess of five hundred dollars per month.

(4) The unmarried widow/widower of an eligible veteran is entitled to veteran's seniority preference for up to five (5) years as outlined in subsection (1) and (2) of this section regardless of whether the veteran had at least one year of active military service.

NEW SECTION

WAC 357-46-070 Which employees are eligible to have their name placed on an employer's internal layoff list? (1) Permanent employees of the employer who satisfy the following criteria must have their name placed on the employer's internal layoff list if the employee exercises this option within the two-year eligibility period:

(a) **Employees who are laid off or have been notified by the employer that they are scheduled to be laid off** are eligible to be on the internal layoff list for classes in which they held permanent status during the current period of unbroken service at the same or lower salary range and lower classes in the same occupational category/class series. Permanent status is not required for the lower classes in the occupational category/class series.

(b) **Employees who accept a voluntary demotion in lieu of layoff** are eligible to be on the internal layoff list for the class from which they demoted and classes at that salary range and lower salary ranges in which the employee held permanent status during the current period of unbroken service and lower classes in the same occupational category. Permanent status is not required for the lower classes in the occupational category.

(c) **Employees who accepted less than comparable positions** as defined by the employer's layoff procedure are eligible to be on the internal layoff list for classes in which they held permanent status at the same or lower salary range and lower classes in the same occupational category. Permanent status is not required for the lower classes in the occupational category.

(d) **Employees who have not successfully completed a trial service period and are placed in a non-permanent position following reversion** are eligible to be on the internal layoff list for classes in which the employee previously held permanent status during the current period of unbroken service.

(e) **Employees who remain in a position reallocated to a lower salary range** are eligible to be on the internal layoff list for the class the employee held permanent status in prior to the reallocation.

(2) Employees who have been demoted for cause from a class are **not** eligible to be on the internal layoff list for that class.

NEW SECTION

WAC 357-46-075 Can an employee be on an internal layoff list for classes with a higher salary range than the class from which the employee is being laid off? An employee may be on the internal layoff list for classes with a higher salary range than the class from which the employee is being laid off as long as the employee has held permanent status in the higher class and the employer's layoff procedure allows access to higher level classes.

NEW SECTION

WAC 357-46-080 Which employees are eligible to have their name placed on an employer's statewide layoff list? (1) Permanent employees who satisfy the following criteria must have their name placed on the statewide layoff for other employers if the employee exercises this option within the two-year eligibility period:

(a) Employees who are laid off or notified by the employer that they are scheduled to be laid off are eligible to be on the statewide layoff list for classes in which they held permanent status during the current period of unbroken service at the same or lower salary range and lower classes in the same occupational category/class series. Permanent status is not required in the lower classes in the occupational category/class series.

(b) Employees who accept a voluntary demotion in-lieu of layoff are eligible to be on the statewide list for the class from which they demoted and classes at that salary range and lower salary ranges in which the employees held permanent status and lower classes in the same occupational category/class series. Permanent status is not required for the lower classes in the occupational category/class series.

(c) Employees who accepted less-than-comparable positions at the time of layoff are eligible to be on the statewide layoff list for classes in which they held permanent status at the current or lower salary range and lower classes in the same occupational category/class series. Permanent status is not required for the lower classes in the occupational category/class series.

(2) Employees who have been demoted for cause from a class are **not** eligible to be on the statewide layoff list for that class.

NEW SECTION

WAC 357-46-085 How are eligible candidates certified from the internal and statewide layoff list? Certification from the employer's internal layoff list and the statewide layoff list must be made in accordance with WAC 357-16-130.

NEW SECTION

WAC 357-46-090 What is the purpose of the general government transition pool program? The purpose of the transition pool program is to minimize the effects of staff reductions on general government employees while meeting needs of general government employers to fill vacant posi-

tions. The program does not apply to higher education employees.

NEW SECTION

WAC 357-46-095 Who is eligible for the general government transition pool program? The following individuals are eligible to participate in the general government transition pool program:

(1) All general government permanent employees separated by layoff or notified by their employer that they are at risk of layoff;

(2) Employees who are eligible to participate in the return-to-work initiative program in accordance with chapter 357-19 WAC;

(3) Permanent Washington management service employees who accept a position in Washington general service and are being voluntarily or involuntarily reverted during the trial service period;

(4) Former permanent classified general government employees who have submitted a written request for reemployment within two (2) years of disability separation and who have met the reemployment requirements of WAC 357-19-475; and

(5) General government employee business unit members whose contract has expired or been terminated.

NEW SECTION

WAC 357-46-100 Who administers and establishes operating procedures for the general government transition pool program? The department administers the general government transition pool program. The director develops and implements appropriate operating procedures to facilitate the program. The operating procedures include the following requirements:

(1) General government employers must certify transition pool candidates when a certified pool contains eligible candidates other than layoff or internal promotional candidates.

(2) Transition pool candidates must satisfy the competency and other position requirements to be considered for a position.

NEW SECTION

WAC 357-46-105 Do employees have the right to appeal actions taken within the transition pool program? Employees participating in the transition pool program do not have the right of appeal within this program.

NEW SECTION

WAC 357-46-110 Must employees who are appointed to a position through the layoff process serve any type of review period? An employer may require a transition review period when an employee is appointed to a position as a layoff option or is appointed from the internal or statewide layoff list or the general government transition pool. (See WAC 357-46-115 for exceptions to this rule.)

NEW SECTION

WAC 357-46-115 When is a transition review period not allowed? Employers are not allowed to require a transition review period when an employee is being appointed to a comparable position with the same job duties as the position the employee held permanent status in prior to layoff. The employer determines the comparability of the position.

NEW SECTION

WAC 357-46-120 What are the employer's obligations when the employer requires a transition review period? (1) When an employer requires a transition review period is required for a position, the employer must provide the employee with written notice of the transition review period.

(2) During the transition review period, the employer must provide the employee with instruction and/or training in the duties of the new position.

(3) For purposes of this rule, written notice may be provided using alternative methods such as e-mail, campus mail, the state mail service, or commercial parcel delivery in accordance with WAC 357-04-105.

NEW SECTION

WAC 357-46-125 What happens if an employee does not complete the transition review period? (1) The employer may involuntarily separate an employee from a position during the transition review period or the employee may choose to voluntarily separate from a position. An employee may voluntarily separate a maximum of three (3) times as a result of a single layoff action.

(2) If an employee is separated during a transition review period, the employee's name is reinstated on any layoff list from which it was removed at the time of placement in the position. The employee remains on the list until the employee's initial eligibility expires or he/she is rehired. The time served during the transition review period does not extend the period of eligibility for a layoff list or the transition pool.

(3) Separation during the transition review period is not subject to appeal.

NEW SECTION

WAC 357-46-130 How long is an individual eligible to have his/her name on an employer's internal and statewide layoff list? An individual is eligible to have his/her name on an employer's internal and statewide layoff lists for two (2) years from the effective date of the qualifying action.

NEW SECTION

WAC 357-46-135 What causes an individual's name to be removed from a layoff list? (1) An individual's name must be removed from an internal layoff list or statewide layoff list at the request of the individual or upon an employee's retirement, resignation, expiration of eligibility or dismissal from the employer.

(2) An individual's name may be removed from the internal and/or statewide layoff list for a class when:

(a) The individual is appointed to a position in the class. The individual may also be removed from the internal and/or layoff list for any classes with a lower salary range maximum.

(b) The individual has been certified from the layoff list and waives consideration for a position in the class three (3) times.

(c) The employer determines good and sufficient reason exists.

NEW SECTION

WAC 357-46-145 To whom and by when must an individual request a review of the removal from an internal or statewide layoff list? If the employer is responsible for maintaining the layoff list, requests for review of removal from a layoff list must be made to the employer. If the director is responsible for maintaining the layoff list, requests for review of removal from a layoff list must be made to the department.

The request for a review must be received at the employer's office or the department's office within twenty (20) calendar days following notice of the action for which a review is requested.

NEW SECTION

WAC 357-46-150 If an employee wants to resign from employment, how much notice should the employee give the employer? An employee who intends to resign from state service should provide his/her resignation to the appointing authority or employing official at least fifteen (15) calendar days before the effective date of the resignation.

NEW SECTION

WAC 357-46-155 Can an employee withdraw a resignation? An appointing authority or employing official may permit withdrawal of a resignation at any time prior to the effective date.

NEW SECTION

WAC 357-46-160 What is a disability separation? A disability separation is an action taken to separate an employee from service when the employer determines that the employee is unable to perform the essential functions of the employee's position or class with or without reasonable accommodation due to mental, sensory, or physical incapacity. Disability separation is not a disciplinary action.

NEW SECTION

WAC 357-46-165 When may an employer separate an employee in accordance with WAC 357-46-160? An employer may separate an employee due to disability when any of the following circumstances exist:

(1) The employer is unable to reasonably accommodate the employee.

(2) The employer has medical documentation of the employee's inability to work in any capacity.

(3) The employee requests separation due to disability and the employer has medical information which documents that the employee cannot perform the essential functions of the employee's position or class.

NEW SECTION

WAC 357-46-170 What must a permanent employee be notified of before he/she is separated due to disability? A permanent employee being separated due to disability must be informed in writing of the option to apply for reemployment as provided in WAC 357-19-475.

NEW SECTION

WAC 357-46-175 Can an employee appeal a disability separation? A permanent employee who has been separated due to disability may appeal the separation as provided in chapter 357-52 WAC unless separation is at the employee's request.

NEW SECTION

WAC 357-46-180 Can an employee be separated during the probationary period? An appointing authority may separate a probationary employee who has not completed his/her probationary period.

NEW SECTION

WAC 357-46-185 What are the notice requirements before separating a probationary employee? A probationary employee must receive a minimum of one (1) calendar day's written notice before being separated.

NEW SECTION

WAC 357-46-190 Can an individual appeal being separated during the probationary period? An individual separated during a probationary period does not have the right to appeal the separation.

NEW SECTION

WAC 357-46-195 Can an employer separate an employee for non-disciplinary reasons? An employer may separate a permanent employee from a position or from employment for non-disciplinary reasons such as failure to comply with the conditions of employment which may or may not have existed at the time of initial appointment or failure to authorize or to pass a background check required by the position.

The employer may consider other employment options such as transfer or voluntary demotion in lieu of separation.

NEW SECTION

WAC 357-46-200 What is the notice requirement before separating an employee for non-disciplinary rea-

sons under the provisions of WAC 357-46-195? (1) Before separating an employee from employment under the provisions of WAC 357-46-195, the employer must provide at least fifteen (15) calendar days' written notice to the employee and state the reason for separation. If, within the notice period, the employee satisfactorily demonstrates why the separation should not occur, the appointing authority may rescind the separation notice.

(2) The employer should consider reassignment during the notice period if continued employment in the position represents a liability.

NEW SECTION

WAC 357-46-205 Can an employee appeal being separated for non-disciplinary reasons in accordance with WAC 357-46-195 and WAC 357-46-200? A permanent employee separated under WAC 357-46-195 may appeal as provided in chapter 357-52 WAC.

NEW SECTION

WAC 357-46-210 When can an employer separate a permanent employee for unauthorized absence? An employer may separate a permanent employee who has been absent without authorized leave for a period of three consecutive working days.

NEW SECTION

WAC 357-46-215 How is an employee who is being separated for unauthorized absence notified? Following an unauthorized absence of at least three (3) consecutive working days, the employer may separate an employee by sending a separation notice to the employee by personal service or by United States mail to the last known address of the employee.

NEW SECTION

WAC 357-46-220 How can an employee separated for unauthorized absence petition for reinstatement? A permanent employee separated for unauthorized absence may petition the appointing authority in writing to consider reinstatement. The employee must provide proof that the absence was involuntary or unavoidable. The employer must receive the employee's petition within seven calendar days of personal service or deposit in the United States mail of the separation notice.

NEW SECTION

WAC 357-46-225 Can a permanent employee appeal if the employer does not reinstate the employee under WAC 357-46-220? If a permanent employee is not reinstated under WAC 357-46-220, the employee must be notified in writing of the right to appeal to the board as provided in chapter 357-52 WAC. Appeals may not be based on information other than that shared with the employer at the time of the request for reinstatement.

WSR 04-19-004

PERMANENT RULES

DEPARTMENT OF AGRICULTURE

[Filed September 2, 2004, 8:06 a.m., effective October 3, 2004]

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

Purpose: This rule-making order amends chapter 16-752 WAC by: (1) Adding the following species to the current wetland and aquatic weed quarantine (WAC 16-752-505): *Crassula helmsii* (Australian swamp stonecrop), *Sagittaria platyphylla* (delta arrowhead), and *Trapa bicornus* (water trap, devil's pod, bat nut); (2) adding the following species to the current noxious weed seed and plant quarantine (WAC 16-752-610): *Polygonum cuspidatum* (Japanese knotweed), *Polygonum polystachyum* (Himalayan knotweed), *Polygonum sachalinense* (giant knotweed), and *Polygonum x bohemicum* (Bohemian knotweed, a hybrid of Japanese and giant knotweed); and (3) rewriting WAC 16-752-500 to increase its clarity and readability.

Citation of Existing Rules Affected by this Order: Amending WAC 16-752-500, 16-752-505, and 16-752-610.

Statutory Authority for Adoption: Chapters 17.10, 17.24, and 34.05 RCW.

Adopted under notice filed as WSR 04-14-104 on July 7, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 3, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: September 2, 2004.

Valoria H. Loveland
Director

AMENDATORY SECTION (Amending WSR 01-01-014, filed 12/6/00, effective 1/6/01)

WAC 16-752-500 Establishing wetland and aquatic weed quarantine. Washington waters and wetlands are threatened by nonnative, aggressive weeds that destroy the commercial, aesthetic, fish and/or wildlife habitat, and recreational value of these areas. ((~~African elodea, Brazilian elodea (or egeria), Eurasian watermilfoil, fanwort, slender-leaved naiad, hydrilla and water chestnut (a different species from the food "water chestnut" commonly sold in grocery stores) are submersed, rooted species that can invade shallow to deep water. Parrotfeather, water primrose, and yellow floating heart are rooted plants that invade shallow water and aquatic margins. European frogbit and swollen bladderwort are freely floating species.~~)) These rooted or freely floating

plant species, when established, form dense stands or mats that ((will)) clog irrigation systems and waterways, displace native species, alter fish and wildlife habitat, and/or seriously impact recreational use of the waterways.

~~((Garden loosestrife, hairy willow herb, grass-leaved arrowhead, mud mat, marsh dew flower and flowering rush are rooted plants which invade wetlands, shallow water and aquatic margins. When established, their dense stands displace native vegetation and harm wildlife habitat.~~

~~Salt meadow)) Several species of *Spartina*, generally known as cordgrasses, ((common cordgrass, and smooth cordgrass are noxious)) are nonnative, highly aggressive weeds that have invaded salt water estuarine areas on the Washington coast, displacing native species((:)) and threatening bird and mammal habitats and the shellfish industry. ((Dense flowered cordgrass, a closely related species, has potential to duplicate this invasion:))~~

The director of agriculture, pursuant to the powers provided in chapters 17.10, 15.13 and 17.24 RCW, finds that the regulation and exclusion of these plants and plant parts are necessary to preserve Washington waters and wetlands, both fresh water and estuarine, from new or additional infestation. These requirements and restrictions, contained in WAC 16-752-500 through 16-752-525, are in addition to the requirements contained in WAC 232-12-271, "Criteria for planting aquatic plants and releasing wildlife," administered by the Washington state department of fish and wildlife.

AMENDATORY SECTION (Amending WSR 01-01-014, filed 12/6/00, effective 1/6/01)

WAC 16-752-505 Wetland and aquatic weed quarantine—Regulated articles. All plants and plant parts of the following are regulated articles under this chapter:

Scientific Name	Common Name
<i>Butomus umbelatus</i>	flowering rush
<i>Cabomba caroliniana</i>	fanwort
<i>Crassula helmsii</i>	Australian swamp stonecrop
<i>Egeria densa</i>	Brazilian elodea
<i>Epilobium hirsutum</i>	hairy willow herb
<i>Glossostigma diandrum</i>	mud mat
<i>Hydrilla verticillata</i>	hydrilla
<i>Hydrocharis morsus-ranae</i>	European frog-bit
<i>Lagarosiphon major</i>	African elodea
<i>Ludwigia hexapetala</i>	water primrose
<i>Lysimachia vulgaris</i>	garden loosestrife
<i>Murdannia keisak</i>	marsh dew flower, Asian spiderwort
<i>Myriophyllum aquaticum</i>	parrotfeather
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil
<i>Najas minor</i>	slender-leaved naiad, brittle naiad
<i>Nymphoides peltata</i>	yellow floating heart
<i>Sagittaria graminea</i>	grass-leaved arrowhead
<i>Sagittaria platyphylla</i>	delta arrowhead

<i>Spartina alterniflora</i>	smooth cordgrass
<i>Spartina anglica</i>	common cordgrass
<i>Spartina densiflora</i>	dense-flowered cordgrass
<i>Spartina patens</i>	salt meadow cordgrass
<i>Trapa natans</i>	water chestnut, bull nut
<i>Trapa bicornus</i>	water caltrap, devil's pod, bat nut
<i>Utricularia inflata</i>	swollen bladderwort

AMENDATORY SECTION (Amending WSR 02-12-030, filed 5/29/02, effective 6/29/02)

WAC 16-752-610 Noxious weed seed and plant quarantine—Regulated articles. All plants, plant parts, and seeds in packets, blends, and "wildflower mixes" of the following listed species are regulated under the terms of this noxious weed seed and plant quarantine:

Scientific Name	Common Names
<i>Abutilon theophrasti</i>	velvetleaf
<i>Alliaria petiolata</i>	garlic mustard
<i>Amorpha fruticosa</i>	indigobush, lead plant
<i>Anchusa officinalis</i>	common bugloss, alkanet, anchusa
<i>Anthriscus sylvestris</i>	wild chervil
<i>Carduus acanthoides</i>	plumeless thistle
<i>Carduus nutans</i>	musk thistle, nodding thistle
<i>Carduus pycnocephalus</i>	Italian thistle
<i>Carduus tenuiflorus</i>	slenderflower thistle
<i>Centaurea calcitrapa</i>	purple starthistle
<i>Centaurea diffusa</i>	diffuse knapweed
<i>Centaurea jacea</i>	brown knapweed, rayed knapweed, brown centauray horse-knobs, hardheads
<i>Centaurea jacea x nigra</i>	meadow knapweed
<i>Centaurea biebersteinii</i>	spotted knapweed
<i>Centaurea macrocephala</i>	bighead knapweed
<i>Centaurea nigra</i>	black knapweed
<i>Centaurea nigrescens</i>	Vochin knapweed
<i>Chaenorrhinum minus</i>	dwarf snapdragon
<i>Crupina vulgaris</i>	common crupina
<i>Cytisus scoparius</i>	Scotch broom
<i>Daucus carota</i>	wild carrot, Queen Anne's lace
<i>Echium vulgare</i>	blueweed, blue thistle, blue devil, viper's bugloss, snake flower
<i>Euphorbia esula</i>	leafy spurge
<i>Euphorbia oblongata</i>	eggleaf spurge
<i>Galega officinalis</i>	goatsrue
<i>Helianthus ciliaris</i>	Texas blueweed
<i>Heracleum mantegazzianum</i>	giant hogweed, giant cow parsnip
<i>Hibiscus trionum</i>	Venice mallow, flower-of-an-hour, bladder ketmia, modesty, shoo-fly
<i>Hieracium aurantiacum</i>	orange hawkweed, orange paintbrush, red daisy flameweed, devil's weed, grim-the-collier
<i>Hieracium caespitosum</i>	yellow hawkweed, yellow paintbrush, devil's paintbrush, yellow devil, field hawkweed, king devil
<i>Hieracium floribundum</i>	yellow devil hawkweed
<i>Hieracium pilosella</i>	mouseear hawkweed

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Scientific Name	Common Names
Impatiens glandulifera	policeman's helmet
Isatis tinctoria	dyers' woad
Kochia scoparia	kochia, summer-cyprus, burning-bush, fireball, Mexican fireweed
Lepidium latifolium	perennial pepperweed
Leucanthemum vulgare	oxeye daisy, white daisy, whiteweed, field daisy, marguerite, poorland flower
Linaria dalmatica spp.dalmatica	Dalmatian toadflax
Mirabilis nyctaginea	wild four o'clock, umbrella-wort
Onopordum acanthium	Scotch thistle
<u>Polygonum cuspidatum</u>	<u>Japanese knotweed</u>
<u>Polygonum polystachyum</u>	<u>Himalayan knotweed</u>
<u>Polygonum sachalinense</u>	<u>giant knotweed</u>
<u>Polygonum x bohemicum</u>	<u>Bohemian knotweed, Japanese and giant knotweed hybrid</u>
Proboscidea louisianica	unicorn-plant
Pueraria montana var. lobata	kudzu
Salvia aethiopsis	Mediterranean sage
Salvia pratensis	meadow clary
Salvia sclarea	clary sage
Senecio jacobaea	tansy ragwort
Silybum marianum	milk thistle
Solanum elaeagnifolium	silverleaf nightshade
Solanum rostratum	buffaloburr
Soliva sessilis	lawnweed
Sorghum halepense	johnsongrass
Spartium junceum	Spanish broom
Tamarix ramosissima	saltcedar
Thymelaea passerina	spurge flax
Torilis arvensis	hedgearsley
Ulex europaeus	gorse, furze
Zygophyllum fabago	Syrian bean-caper

**WSR 04-19-012
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-242—Filed September 2, 2004, 3:46 p.m., effective October 3, 2004]

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

Purpose: Allow wild steelhead retention in selected streams.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-619 and 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

Adopted under notice filed as WSR 04-13-094 on June 18, 2004.

Changes Other than Editing from Proposed to Adopted Version: WAC 232-12-619(3) amend new language to read, "of which no more than one may be a wild steelhead from waters in which wild steelhead retention is allowed."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 2, 2004.

Susan Yeager
for Will Roehl, Chair
Fish and Wildlife Commission

AMENDATORY SECTION (Amending Order 04-39, filed 3/4/04, effective 5/1/04)

WAC 232-12-619 Permanent Washington statewide game fish rules. The following statewide rules apply to all waters unless modified under regional regulation exceptions.

(1) Fishing seasons open at 12:01 a.m. on the first day and close at 11:59 p.m. on the last day and fishing is allowed 24 hours per day.

(2) It is unlawful to:

(a) Use a gaff hook to land game fish.

(b) Take bullfrogs except by angling, hand dip netting, spearing (gigging) or with bow and arrow.

(c) Feed or use any substance to attract game fish unless specifically authorized by special regulations.

(d) Fish for game fish with a bow and arrow or spear.

(e) Possess fish which are under the minimum size or over the maximum size as shown in general or exceptions to state-wide rules.

(3) Seasonal steelhead limit: Each angler who possesses a valid steelhead catch record card may not retain more than thirty steelhead April 1st through the following March 31st of which no more than one may be a wild steelhead from waters in which wild steelhead retention is allowed.

(4) Military personnel, regardless of the length of time in the state of Washington, who are permanently stationed at a military installation within the state, are entitled to purchase a resident license. Military personnel must have a license to fish for game fish anywhere in the state. Dependents must establish a ninety-day residency.

(5) Wild cutthroat release: In waters requiring a wild cutthroat release, it is unlawful to possess any cutthroat that does not have a missing adipose fin and a healed scar in the location of the missing fin.

(6) Wild steelhead release: In waters requiring wild steelhead release, it is unlawful to possess any steelhead trout that does not have a missing adipose or ventral fin and a healed scar at the location of the missing fin.

(7) Free fishing weekend: The Saturday and Sunday following the first Monday in June is declared as free fishing weekend in Washington. On this weekend a fishing license is not required for any person, regardless of residency or age, to

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fish for or possess game fish and a fish and wildlife lands vehicle use permit is not required to utilize department parking facilities, except that it is unlawful to fish for or possess steelhead trout without the required catch record card. During free fishing weekend only the licensing requirement is affected, and all other rules remain in effect.

(8) Trout taken with bait: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily limit, whether kept or released, except steelhead trout may be caught and released while using bait until the daily limit is retained.

(9) Fish taken with artificial flies and lures: Where use of bait is prohibited, or where artificial flies or lures are used voluntarily, fish may be released until the daily limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

(10) Burbot taken with set line: Where use of a set line is allowed for burbot, a single set line identified with the fisher's name and address and a maximum of five hooks may be used.

(11) Rainbow trout taken from landlocked lakes: Rainbow trout taken from landlocked lakes shall not be considered steelhead and no catch record card is required.

(12) OPEN SEASONS:

LAKES, PONDS, AND RESERVOIRS:	YEAR AROUND, unless specified otherwise under exceptions to state-wide rules.
RIVERS, STREAMS AND BEAVER PONDS:	JUNE 1 THROUGH OCTOBER 31, unless specified otherwise under exceptions to state-wide rules.

Note: The date set for "traditional" April openers for Lakes, Ponds, and Reservoirs for this year and future years is the last Saturday in April.

(13) Daily limits and minimum sizes:

GAME FISH SPECIES	DAILY LIMIT	MINIMUM SIZE LIMIT
BASS	Five - release bass greater than twelve but less than seventeen inches in length, only one over seventeen inches may be retained Bass may be caught, retained, and released alive from a livewell until a daily limit is in possession.	None

GRASS CARP.... It is unlawful to fish for or retain grass carp.

GAME FISH SPECIES	DAILY LIMIT	MINIMUM SIZE LIMIT
TROUT (except Eastern Brook trout)	A total of five trout, of which no more than two may be from Rivers, Streams, and Beaver Ponds. No more than two of the trout daily catch limit of 5 may be Steelhead.	None in Lakes, Ponds, and Reservoirs. Eight inches in Rivers, Streams, and Beaver Ponds.
EASTERN BROOK TROUT (Salvelinus fontinalis)	Five - to be considered part of the trout daily catch limit. Counts as a bonus limit in rivers, streams and beaver ponds. Total of five fish, including brook trout, in these waters.	None
BURBOT	Five	None
CHANNEL CATFISH	Five.	None.

(a) The following game fish species are managed as trout:

- Eastern brook trout
- Brown trout
- Cutthroat trout
- Dolly Varden/Bull trout
- Golden trout
- Grayling
- Kokanee/Silver trout
- Lake trout
- Landlocked Atlantic salmon
- Rainbow trout/Steelhead
- Landlocked chinook and coho
- Tiger trout

(b) ~~((There is a moratorium on))~~ Wild steelhead ~~((retention from April 1, 2004, through March 31, 2006))~~ release is required year-round, except as provided in exceptions to statewide rules.

(c) All waters, statewide, are CLOSED YEAR AROUND to fishing for or retaining Dolly Varden/Bull Trout.

Where exceptions to the above closure for Dolly Varden/Bull Trout occur under individual listings in the exceptions to statewide rules, Dolly Varden/Bull Trout count as part of the combined trout daily limit of five.

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WALLEYE	Five, not more than one over twenty-two inches Walleye may be caught, retained, and released alive from a livewell until a daily limit is in possession.	Sixteen inches
WHITEFISH	Fifteen	None
ALL OTHER GAME FISH	No Limit	None
BULLFROGS	No Limit	None

(14) Daily wild steelhead limit: It is unlawful for any person to retain more than one wild steelhead per day from those waters in which wild steelhead retention is allowed.

(15) Possession limit. Except as otherwise provided, the possession limit is two daily limits in fresh, frozen or processed form.

~~((15))~~ (16) Marine waters rules: These rules apply to all marine waters contained within the boundaries of Washington state, within Puget Sound, Hood Canal, the Strait of Juan de Fuca, the San Juan Islands, the Straight of Georgia, and the Pacific Ocean, including estuaries (river mouths) from salt water upstream to a line between the outermost headlands measured at the highest high tide (usually the debris line furthest inshore on surrounding beaches), unless otherwise described under area regulations (see individual areas, below):

(a) Fishing hours: Twenty-four hours per day year around except those waters of Area 10 west of the Lake Washington Ship Canal to a north-south line 175 feet west of the Burlington-Northern Railroad Bridge are closed waters.

(b) License requirements: A valid current Washington state department of fish and wildlife saltwater license, and, if appropriate, a sport catch record card, is required to fish for game fish including steelhead in marine waters. All steelhead taken from marine areas shall be entered on the catch record card using the words Marine Area and followed by the appropriate marine area code number.

(c) Gear restrictions: Angling gear only, and in those waters of Area 10 downstream of the First Avenue South Bridge to an east-west line through southwest Hanford Street on Harbor Island and parallel to southwest Spokane Street where it crosses Harbor Island, nonbuoyant lure restriction July 1 through November 30. In all areas, underwater spearfishing, spearing, gaffing, clubbing, netting, or trapping game fish is unlawful.

(d) All species: Release all fish except up to two hatchery steelhead may be retained per day.

AMENDATORY SECTION (Amending Order 04-39 [04-189], filed 3/4/04 [7/28/04], effective 5/1/04 [8/28/04])

WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules. (1) All

freshwater streams and lakes not listed as open for salmon fishing are closed.

(2) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.

(c) Benton County: Rivers, streams and beaver ponds open year around.

(d) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Trout: Daily limit 5, no minimum size.

(e) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

(3) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

From Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

Aldrich Lake (Mason County): Last Saturday in April through October 31 season.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with a motor permitted. Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length.

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

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Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules, except electric motors allowed. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout missing adipose fin. Additional season October 1 through November 30 and March 1 through last Saturday in April. Selective gear rules except electric motors allowed. All species: Release all fish.

American Lake (Pierce County): Chumming permitted.

American River (Yakima County): Selective gear rules.

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and all species: Release all fish.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: September 1 through October 31 season. Nonbuoyant lure restriction and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only July 1 through July 31. Nonbuoyant lure restriction and night closure. Daily limit 2 sockeye salmon.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters.

Banks Lake (Grant County): Chumming allowed. Perch: Daily limit twenty-five.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of disability licenses, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 downstream from the Lime Quarry Road. Upstream from the Lime Quarry Road: Selective gear rules June 1 through March 31. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from mouth to Lime Quarry Road. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release adult chinook.

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules except electric motors allowed. Trout: Maximum size 12 inches in length.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Beda Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Benson Lake (Mason County): Last Saturday in April through October 31 season.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/ King counties): Closed waters.

Big Beaver Creek (Whatcom County):

From closed water markers on Ross Lake upstream one-quarter mile: Closed waters.

From one-quarter mile markers upstream, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Big Beef Creek (Kitsap County): June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches. Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Quilcene River (Jefferson County):

From mouth to upper boundary of Falls View Campground: June 1 through last day in February season. Closed waters: August 16 through October 31 from mouth to Rodgers Street. Rodgers Street to the Highway 101 Bridge: Selective gear rules June 1 through last day in February and night closure August 16 through December 31. From electric weir to upper boundary of Falls View Campground: Selective gear rules June 1 through last day in February. All game fish: Release all fish from mouth to campground. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

Big River (Clallam County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules except electric motors permitted. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Black Lake (Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Black Lake (Okanogan County): Selective gear rules.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

Black Lake (Thurston County): Crappie: Daily limit ten, minimum length nine inches.

Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 season from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. Nonbuoyant lure restriction and night closure. Only wheelchair-bound anglers may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout: Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with missing right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules, except electric motors allowed. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules, except electric motors allowed. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): April 1 through September 30 season.

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boundary Creek (Clallam County): Closed waters.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to waterfall approximately 2 miles upstream: Closed waters. From waterfall approximately 2 miles upstream of mouth to USFS Road #4930 Bridge: Selective gear rules.

Boxley Creek (North Bend) (King County), from its mouth to the falls located at approximately river mile 0.9: Closed waters.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules June 1 through October 31. Whitefish: Additional December 1 through March 31 season. Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to forks. Trout: Min-

imum length fourteen inches. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: June 1 through last day in February season. December 1 through last day in February, selective gear rules. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Campbell Creek (Mason County): Closed waters.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish.

Campbell Lake (Skagit County): Crappie: Daily limit ten, minimum length nine inches.

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: June 1 through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: June 1 through last day in February season. Nonbuoyant lure restriction, night closure and single barbless hooks

August 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: June 1 through August 15 and December 1 through last day in February season. Trout: Minimum length 14 inches. Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no more than 4 may be adult salmon and of these 4 fish no more than 2 may be adult hatchery chinook. Release wild adult chinook and chum salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: October 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through November 30. Daily limit 4 hatchery coho salmon.

From the Rockport-Cascade Road Bridge upstream: June 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cassidy Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Castle Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): April 1 through September 30 season.

Cavanaugh Lake (Skagit County): Chumming permitted.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to 100 feet upstream of the falls: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. June

1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cedar Creek (Jefferson County): June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Landsburg Road: June 1 through August 31 season. Night closure. All species: Release all fish. Landsburg Road to Cedar Falls: Closed waters.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release kokanee.

Chambers Creek Estuary (downstream from markers 400 feet below the Boise-Cascade Dam to the Burlington Northern Railroad Bridge) (Pierce County): July 1 through November 15 season. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules, except electric motors allowed. Trout: Release all trout.

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): June 1 through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only April 16 through July 31 from mouth to high bridge, October 1 through January 31 from mouth to Porter Bridge, and October 16 through last day in February from Porter Bridge to high bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through November 30, mouth to Porter Bridge, release adult chinook. October 16 through November 30, Porter Bridge to High Bridge, release adult chinook. December 1 through January 31, mouth to Porter Bridge, the daily limit may contain no more than one wild adult coho, and release adult chinook. December 1 through last day in February, Porter Bridge to High Bridge, release adult chinook and wild adult coho. Sturgeon: Open year-round from mouth to high bridge on Weyerhaeuser 1000 line.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort School: June 1 through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include

sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): Closed waters: Within 400 feet of all tributaries south of a line from Purple Point at Stehekin and Painted Rocks. Trout except kokanee and lake trout: Daily limit 5. Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit five, no minimum length. Burbot: Set line gear allowed. North of a line between Purple Point at Stehekin and Painted Rocks: April 1 through July 31: All species: Release all fish. Salmon: Open only May 1 through May 31 south of a line from Purple Point to Painted Rocks: Daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: August 1 through September 30 season. Selective gear rules. Trout: Release wild cutthroat.

Chelan River (Chelan County): From the railroad bridge to the Chelan P.U.D. safety barrier below the power house: May 15 through August 31 season. Nonbuoyant lure restriction. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: June 1 through September 30 season. Selective gear rules. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters June 1 through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. Whitefish gear rules apply.

Chikamin Creek (Chelan County): Selective gear rules.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: June 1 through August 31 season. Trout: Minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout: Minimum length fourteen inches.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through May 31, release all game fish other than steelhead. Salmon: Open year around. Daily limit 6 fish, of which no more than 2 fish may be adult salmon. Salmon minimum size 8 inches. Release wild coho at all times and release wild chinook January 1 through July 31.

Cispus River, North Fork (Lewis County): Trout: No more than one over twelve inches in length. Release cutthroat.

Clallam River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season.

Clear Creek (Chelan County): Closed waters.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and all species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Salmon: Landlocked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season.

Clear Lake (Thurston County): Last Saturday in April through October 31 season.

Clearwater River (Jefferson County):

From mouth to Snahapish River: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size. Burbot: Set line gear allowed.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Year-round season. Selective gear rules, except December 1 through March 31 bait and one single point barbed hook three-sixteenths or smaller point to shank may be used. Trout: Release all trout. Above Cle Elum Lake to outlet of Hyas Lake except Tucquala Lake: Selective gear rules.

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

Clough Creek (North Bend) (King County): Closed waters.

Clover Creek (Pierce County), within the boundaries of McChord Air Force Base: Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Coal Creek (tributary of Lake Washington) (King County): Closed waters.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Coffee Pot Lake (Lincoln County): March 1 through September 15 season. Selective gear rules except motors allowed. Trout: Daily limit two. Bass: Daily limit two, maximum length fourteen inches. Crappie: Daily limit ten, minimum length nine inches.

Coldwater Lake (Cowlitz County): Selective gear rules except use of electric motors allowed. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Collins Lake (Mason County): Last Saturday in April through October 31 season.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only. Mainstem Hatchery Creek: April 1 through September 30 season. Juveniles and holders of reduced fee disability licenses only.

Columbia Park Pond (Benton County): Juveniles and holders of reduced fee disability licenses only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below Priest Rapids Dam: Daily limit five fish, not more than three of which may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout. Walleye: Daily limit five fish of which not more than one may be over 24 inches, minimum length 18 inches. Whitefish: Daily limit 15 fish. All other game fish: No daily limit, except release all grass carp.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10 to a line between Rocky Point in Washington to Tongue Point in Oregon: Trout: Release wild cutthroat. Release all trout April 1 through July 31. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during salmon season openings. Salmon: Open only August 1 through March 31. August 1 through August 15, daily limit 2 salmon of which not more than one may be a chinook salmon.

Release chum, sockeye, wild coho, chinook less than 24 inches in length, and coho less than 16 inches in length. August 16 through September 30, daily limit 3 salmon of which not more than one may be a chinook salmon. Release sockeye, chum, wild coho, chinook less than 24 inches in length and coho less than 16 inches in length. October 1 through December 31, daily limit 6 fish of which no more than 3 may be adult salmon and not more than one of which may be a chinook salmon. Release chum, sockeye, and wild coho. January 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, wild coho and wild chinook. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings.

From the Rocky Point - Tongue Point line to the I-5 Bridge: Trout: Release wild cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon: Open only May 16 through March 31. May 16 through July 31 daily limit 6 hatchery jack chinook. August 1 through March 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, and wild coho. Release wild chinook January 1 through March 31. Sturgeon: (1) Release sturgeon May 1 through May 14 and July 24 through December 31 downstream from the Wauna powerlines. Minimum size when open to retain sturgeon is 45 inches; (2) I-5 Bridge downstream to Wauna powerlines, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from February 1 through July 31, and October 1 through December 31. Release sturgeon on other days and during other time periods.

From the I-5 Bridge to the Highway 395 Bridge at Pasco: Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder, and closed to fishing from a floating device or fishing by any method except hand-casted gear from shore from Bonneville Dam downstream to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore. August 1 through October 15: Nonbuoyant lure restriction and night closure from Bonneville Dam to The Dalles Dam. Trout: Release wild cutthroat from I-5 Bridge to Bonneville Dam and release all cutthroat in the waters of Drano Lake. Release all trout April 1 through June 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream

end of Cascade Island to an Oregon angling boundary on Bradford Island (the Cascade Island - Bradford Island line). (2) It is unlawful to fish for sturgeon from May 1 through July 31 from Cascade Island - Bradford Island line downstream to a line from Navigation Marker 85 on the Washington shore at a right angle to the thread of the river to the Oregon shore. (3) Cascade Island - Bradford Island line downstream to I-5 Bridge, lawful to retain sturgeon only on Thursdays, Fridays, and Saturdays from February 1 through July 31 and October 1 through December 31, except for May 1 - July 31 closure to Navigation Marker 85. Release sturgeon on other days and during other time periods. (4) Release sturgeon September 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. Salmon: Open only June 16 through December 31 except closed November 1 through December 31 from Beacon Rock to Bonneville Dam. June 16 through July 31, daily limit 6 hatchery jack chinook. August 1 through December 31, daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and sockeye. Release wild coho downstream of Bonneville Dam.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Hatchery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout except hatchery steelhead having both adipose and ventral fin clips may be retained October 1 through March 31. Release hatchery steelhead having only adipose fin clips. Salmon: Open only August 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Ringold Springs Rearing Facility waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet to WDFW markers 1/2 mile upstream from Spring Creek): Open only April 1 through April 15 to fishing from the bank on the hatchery side of the river. Trout: Release all fish except hatchery steelhead having both adipose and ventral fin clips. Release hatchery steelhead having only adipose fin clips.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): All species: February 1 through October 22 season. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon: Open only August 16 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Walleye: Daily limit 10 fish. No minimum size, no more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Salmon:

Open only August 16 through October 22. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters: (1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: No minimum size. Daily limit five fish not more than one of which may be longer than 18 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

From bridge at Valley upstream and tributaries: Selective gear rules.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules.

Coot Lake (Grant County): April 1 through September 30 season.

Copolis River (Grays Harbor County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31 from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): June 1 through August 31 season.

Cougar Lake (near Winthrop) (Okanogan County): September 1 through March 31 season.

Coulter Creek (Kitsap/Mason counties): Trout: Minimum length fourteen inches.

County Line Ponds (Skagit County): Closed waters.

Coweeman River (Cowlitz County), from mouth to Mulhol-land Creek: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Cowiche Creek (Yakima County): Selective gear rules.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1 through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Salmon: Daily limit 6 fish, of which not more than 2 may be adult salmon. Release wild coho. Release wild chinook June 1 through July 31.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Closed waters: Barrier Dam to boundary marker at Cowlitz salmon hatchery water intake approximately 1,700 feet upstream from dam. Year-round season except closed to fishing from south bank May 1 through June 15 from Mill Creek to the barrier dam. Lawful to fish up to four hundred feet or the posted deadline at barrier dam. Lawful to fish up to Tacoma Power safety signs at Onion Rock below Mossyrock Dam. Lawful to fish up to Lewis County P.U.D. safety signs below Cowlitz Falls Dam. From the barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. Nonbuoyant lure restriction and night closure April 1 through October 31 from mouth of Mill Creek to the barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Release all steelhead missing right ventral fin. Salmon: Open year-round. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon, except January 1 through April 30 the daily limit may contain no more than 2 adult salmon and May 1 through July 31 the daily limit may contain no more than one adult salmon. Release chum and wild coho August 1 through April 30. Release wild chinook January 1 through July 31. Mill Creek to Blue Creek - release all chinook October 1 through December 31. Sturgeon: Lawful to retain sturgeon on Thursdays, Fridays and Saturdays, February 1 through July 31 and October 1 through December 31. Release sturgeon on other days and during other time periods.

From posted PUD sign on Peters Road to mouth of Ohanepecosh River and mouth of Muddy Fork: Trout:

Release cutthroat. Additional November 1 through May 31 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round from upstream boundary of Lake Scanewa. Daily limit 6 fish of which no more than 2 may be adult salmon. Salmon minimum size 8 inches. Release wild coho. Release wild chinook January 1 through July 31.

Cowlitz River, Clear and Muddy Forks (Lewis County): Trout: Release cutthroat.

Coyote Creek and Ponds (Adams County): April 1 through September 30 season.

Crab Creek (Adams/Grant counties):

From Highway 26 to Morgan Lake Road in Section 36: March 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln/Grant counties) and tributaries: Year-round season. March 1 through May 31 terminal gear restricted to one single hook measuring 3/4 inch or less point to shank in those waters from Grant County Road 7 to the fountain buoy and shoreline markers or 150 feet downstream of the Alder Street fill, and from Moses Lake downstream to the confluence of the outlet streams.

Crabapple Lake (Snohomish County): Last Saturday in April through October 31 season.

Cranberry Creek (Mason County), mouth to Lake Limerick: Closed waters.

Crawfish Lake (Okanogan County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Crescent Lake (Pierce County): Last Saturday in April through October 31 season.

Crocker Lake (Jefferson County): Closed waters.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Last Saturday in April through October 31 season. Fishing from any floating device prohibited.

Curley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Cushman Reservoir (Mason County): Salmon: Landlocked salmon rules apply.

Dakota Creek (Whatcom County): Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

Damon Lake (Grays Harbor County): June 1 through October 31 season.

Davis Lake (Ferry County): Last Saturday in April through October 31 season.

Davis Lake (Lewis County): Last Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules except electric motors allowed, and all species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles only.

Deadman Lake (Adams County): April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Deep Creek (Clallam County): December 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead may be retained.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season.

Deep River (Wahkiakum County): Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round only from mouth to town bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. Sturgeon: Release sturgeon May 1 through May 14 and July 24 through December 31. Minimum size when open is 45 inches.

Deer Creek (Mason County): Closed waters.

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): Last Saturday in April through October 31 season. Trout: No more than two over twenty inches in length may be retained.

De Roux Creek (Yakima County): Selective gear rules.

Deschutes River (Thurston County): Closed waters: From 400 feet below lowest Tumwater Falls fish ladder to Old Highway 99 Bridge. From old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park: June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: Year-round season. Selective gear rules. All game fish: Release all fish except hatchery steelhead. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Devereaux Lake (Mason County): Last Saturday in April through October 31 season.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): Mouth to Bear Creek-Dewatto Road: Selective gear rules. Game fish: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Upstream from Bear Creek-Dewatto Road: Selective gear rules. Game fish: Release all fish.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (includes all forks) (Clallam County): June 1 through April 30 season. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to East Fork Dickey, including Olympic National Park. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Dillacort Creek (Klickitat County): Trout: Release all trout.

Dog Lake (Yakima County): Trout: Daily limit may contain not more than 1 fish over 14 inches in length.

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through last day in February season except closed September 1 through October 31 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open

only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downs Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season. Crappie: Daily limit ten, minimum length nine inches.

Dry Falls Lake (Grant County): April 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Duck Lake (Grays Harbor County): Crappie: Daily limit ten, minimum length nine inches.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: June 1 through last day in February season except closed September 1 through October 31 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only November 1 through December 15 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dungeness River (Clallam County):

From mouth to junction of Gray Wolf and Dungeness rivers: October 16 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31 from mouth to the hatchery intake pipe at river mile 11.3. Daily limit 4 hatchery coho salmon.

From junction of Gray Wolf River upstream to Gold Creek - Closed waters.

From junction of Gold Creek upstream to headwaters: Trout: Minimum length fourteen inches.

Dusty Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one fish.

Early Winters Creek (Okanogan County): Closed waters.

East Twin River (Clallam County): Trout: Minimum length fourteen inches.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through October 31 season.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: June 1 through last day in February season. Single point barbless hooks required August 16 through

November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: June 1 through March 15 season. Nonbuoyant lure restriction and night closure September 1 through October 31. Stationary gear restriction September 1 through October 31. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. October 1 through December 31 release chinook upstream of Highway 4 Bridge.

Eloika Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell Lake Dam downstream two hundred feet and from approximately fifty yards upstream to fifty yards downstream of Elwha Tribal Hatchery outfall as posted.

From mouth to two hundred feet below the south spillway on the Aldwell Lake Dam: June 1 through last day in February season, except closed June 1 through September 30 mouth to marker at outfall of rearing channel at about river mile 3.2. Fishing from any floating device prohibited. August 1 through September 30, fly fishing only from mouth to the marker at the outfall of the WDFW rearing channel. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to Olympic National Park boundary, including all tributaries except Indian Creek: Selective gear rules. Trout: Minimum length twelve inches.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

Enchantment Park Ponds (Chelan County): Juveniles only.

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. Whitefish gear rules apply.

- Ephrata Lake (Grant County): Closed waters.
- Erie Lake (Skagit County): Last Saturday in April through October 31 season.
- Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season.
- Fan Lake (Pend Oreille County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.
- Fazon Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15. Channel catfish: Daily and possession limit two.
- Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.
- Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained.
- Fish Lake (Ferry County): Last Saturday in April through October 31 season.
- Fish Lake (Okanogan County): Last Saturday in April through October 31 season.
- Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.
- Fisher Slough (Snohomish County):
From mouth to Highway 530 Bridge: Year-round season. Trout: Minimum length fourteen inches.
Upstream from Highway 530 Bridge: Trout: Minimum length fourteen inches.
- Fishhook Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited.
- Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: June 1 through October 31 season. Juveniles only.
- Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.
- Forde Lake (Okanogan County): Last Saturday in April through October 31 season.
- Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles only.
- Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.
- Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.
- Franz Lake (Skamania County): Closed waters.
- Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.
- Frenchman Hills Lake (Grant County): February 1 through September 30 season.
- Gadwall Lake (Grant County): April 1 through September 30 season.
- Garfield Juvenile Pond (Whitman County): Juveniles only.
- George Lake (Grant County): March 1 through July 31 season.
- Geneva Lake (King County): Last Saturday in April through October 31 season.
- Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): June 1 through August 31 and November 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.
- Gibbs Lake (Jefferson County): Selective gear rules except electric motors allowed. Trout: Release all trout.
- Gillette Lake (Stevens County): Last Saturday in April through October 31 season.
- Gissberg Pond, North (Snohomish County): Juveniles only.
- Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.
- Goat Creek (Okanogan County): Closed waters.
- Gobar Creek (tributary to Kalama River) (Cowlitz County): June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.
- Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.
- Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.
- Goldsborough Creek (Mason County): Trout: Minimum length fourteen inches.
- Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout, minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.
- Goodwin Lake (Snohomish County): Chumming permitted.
- Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of disability licenses only.
- Goose Lake, Lower (Adams County): Crappie: Daily limit ten, minimum length nine inches. Bluegill: Not more than five over six inches in length.
- Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.
- Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules September 1 through May 31. Trout: Minimum length ten inches, maximum length twenty inches.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through October 31 season. Selective gear rules, June 1 through August 31 and barbless hooks required September 1 through October 31. Additional season November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From junction with Dungeness River to bridge at river mile 1.0 - Closed waters.

From bridge at river mile 1.0 upstream - selective gear rules. Trout: Minimum length fourteen inches.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: September 1 through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: September 1 through October 15 and December 15 through March 15 season. Nonbuoyant lure restriction, night closure and stationary gear restriction September 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only September 1 through October 15 from mouth to South Fork. Daily limit 6 fish of which no more than two may be adult salmon. Release chinook, chum, and wild coho.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: June 1 - August 31 season. Trout: Additional December 15 through March 15 season downstream from hatchery intake footbridge. Release all fish other than hatchery steelhead.

Green Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Green Lake (Lower) (Okanogan County): April 1 through November 30: Selective gear rules, and all species: Release all fish.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: April 1 through November 30 season except closed from 400 feet above to 400 feet

below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. Nonbuoyant lure restriction and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All game fish: Release all fish except steelhead. Salmon: Open only April 1 through May 31 from mouth to 400 feet below the water intake at the upper end of the hatchery grounds and June 1 through November 30 from mouth to 2800 Bridge. April 1 through July 31: Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild chinook. August 1 through November 30: Daily limit 6 salmon not more than 3 of which may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon. Release chum and wild coho. October 1 through November 30 release chinook.

From 2800 Bridge to source: Closed waters.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to SW 43rd Street/South 180th Street Bridge: June 1 through July 31 and September 16 through last day in February season. Nonbuoyant lure restriction and night closure September 16 through November 30. Fishing from any floating device prohibited November 1 through last day in February. Trout: Minimum length fourteen inches. July 1 through July 31 and September 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only September 16 through December 31. Daily limit 6 fish of which not more than 2 may be adult salmon. Release chinook salmon.

From the SW 43rd Street/South 180th Street Bridge to South 277th Street Bridge in Auburn: June 1 through July 31 and October 1 through last day in February season. Nonbuoyant lure restriction and night closure October 1 through November 30. Fishing from any floating device prohibited November 1 through last day in February. Trout: Minimum length fourteen inches. July 1 through July 31 and October 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 1 through December 31. Daily limit 6 fish of which not more than 2 may be adult salmon. Release chinook salmon.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: June 1 through July 31 and October 16 through March 15 season. Nonbuoyant lure restriction and night closure October 16 through November 30. Fishing from a floating device prohibited November 1 through March 15. Trout, minimum length fourteen inches. July 1 through July 31 and October 16 through November 30, one wild steelhead per day may be retained. Salmon: Open only October 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: June 1 through March 15 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Closed waters: Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. July 1 through November 30, one wild steelhead per day may be retained. Salmon: Open only November 1 through December 31. Daily limit 2 chum salmon.

Greenwater River (King County), from mouth to Greenwater Lakes: Selective gear rules. Trout: Minimum length twelve inches.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules, except fishing from a floating device equipped with an electric motor allowed. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

Halfmoon Lake (Adams County): April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Hamilton Creek (Skamania County): Trout: Release all fish except up to two hatchery steelhead may be retained per day. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Selective gear rules. All species: Release all fish.

Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.

Hampton Lakes, Lower and Upper (Grant County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): June 1 through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harrison Pond (Skagit County): Closed waters.

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules.

Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Hatch Lake (Stevens County): December 1 through March 31 season.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season.

Haven Lake (Mason County): Last Saturday in April through October 31 season.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): April 1 through September 30 season.

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of disability licenses only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season.

Hog Canyon Creek (Spokane County): Hog Canyon Dam to Scroggie Road: Year-round season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), from mouth to Olympic National Park boundary below mouth of South Fork: June 1 through April 15 season. Selective gear rules June 1 through October 15 from Willoughby Creek to Morgan's Crossing Boat Launch, June 1 through November 30 from Morgan's Crossing Boat Launch to the mouth of south fork, and December 1 through April 15 from DNR Oxbow Campground Boat Launch to mouth of south fork. Trout: ~~Minimum length fourteen inches~~, one wild steelhead per day may be retained. Salmon: Open only May 16 through November 30 mouth to Willoughby Creek and October 16 through November 30 Willoughby Creek to Morgan's Crossing Boat Launch. Daily limit 6 fish of which no more than 2 may be adult salmon except May 16 through August 31 from mouth to Willoughby Creek open Wednesday through Sunday only of each week and daily limit may contain no more than one adult salmon.

Hoh River South Fork (Jefferson County), outside Olympic National Park: June 1 through April 15 season. Selective gear rules. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): From mouth to upper Hoko Bridge: Fly fishing only September 1 through October 31. Additional November 1 through March 15 season. Trout: Minimum length fourteen inches. December 1 through March 15, one wild steelhead per day may be retained.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): June 1 through March 31 season. Fly fishing only. All species: Release all fish except that up to two hatchery steelhead per day may be retained.

Homestead Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): June 1 through March 31 season. Single point barbless hooks

required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, from March 1 through March 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to the abandoned flat car bridge downstream of the mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit five.

Horseshoe Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): April 1 through September 30 season.

Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howell Lake (Mason County): Last Saturday in April through October 31 season.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humptulips River (Grays Harbor County), from mouth to forks: June 1 through March 31 season except closed March 1 through March 31 from Highway 101 Bridge to forks. Night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through January 31 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild adult coho. October 16 through October 31 the daily limit may contain no more than 1 adult chinook. November 1 through January 31 release adult chinook.

Humptulips River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Grisdale: Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Humptulips River, West Fork (Grays Harbor County), from mouth to Donkey Creek: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August

16 through November 30. Trout: Minimum length fourteen inches.

Hutchinson Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion engines prohibited.

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leavenworth National Fish Hatchery rack upstream to Leland Creek: Selective gear rules.

Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.

Indian Creek (Yakima County): From mouth to waterfall approximately 5 and three-quarters miles upstream: Closed waters. Upstream of waterfall: Eastern brook trout do not count as part of trout daily limit. Eastern brook trout: No minimum size and no daily limit.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

Issaquah Creek (King County): Closed waters.

Jackson Lake (Pierce County): Last Saturday in April through October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Park Pond (Walla Walla County): Juveniles only.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): June 1 through August 31 season. Trout: Minimum length fourteen inches.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: June 1 through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook.

Johns Creek (Mason County): Closed waters.

Johns River, mouth to Ballon Creek including North and South Forks (Grays Harbor County): June 1 through last day in February season. Waters above Ballon Creek, including North and South Forks, are closed. Single point barbless hooks required August 16 through November 30 from mouth to Ballon Creek. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen. Burbot: Set line gear allowed.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

Kalaloch Creek (Jefferson County), outside Olympic National Park: Closed waters: Those waters within the section posted as the Olympic National Park water supply June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from two hundred feet above to one thousand five hundred feet below the rack are closed waters. Nonbuoyant lure restriction, night closure, and stationary gear restriction September 1 through October 31 from mouth to one thousand five hundred feet below the rack. Fishing from a floating device equipped with a motor prohibited upstream of Morrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery. Trout: Release all trout except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through July 31. October 1 through December 31 release chinook upstream from natural gas pipeline crossing.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. Trout: Minimum length 14 inches. Release steelhead in mainstem and tributaries.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. Trout: Minimum length 14 inches. Release steelhead in mainstem and tributaries.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules.

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained. Burbot: Set line gear allowed.

Kelsey Creek (tributary of Lake Washington) (King County): Closed waters.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge. Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

June 1 through October 31 season. All species: Selective gear rules. Trout: Minimum length 12 inches. Sturgeon: Unlawful to fish for or retain sturgeon.

Additional season: November 1 through May 31. Whitefish gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season.

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

Kiwanis Pond (Kittitas County): Juveniles and holders of disability licenses only.

Klaus Lake (King County): Last Saturday in April through October 31 season. Closed waters: The inlet and outlet to first Weyerhaeuser spur.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: May 1 through January 31 season. Nonbuoyant lure restriction and night closure May 1 through May 31. Nonbuoyant lure restriction August 1 through January 31. Game fish: Closed December 1 through January 31. Release game fish other than steelhead May 1

through May 31. Trout: Minimum length twelve inches. Steelhead and salmon: May 1 through May 31 Mondays, Wednesdays and Saturdays only, daily limit 2 hatchery steelhead or 2 salmon or one of each. Salmon: June 1 through January 31 daily limit 6 fish of which no more than 2 may be adult salmon.

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. June 1 through July 31: Daily limit 6 salmon. Release adult salmon. August 1 through November 30: Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook November 1 through November 30. Additional December 1 through March 31 season. Whitefish gear rules apply.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Selective gear rules.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than one over 14 inches in length.

Lemna Lake (Grant County): April 1 through September 30 season.

Lenice Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules, except fishing from a floating device equipped with an electric motor permitted. All species: Release all fish. Additional season June 1 through November 30: Selective gear rules, except fishing from a floating device equipped with an electric motor permitted. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31 daily limit six fish of which not more than 2 may be adult salmon. August 1 through December 31, daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon. Release chum and wild coho August 1 through April 30. Release wild chinook January 1 through July 31. Sturgeon: Lawful to retain sturgeon on Thursdays, Fridays and Saturdays, February 1 through July 31 and October 1 through December 31. Release sturgeon on other days and during other time periods.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream including all tributaries above Horseshoe Falls.

Mouth to 400 feet below Horseshoe Falls: June 1 through March 15 season. Trout: Release all trout except up to two hatchery steelhead per day may be retained. Mouth to top boat ramp at Lewisville Park: Additional April 16 through May 31 season. Selective gear rules. Release all fish except up to two hatchery steelhead may be retained per day.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. Fishing from a floating device prohibited from May 1 through July 31 from Johnson Creek to Colvin Creek. Nonbuoyant lure restriction and night closure April 1 through November 30 from Johnson Creek to Colvin Creek. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open year-round. January 1 through July 31 daily limit six fish of which not more than 2 may be adult salmon. August 1 through December 31 daily

limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon. Release chum and wild coho August 1 through April 30. Release wild chinook January 1 through July 31.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: June 16 through September 30 and December 16 through April 30 season. Nonbuoyant lure restriction and night closure April 1 through September 30. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only August 1 through September 30 and January 1 through April 30. August 1 through September 30: Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon. January 1 through April 30: Daily limit 6 salmon not more than 2 of which may be adult salmon. Release chum and wild coho. Release wild chinook January 1 through April 30.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal: Closed waters.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. All species: Release all fish.

Liberty Lake (Spokane County): Last Saturday in April through September 30 season.

Lilliwaup River (Mason County): Mouth to 200 feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only. Salmon: Landlocked salmon rules apply.

Lions Park Pond (Walla Walla County): Juveniles only.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

Little Hoko River (Clallam County): Selective gear rules. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Naches River (Yakima County): Selective gear rules.

Little Nisqually River (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County) from the Little Pend Oreille wildlife refuge boundary about 1 mile downstream from the refuge headquarters office to Crystal Falls: Selective gear rules, and all species: Release all fish except up to five Eastern brook trout may be retained.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road, June 1 through last day in February season. Closed waters: Mouth to Highway 101 Bridge September 1 through October 31. Trout: Minimum length fourteen inches.

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday in April through October 31 season. Additional December 1 through March 31 season. Whitefish gear rules apply.

Upstream from bridge at Frideger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): April 1 through November 30: Selective gear rules and all species: Release all fish.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 15 season, except closed Wednesdays May 1 through May 31. Night closure and nonbuoyant lure restriction May 1 through June 30. Nonbuoyant lure restriction August 1 through December 31. May 1 through June 30 daily limit of two fish, of which two fish one or both may be hatchery steelhead or one or both may be chinook salmon. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and chinook salmon. Trout: July 1 through March 15 release all fish except up to two hatchery steelhead may be retained per day. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon.

Lone Lake (Island County): Selective gear rules, except electric motors allowed. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Spokane River Reservoir) (Spokane County): Bass: Release all bass May 1 through June 30.

Long Lake (Thurston County): Last Saturday in April through October 31 season.

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season.

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Kittitas County): Trout: Not more than 1 fish over 14 inches in length.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucas Slough (Skagit County): Closed waters.

Lucky Duck Pond (Stevens County): Juveniles only.

Ludlow Lake (Jefferson County): Last Saturday in April through October 31 season.

Lyle Lake (Adams County): April 1 through September 30 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From falls to source: Selective gear rules. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): Closed waters.

Mayfield Lake (Reservoir) (Lewis County): Mayfield Dam to 400 feet below Mossyrock Dam: Closed waters: Tacoma Power safety signs at Onion Rock Bridge to Mossyrock Dam. Trout and salmon: Minimum length eight inches. Trout: Release cutthroat. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

McAllister Creek (Thurston County): Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 4 may be adult salmon.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): Trout: Minimum length fourteen inches.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season.

McLane Creek (Thurston County), from a line 50 feet north of and parallel to the Mud Bay Road Bridge to a line 100 feet upstream and parallel to the south bridge on Highway 101: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Game fish: Release game fish November 1 through November 30. Trout: Minimum length fourteen inches upstream from the south bridge. Salmon: Open only July 1 through November 30. Closed to salmon fishing: Waters within 400 feet of Allison Springs Pond outfall. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From a line 100 feet upstream and parallel to the south bridge on Highway 101 upstream: Nonbuoyant lure restrictions and night closure August 1 through October 31. Trout: Minimum length fourteen inches.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melaney Creek (Mason County): Closed waters.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only. Trout: Daily limit five, no minimum length.

Mercer Slough (tributary of Lake Washington) (King County): Closed waters.

Merrill Lake (Cowlitz County): Fly fishing only. Unlawful to fish from a floating device equipped with an internal combustion engine. Trout: Daily limit two, maximum length twelve inches.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through November 30 season. Selective gear rules. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to Gold Creek: Closed waters June 1 through October 31. Gold Creek to Weeman Bridge: June 1 through September 30 season: Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters June 1 through October 31: From mouth upstream to the falls above Brush Creek. Additional season: December 1 through March 31. Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): June 1 through August 31 and November 1 through March 15 seasons. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Nonbuoyant lure restriction and night closure. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): Trout: Minimum length fourteen inches.

Mill Creek (Walla Walla County):

From mouth to Gose St. Bridge: June 1 through April 15 season. All species: Barbless hooks required and release all

fish except hatchery steelhead September 1 through April 15. Trout: Daily limit three hatchery steelhead.

From Gose St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla: Closed waters.

From Roosevelt St. Bridge upstream, including all tributaries: All tributaries: Closed waters. Selective gear rules. Trout: Maximum length twenty inches.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only.

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): Closed waters: Area from department intake dam downstream to mouth June 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Daily limit 4 chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through October 31 season.

Moclips River (Grays Harbor County), from mouth to the Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Molson Lake (Okanogan County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Monte Christo Lake (Snohomish County): June 1 through October 31 season. Selective gear rules.

Moses Pond (Pacific County): June 1 through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Moses Lake (Grant County): Crappie: Daily limit five, only crappie more than ten inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained. Bass: Fish twelve to seventeen

inches in length may be retained as part of the daily limit. No more than 3 bass over fifteen inches in length may be retained. Walleye: Minimum length eighteen inches. Up to five fish eighteen to twenty-four inches in length may be retained in the daily limit. No more than one walleye over 24 inches in length may be retained.

Mosquito Creek (Jefferson County), outside Olympic National Park: June 1 through last day in February season. Selective gear rules. Trout: Minimum length fourteen inches.

Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): Last Saturday in April through October 31 season.

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Trout: Minimum length twelve inches, maximum length twenty inches. Release trout June 1 through October 31 from confluence with Tieton River to mouth of Rattle Snake Creek. Additional December 1 through March 31 season. Whitefish gear rules apply.

Naneum Creek (Kittitas County): Selective gear rules.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls, and waters within four hundred feet both upstream and downstream of the entrance to the Naselle Salmon Hatchery attraction channel.

Mainstem: June 1 through April 15 season, except sturgeon. Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. Nonbuoyant lure restriction and night closure August 16 through November 30 downstream from North Fork. Stationary gear restrictions downstream from the Crown Main Line Bridge August 16 through November 30. Selective gear rules March 1 through April 15 from mouth to North Fork. All game fish: Release

all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31 from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of these 3 adult fish no more than 1 may be a wild adult coho and not more than 2 may be adult chinook no more than 2 chum may be retained.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From mouth of North Fork to source: Selective gear rules. All species: Release all fish.

South Fork, from mouth to Bean Creek: June 1 through last day in February season, except sturgeon. Game fish: Selective gear rules except nonbuoyant lure restriction and night closure August 16 through November 30. Release game fish. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to the fish barrier dam at Fishtrap Lake.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: June 1 through March 31 season. Single point barbless hooks required on North Nemah upstream to the lower bridge on dead end lower Nemah Road October 1 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules on Middle Nemah above DNR Bridge. Night closure August 16 through November 30 on South and Middle Nemah and October 1 through November 30 on North Nemah. Nonbuoyant lure restriction on North Nemah upstream from bridge on dead end lower Nemah Road August 16 through November 30. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, fishers may not allow their line, lures or bait to remain stationary in the water during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained in the North Nemah. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah and October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish of which no more than 2 may be adult salmon and of the two adult fish no more than one may be a wild adult coho. North Nemah: Daily limit 6 salmon of which not more than 3 may be adult salmon and of the adult fish no more than one may be a wild adult coho and no more than two may be adult chinook. No more than two chum may be retained.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork upstream to Highway 508 Bridge near Kearny Creek (Lewis County): June 1 through March 31 season. Night closure and single point barbless hooks required August 16 through November 30 from mouth to Gheer Creek. Trout: Minimum length fourteen inches mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through last day in February from mouth to Gheer Creek. Daily limit 6 fish of which no more than 2 may be adult salmon. Release adult chinook. Release wild adult coho December 1 through last day in February.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): June 1 to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout: Minimum length fourteen inches.

From 400 feet below Chehalis city water intake upstream: Closed waters.

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101 Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook.

Nile Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Nisqually River (Pierce County), from mouth to four hundred feet below LaGrande Powerhouse: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Game fish: Closed December 1 through January 31. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through January 31 from mouth to Military Tank Crossing Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: June 1 through last day in February season except closed June 1 through September 30 in mainstem from Mount Baker High School bus barn at Deming to confluence of the North and South Forks. Fishing from floating devices equipped with motors prohibited on the North and Middle Forks November 1 through last day in February. Nonbuoyant lure restriction and night closure August 1 through November 30 on mainstem and North Fork to Maple Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 in mainstem from Lummi Indian Reservation boundary to Mount Baker High School bus barn. Open only October 16 through December 31 in mainstem from the bus barn to the confluence of the North and South Forks, and October 1 through October 31 on the North Fork

from confluence to Maple Creek. Daily limit 2 salmon, except release chinook and wild coho.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: June 1 through last day in February season. Selective gear rules. Night closure August 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through December 31. Daily limit 2 salmon, except release chinook and wild coho.

From Skookum Creek upstream: Closed waters.

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (Okanogan County): From mouth to falls at river mile 0.8: Selective gear rules.

North Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: June 1 through last day in February season, except sturgeon. Night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. Nonbuoyant lure restriction from Salmon Creek to Falls River August 16 through November 30. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. All species: Release all fish.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickitat/Skamania counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Trout: Daily limit one.

Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerick): Closed waters.

Oasis Park Pond (Grant County): Third Saturday in April through Labor Day season. Juveniles and holders of reduced fee disability licenses only.

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Trout: Minimum length twelve inches.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season.

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: June 1 through August 31 season. Trout: Release all trout.

Closed waters: From Zosel Dam downstream to one-quarter mile below the railroad trestle.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Olequa Creek (Lewis County): June 1 through last day in February season. Trout: Release all fish except up to two hatchery steelhead may be retained per day.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): June 1 through October 31 season.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): June 1 through March 31 season, except sturgeon. Single point barbless hooks and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. Above the confluence of the South and Middle Forks: Selective gear rules. Nonbuoyant lure restriction and night closure August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year around season.

Palmer Lake (Okanogan County): Burbot: Set line gear allowed.

Pampa Pond (Whitman County): March 1 through September 30 season. Fishing from any floating device prohibited.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Para-Juvenile Lake (Adams/Grant counties): April 1 through September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.

Patterson Lake (Okanogan County): Last Saturday in April through October 31 season.

Pattison Lake (Thurston County): Last Saturday in April through October 31 season.

Peabody Creek (Clallam County): Juveniles only.

Pearrygin Lake (Okanogan County): Last Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All sloughs within the boundaries of the Kalispell Reservation except Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September 30 season.

Percival Creek (Thurston County): Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Pheasant Lake (Jefferson County): Last Saturday in April to October 31 season.

Phelps Creek (Chelan County): From mouth to falls at river mile 1: Selective gear rules.

Philippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Phillips Lake (Mason County): Last Saturday in April through October 31 season.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Additional December 1 through last day in February season. Trout: Minimum length fourteen inches.

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches.

From 500 feet below diversion dam upstream: Closed waters.

Pillar Lake (Grant County): April 1 through September 30 season.

Pine Lake (King County): Last Saturday in April through October 31 season.

Pine Lake (Mason County): Last Saturday in April through October 31 season.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pipers (Carkeek) Creek (King County), from its mouth to its source, including tributaries: Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last day in February season.

Poacher Lake (Grant County): April 1 through September 30 season.

Portage Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Potholes Reservoir (Grant County): Crappie: Minimum length nine inches. Crappie and bluegill: Combined daily limit twenty-five fish. Perch: Daily limit twenty-five fish.

Potter's Pond (Stevens County): Last Saturday in April through October 31 season.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Prices Lake (Mason County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): June 1 through October 31 season.

Purdy Creek (Mason County): June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: June 1 through January 31 season. Nonbuoyant lure restriction and

night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to Carbon River. Daily limit 6 fish of which no more than 2 may be adult salmon.

From mouth to the Soldier's Home Bridge in Orting: Additional February 1 through last day in February season. Trout: Minimum length fourteen inches.

Pysht River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches. December 1 through last day in February, one wild steelhead per day may be retained.

Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited.

Quigg Lake (Grays Harbor County): June 1 through April 15 season. Trout: Daily limit 2. Minimum length fourteen inches. Salmon: Open only October 1 through January 31. Daily limit 6 hatchery coho salmon of which no more than 4 may be adult hatchery coho.

Quillayute River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only March 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon March 1 through August 31 and 3 may be adult salmon September 1 through November 30. September 1 through November 30 the 3 adult salmon may contain no more than 2 adult chinook or 2 adult wild coho or 1 adult chinook and 1 adult wild coho. March 1 through August 31 release wild adult coho and wild adult chinook.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through April 15 season. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only July 1 through October 31. Daily limit 6 fish except release adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Railroad Pond (Franklin County): Selective gear rules. Trout: Daily limit two.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season.

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. All species: Release all fish.

Rattlesnake Lake (King County): Last Saturday in April through October 31 season. Selective gear rules, except fishing from a floating device equipped with an electric motor allowed.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

Riffe Lake (Reservoir) (Lewis County): Mossyrock Dam to 400 feet below Cowlitz Falls Dam. Closed waters: Lewis County PUD safety signs approximately 800 feet below Cowlitz Falls Dam to Dam. Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Robbins Lake (Mason County): Last Saturday in April through October 31 season.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Chelan County): Selective gear rules.

Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.

Rock Creek (Skamania County): Mouth to falls: June 1 through March 15 season. Trout: Release all fish except up to two hatchery steelhead may be retained per day. Above falls, additional November 1 through March 15 season.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules and all species: Release all fish.

Roesiger Lake (Snohomish County): Crappie: Daily limit ten, minimum length nine inches.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): Chumming allowed. All species: Closed February 1 through May 31 in San Poil arm upstream from outlet of French Johns Lake, and April 1 through May 31 in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit two. Walleye: No minimum size. Daily limit 5 fish not more than one of which may be longer than 18 inches. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon from Roosevelt Lake and tributaries.

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules, except fishing from a floating device equipped with a motor allowed. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: Closed waters: From closed water markers near mouth upstream for one mile. Above closed water marker in tributaries not listed as closed: July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.

Rufus Woods Lake (Douglas County): Chumming allowed. Trout: Daily limit two. Sturgeon: Unlawful to fish for or retain sturgeon from Rufus Woods Lake and tributaries.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): April 1 through September 30 season.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 15 season. Trout: Release all

fish except up to two hatchery steelhead may be retained per day.

Salmon Creek, including all forks (Jefferson County): Closed waters.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules.

Salmon Creek (tributary of Naselle River) (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Salmon River (Jefferson County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Hatchery steelhead in this river are steelhead with a dorsal fin height of less than 2-1/8 inches or with an adipose or ventral fin clip. Salmon: Open only September 1 through November 30 from mouth to Q 1000 Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon.

Salt Creek (Clallam County): Trout: Minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the Hickson Bridge: June 1 through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. Nonbuoyant lure restriction and night closure August 1 through December 31.

Trout: Minimum length fourteen inches. Salmon: Open only July 1 through December 31 from mouth to Thomas Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon.

Sammamish Lake (King County): Trout: Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length. Salmon: Closed to salmon fishing within 100 yards of the mouth of Issaquah Creek. Open only August 16 through November 30. Daily limit two salmon. Release sockeye.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: Closed waters: All tributaries. January 1 through August 31 season. Selective gear rules. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season.

San Poil River (Ferry County): Unlawful to fish for or retain sturgeon.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of disability licenses only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River, (Grays Harbor County): Trout: Minimum length 14 inches in mainstem and all forks. Mainstem and East Fork, single point barbless hooks and night closure August 16 through November 30 except only August 16 through October 31 on East Fork upstream from bridge at Schafer State Park. Middle and West forks downstream from Cougar Smith Road nonbuoyant lure restriction and night closure August 16 through November 30. Middle and West Forks upstream from Cougar Smith Road night closure and nonbuoyant lure restriction August 16 through October 31.

From mouth to bridge at Schafer Park: Additional November 1 through March 31 season. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except release adult chinook.

Middle Fork (Turnow Branch), from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

West Fork, from mouth to Cougar Smith Road: Additional November 1 through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

South Fork upstream from Elliot Creek: June 1 through August 31 season. Selective gear rules.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish.

Sawyer, Lake (King County): Chumming permitted. Crappie: Daily limit ten, minimum length nine inches.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

Seki River (Clallam County): All open periods: Trout: Minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day in February season.

Serene Lake (Snohomish County): Last Saturday in April through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): Closed waters.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except December 1 through August 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): Trout: Minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shiner Lake (Adams County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoveler Lake (Grant County): April 1 through September 30 season.

Shye Lake (Grays Harbor County): June 1 through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: Minimum length fourteen inches.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Silvas Creek (Klickitat County): Trout: Release all trout.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Trout: Minimum length twelve inches.

Silver Lake (Pierce County): Last Saturday in April through October 31 season.

Silver Lake (Spokane County): Crappie: Daily limit ten, minimum length nine inches.

Silver Lake, North (Spokane County): March 1 through September 30 and November 1 through December 31 season. Selective gear rules. March 1 through September 30: Trout: Daily limit 2 fish, minimum length 14 inches, except release fish with clipped adipose fin. November 1 through December 31: All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

Silvernail Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. Whitefish gear rules apply.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season. Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Selective gear rules. Additional December 1 through March 31 season. Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules March 1 through May 31 except lawful to fish from a floating device equipped with a motor. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 16 through December 31. August 16 through October 31: Daily limit four salmon of which not more than three may be coho salmon or two may be chum salmon and release chinook. November 1 through December 31: Daily limit 2 salmon and release chinook.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek: June 1 through March 31 season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 16 through December 31. August 16 through October 31: Daily limit four salmon of which not more than three may be coho salmon or two may be chum salmon and release chinook. November 1 through December 31: Daily limit 2 salmon and release chinook.

From Gilligan Creek to Bacon Creek: June 1 through March 15 season except closed June 16 through June 30 and August 1 through August 31 between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only September 16 through December 31 Gilligan Creek to the Dalles Bridge at Concrete. September 16 through October 31: Daily limit four salmon of which not more than three may be coho salmon or two may be chum salmon and release chinook. November 1 through December 31: Daily limit two salmon and release chinook.

From the Dalles Bridge at Concrete to the Cascade River - Salmon open July 1 through July 31, except closed from 200 feet above the mouth of the Baker River to the Cascade River. Daily limit two sockeye salmon. Release all salmon except sockeye salmon. Salmon open September 16 through December 31. September 16 through October 31: Daily limit four salmon of which not more than three may be coho salmon or two may be chum salmon and release chinook. November 1 through December 31: Daily limit two salmon and release chinook.

From Bacon Creek to Gorge Powerhouse: June 1 through last day in February season. Nonbuoyant lure restric-

tion and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

From the Dalles Bridge at Concrete to the mouth of Bacon Creek: Additional March 16 through April 30 season. Selective gear rules, except lawful to fish from a floating device equipped with a motor but not while under power. All species: Release all fish.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: November 1 through March 15 season. All species: Release all fish other than steelhead. Trout: Minimum length twenty inches.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length.

Skokomish River (Mason County), mouth to forks: Night closure, nonbuoyant lure restriction and single point barbless hooks required August 1 through November 30 mouth to Highway 101. June 1 through last day in February season. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through December 15 mouth to Highway 101 Bridge. Daily limit 1 salmon August 1 through September 30. Release chum salmon. Daily limit 6 salmon October 1 through December 15, except daily limit may contain no more than 4 adult fish and of these adults not more than one may be an adult chinook. October 1 through October 15 release chum salmon.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Above Lake Cushman, mouth to Olympic National Park boundary: June 1 through August 31 season. Selective gear rules. Trout: Release all fish.

Skokomish River, South Fork (Mason County):

From mouth to mouth of Church Creek: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

From mouth of Church Creek to mouth of Rule Creek: Closed waters.

From mouth of Rule Creek to headwaters: Selective gear rules. Trout: Minimum length twelve inches.

Skookum Creek (Mason County): Trout: Minimum length fourteen inches.

Skookum Lakes, North and South (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Creek (Klickitat County): Trout: Release all trout.

Skookumchuck Reservoir (Thurston County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Single point barbless hooks and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon, except December 1 through the last day in February release adult wild coho. Release adult chinook.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Wallace River: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30 mouth to Lewis Street Bridge in Monroe and June 1 through November 30 from Lewis Street Bridge in Monroe to Wallace River. Fishing from any floating device prohibited November 1 through last day in February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Additional season March 1 through April 30 mouth to Sultan River: Selective gear rules and all species - Release all fish. Salmon: Open June 1 through July 31 Lewis Street Bridge in Monroe to Wallace River. Daily limit 1 hatchery chinook. Open September 1 through December 31. Daily limit four salmon of which a total of not more than two may be coho and chum salmon. Release chinook.

From the mouth of the Wallace River to the forks: June 1 through last day in February season, except closed June 1 to 8:00 a.m. August 1 in those waters one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds August 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through December 31. Daily limit four salmon of which a total of not more than two may be coho and chum salmon. Release chinook.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day in February

season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.

From Sunset Falls to source: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish.

Smith Creek (near North River) (Pacific County): June 1 through last day in February season, except sturgeon. Single point barbless hooks, and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an adult wild coho. Release adult chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. Trout: Daily limit six, minimum length ten inches, no more than three over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Sturgeon: Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam. Bass: Fish twelve to seventeen inches in length may be retained as part of the daily limit. No more than 3 bass over fifteen inches in length may be retained. Walleye: Daily limit 10 fish. No minimum size. No more than 5 fish over 18 inches in length. No more than 1 fish over 24 inches in length. Channel catfish: No daily limit.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): April 1 through September 30 season.

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: June 1 through last day in February season, except sturgeon. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only August 16 through December 31. Daily limit four salmon of which no more than a total of two salmon may be coho and chum salmon. Release chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: June 1 through last day in February season, except waters within the Puget Power tunnel at

the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. June 1 through November 30 selective gear rules, except fishing from a floating device equipped with a motor allowed. Fishing from any floating device prohibited November 1 through last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release chinook and pink.

From Snoqualmie Falls upstream, including the North and South Forks: Selective gear rules. Trout: Minimum length ten inches. Additional November 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: Year-round season. Selective gear rules. All species: Release all fish.

Snow Creek (Jefferson County), including all tributaries: Closed waters.

Snyder Creek (Klickitat County): Trout: Release all trout.

~~((Sol Due))~~ Soleduck River (Clallam County): Open year-round. May 1 through May 31 release all fish except up to two hatchery steelhead per day may be retained. Selective gear rules from the concrete pump station at the ~~((Soleduck))~~ Sol Duc Hatchery to the Highway 101 Bridge downstream of Snider Creek November 1 through April 30, and from the Highway 101 Bridge to Olympic National Park June 1 through October 31. Trout: Minimum length fourteen inches. December 1 through April 30, from mouth to the concrete pump station at the Sol Duc Hatchery, one wild steelhead per day may be retained. Salmon: Open only March 1 through November 30 from mouth to concrete pump station. Daily limit 6 fish of which no more than 2 may be adult salmon July 1 through August 31 and of which no more than 3 may be adult salmon September 1 through November 30. July 1 through August 31 release wild adult coho and wild adult chinook. September 1 through November 30 the daily limit may contain no more than 2 adult chinook or 2 adult wild coho or a combination of adult chinook and adult wild coho.

Soes River (Suez River) (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: June 1 through August 31 season except salmon. Trout: Minimum length fourteen inches. Salmon: Open only October 11 through November 2 to fishing by juveniles only. Night closure October 11 through October 31. Terminal gear restricted to one single hook. Daily limit two coho salmon.

Bridge near hatchery residence to Salmon hatchery rack: June 1 through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), mouth to Page Creek: Closed waters.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an electric motor permitted. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

Spectacle Lake (Okanogan County): March 1 through July 31 season.

Spirit Lake (Skamania County): Closed waters.

Spokane River (Spokane County):

From SR 25 Bridge upstream to the Seven Mile Bridge, except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit five, no minimum length, no more than one over eighteen inches in length. April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Seven Mile Bridge upstream to the Monroe Street Dam: Year-round season. Selective gear rules. Trout: Daily limit one. Release wild trout. Salmon: Landlocked salmon rules apply. Sturgeon: Unlawful to fish for or retain sturgeon.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: Selective gear rules, except fishing from a floating device equipped with a motor permitted. All species: Release all fish.

Sprague Lake (Adams/Lincoln counties):

Waters south of the lakeside edge of the reeds and waters of Cow Creek south to Danekas Road: July 1 through September 15 season. Crappie: Daily limit ten, minimum length nine inches.

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Stan Coffin Lake (Grant County): Bass: Release all bass.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stehekin River (Chelan County), from the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fifteen inches. Release cut-throat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stetattle Creek (Whatcom County), from its mouth to mouth of Bucket Creek (one and one-half miles upstream): Closed waters.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Steves Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Marine Drive, including all sloughs: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31. Daily limit four salmon of which a total of not more than two may be coho and chum salmon. Release chinook.

From Marine Drive to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: June 1 through last day in February season. Night closure August 1 through November 30. Selective gear rules June 1 through November 30 except fishing from a floating device equipped with a motor allowed. Game fish: June 1 through November 30 release all fish except hatchery steelhead. Trout: Minimum length fourteen inches December 1 through last day in February. Salmon: Open only September 1 through December 31. Daily limit four salmon of which a total of not more than two may be coho and chum salmon. Release chinook.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. March 1 through November 30: All species: Release all fish except hatchery steelhead. April 16 through November 30 fly fishing only. December 1 through last day in February: Trout: Minimum length fourteen inches.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches.

From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.

From Mt. Loop Highway Bridge above Granite Falls to source: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Suiattle River (Skagit County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream: Selective gear rules.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sultan River, North and South Forks (Snohomish County): Closed waters.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season.

Sunday Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Sutherland Lake (Clallam County): Chumming permitted.

Swale Creek (Klickitat County): Trout: Release all trout.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): Closed waters.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): June 1 through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules.

Swift Reservoir (Skamania County): Last Saturday in April through October 31 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules except fishing from a floating device equipped with a motor is allowed. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Tahuya River (Mason County): Mouth to Bear Creek-Dewatto Road crossing: Selective gear rules and release all fish except salmon. Salmon: Open only September 16 through October 31 mouth to marker one mile above North Shore Road Bridge. Daily limit 2 coho salmon.

Bear Creek-Dewatto Road crossing upstream: Selective gear rules and release all fish.

Taneum Creek (Kittitas County): Selective gear rules.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. Crappie: Daily limit ten, minimum length nine inches.

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season.

Tarboo Lake (Jefferson County): Last Saturday in April through November 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Salmon: Landlocked salmon rules apply.

Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Last Saturday in April to August 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Additional September 1 through March 30 season. Selective gear rules. All species: Release all fish.

Teanaway River, including North Fork (Kittitas County): Selective gear rules.

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 31 except fishing from floating dock permitted.

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thornton Creek (tributary to Lake Washington) (King County): Closed waters.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): Closed waters.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. Additional December 1 through March 31 season: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County), upstream from Rimrock Lake: Closed waters: Spillway channel. June 1 through August 15 season.

Tieton River, South Fork (Yakima County): From mouth to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Tilton River (Lewis County), from mouth to West Fork: June 1 through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Release cutthroat. Salmon: Open only June 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult fish. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the posted cable boundary marker located approximately seven hundred feet upstream of the mouth: December 1 through last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length fourteen inches.

From the posted cable boundary marker located approximately seven hundred feet upstream of the mouth to the railroad trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: June 1 through last day in February season. June 1 through November 30, selective gear rules. Trout: Minimum length fourteen inches.

From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.

From falls upstream on North Fork: Selective gear rules. All species: Release all fish.

From dam upstream on South Fork: Selective gear rules. Trout: Minimum length ten inches.

Touchet River (Columbia/Walla Walla counties):

From confluence of north and south forks upstream, including Robinson and Wolf Forks: Selective gear rules. Trout: Release all steelhead. Bass: No minimum or maximum size. No more than three bass over fifteen inches in length may be retained. Tributaries other than North Fork, South Fork, Robinson Fork, and Wolf Fork: Closed waters.

North Fork: Upstream of Spangler Creek June 1 through August 31 season.

South Fork: Upstream from Griffin Creek June 1 through August 31 season.

Wolf Fork: Upstream from Coates Creek June 1 through August 31 season.

From mouth to confluence of north and south forks: Additional season: November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and brown trout. Trout: Daily limit three fish.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: June 1 through November 30 season. Nonbuoyant lure restriction and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except hatchery steelhead. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon. Release chum and wild coho. Release all chinook October 1 through November 30 in North Fork upstream from Kidd Valley Bridge.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. June 1 through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except hatchery steelhead.

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): June 1 through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the mouth upstream to Turner Road Bridge: Additional November 1 through April 15 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Turner Road Bridge upstream to the Tucannon Hatchery Bridge: Selective gear rules June 1 through October 31. Additional season November 1 through April 15. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish. Trout: Daily limit three hatchery steelhead.

From the Tucannon Hatchery Bridge upstream to 500 feet above the Rainbow Lake intake: Closed waters.

From 500 feet above the Rainbow Lake intake to the Cow Camp Bridge: Selective gear rules. Release steelhead.

From Cow Camp Bridge upstream: Closed waters.

Tucquala Lake (Kittitas County): June 1 through October 31 season.

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: June 1 through September 30 season. Selective gear rules. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls June 1 through October 31 season: Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. From Alpine falls upstream: Trout: Minimum size ten inches.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules.

Uncle John Creek (Mason County): Closed waters.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County): Mouth to North Shore Road Bridge. All species: Release all fish except sturgeon.

From North Shore Road Bridge to lower bridge on Old Belfair Highway: June 1 through August 15 season. Selective gear rules. All species: Release all fish except sturgeon.

From lower bridge on Old Belfair Highway upstream to watershed boundary: Selective gear rules. All species: Release all fish except sturgeon.

From watershed boundary to source, including all tributaries: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): Juveniles only.

Vance Creek (Mason County): Trout: Minimum length fourteen inches.

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department disability license only. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of the channel

exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which not more than 2 may be adult fish. Release chum, adult chinook and wild adult coho.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From mouth to Highway 162 Bridge: Closed waters.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Wahkiacus Creek (Klickitat County): Trout: Release all trout.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October 31 season.

Wallace River (Snohomish County):

From its mouth to 200 feet upstream of the water intake of the salmon hatchery: June 1 through last day in February season. Closed waters: From the first Burlington-Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery during the period June 1 through August 31. Fishing from any floating device prohibited November 1 through last day in February. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From 200 feet upstream of the water intake of the salmon hatchery to mouth of Olney Creek: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Trout: Release trout April 1 through May 31. Daily limit three hatchery steelhead. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty

inches. Bass: No minimum or maximum size. No more than three fish over fifteen inches in length may be retained. Additional season November 1 through April 15. All species: Barbless hooks required and release all fish except hatchery steelhead. Trout: Daily limit three hatchery steelhead.

Waluapt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season. Selective gear rules except fishing from devices equipped with motors permitted. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. Trout: Release all trout. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion engine permitted.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season.

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February, daily limit 5, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit 5, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. Salmon: Open only September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge. Daily limit two coho salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February

daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washougal River (Clark County):

From mouth to bridge at Salmon Falls: June 1 through March 15 season. Nonbuoyant lure restriction, night closure and stationary gear restriction September 1 through October 31. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained. Salmon: Open only August 1 through March 15. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than 2 may be adult chinook salmon. Release chum and wild coho. Upstream of Little Washougal River, release chinook October 1 through December 31.

From mouth to Mt. Norway Bridge: Additional April 16 through May 31 season. Selective gear rules. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: June 1 through March 15 season. Trout: Release all trout except up to 2 hatchery steelhead per day may be retained.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Wauhup Lake (Pierce County): Salmon: Landlocked salmon rules apply.

Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.

Wenaha River tributaries within Washington: June 1 through August 31 season.

Wenatchee Lake (Chelan County): Selective gear rules except fishing from a floating device equipped with a motor allowed. Trout except kokanee: Daily limit two, minimum length twelve inches. Release kokanee. Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River (Chelan County):

December 1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. Whitefish gear rules apply.

West Twin River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: June 1 through last day in February season. Nonbuoyant lure

restriction and night closure August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

Wheeler Creek (Klickitat County): Trout: Release all trout.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: Nonbuoyant lure restriction and night closure October 1 through November 30. Trout: Minimum length fourteen inches.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. Nonbuoyant lure restriction and night closure. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: Nonbuoyant lure restriction and night closure October 1 through November 30. Whitefish: Additional November 1 through January 31 season. Release all fish except whitefish.

Whitechuck River (Snohomish County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: Open year-round. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Nonbuoyant lure restriction. Trout: Minimum length fourteen inches. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. October 1 through December 31 release chinook upstream from posted markers upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season except salmon and steelhead. Trout: Minimum length fourteen inches. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. November 16 through December 31 release chinook.

Salmon and steelhead: Open April 1 through June 15, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Trout: Minimum length twelve inches.

Wide Hollow Creek (Yakima County): Trout: Daily limit five, no minimum length.

Widgeon Lake (Grant County): April 1 through September 30 season.

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season.

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Fork Creek: June 1 through March 31 season, except sturgeon. Night closure, single point barbless hooks, and stationary gear restriction August 16 through November 30 mouth to Fork Creek. November 1 through March 31 fishing from any floating device prohibited from the bridge on Willapa Road to Fork Creek.

All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than one may be a wild adult coho and not more than two may be adult chinook and not more than two may be chum.

Sturgeon: Open year-round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, nonbuoyant lure restriction and night closure. All species: Release all fish.

South Fork: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 16 through November 30. All species: Release all fish except up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season.

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Open year-round. Juveniles only. Trout: Daily limit five, no minimum length.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season, except salmon and steelhead. May 1 through June 30: Nonbuoyant lure restriction and night closure. August 1 through October 31: Nonbuoyant lure restriction. Salmon and steelhead: Open May 1 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook from Burlington-Northern Railroad Bridge upstream.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery upstream, including all tributaries. Night closure and nonbuoyant lure restriction. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Wishkah River (Grays Harbor County), including all forks: Closed waters: Mainstem from four hundred feet below outlet of dam at Wishkah Rearing Ponds (formerly Mayr Bros.) to dam. Trout: Minimum length fourteen inches. Release wild cutthroat. Mouth to West Fork: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Selective gear and all species: Release all fish except up to two hatchery steelhead may be retained per day, March 1 through March 31. Salmon: Open only October 1 through November 30 from mouth to West Fork. Daily limit 6 fish of which no more than 2 may be adult salmon(♀). Release adult chinook.

From the West Fork to four hundred feet below outlet: June 1 through March 31 season. Trout: Minimum length fourteen inches.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Wood Lake (Mason County): Last Saturday in April through October 31 season.

Woodland Creek (Thurston County): Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season.

Wynoochee River (Grays Harbor County): Trout: Minimum length fourteen inches. Mouth to 7400 line bridge above mouth of Schafer Creek: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except daily limit may contain no more than 1 wild adult coho December 1 through January 31. Release adult chinook.

7400 line bridge upstream: Additional December 1 through March 31 season. Selective gear rules. Fishing from a floating device prohibited. All species: Release all fish except up to two hatchery steelhead may be retained.

Wynoochee Reservoir (Grays Harbor County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries. Channel catfish: No daily limit.

From mouth to Prosser Dam: Chumming permitted. Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to Highway 223 Bridge: Bass: No daily limit of bass under 12 inches in length. Release bass 12 to 17 inches in length. Unlawful to retain more than one bass per day greater than 17 inches in length.

From Highway 223 Bridge to 400 feet below Sunnyside Dam: Salmon: Open only September 1 through October 22. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to thirty-five hundred feet below Roza Dam: Year-round season. Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. March 1 through November 30, closed from thirty-five hundred feet below Roza Dam to Roza Dam. Trout: Minimum length twelve inches and maximum length twenty inches. Release all trout April 1 through May 31. Thirty-five hundred feet below Roza Dam to four hundred feet below Roza Dam: December 1 through last day in February season. Whitefish gear rules apply.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Selective gear rules except bait and one single point barbed hook three-sixteenths or smaller point to shank may be used December 1 through last day in February. Trout: From Roza Dam to 400 feet below Easton Dam: Release all trout. Lake Easton to the base of Keechelus Dam. Release all trout except eastern brook trout. Eastern brook trout: No daily limit and no minimum size.

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Yellowjacket Ponds (Lewis County): Last Saturday in April through last day in February season. Trout: No more than one over twelve inches in length.

Yokum Lake (Pend Oreille County): Last Saturday in April through October 31 season.

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 04-19-017

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 7, 2004, 9:00 a.m., effective October 8, 2004]

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

Purpose: To allow the department to correct a mistake on the record without needing the owner's signature again.

Citation of Existing Rules Affected by this Order: Amending WAC 308-56A-250.

Statutory Authority for Adoption: RCW 46.16.110.

Adopted under notice filed as WSR 04-14-016 on June 28, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 1, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 7, 2004.

Fred Stephens
Director

AMENDATORY SECTION (Amending WSR 03-08-055, filed 3/31/03, effective 5/1/03)

WAC 308-56A-250 Signature of registered owner on application—Exceptions. (1) **When is the signature of a registered owner(s) required?** Each registered owner is required to sign the application for certificate of ownership **except when:**

(a) The application is for the sole purpose of removing a secured party of record from the certificate of ownership;

(b) Authorized supportive documentation is used in lieu of the signature or signatures;

(c) The legal owner applies for a duplicate certificate of ownership;

(d) There is a statutorily authorized lien filed by a government agency against the vehicle;

(e) An existing legal owner's perfected security interest is transferred to another party and the new secured party is perfecting its security interest;

(f) The department determines from a review of supporting documentation that the vehicle record must be corrected and a new certificate of ownership issued to correct an error made by the department.

(2) **When is one signature acceptable on an application for certificate of ownership with multiple registered owners?** Only one registered owner's signature is required when:

(a) The last certificate of ownership was issued in another jurisdiction; and

(b) The last certificate of ownership shows multiple registered owners; and

(c) Ownership is not changing.

WSR 04-19-026

PERMANENT RULES

DEPARTMENT OF VETERANS AFFAIRS

[Filed September 9, 2004, 8:52 a.m., effective October 10, 2004]

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

Purpose: To correct references within the Washington Department of Veterans Affairs (WDVA) rules to other agency rules such as the Department of Social and Health Services and the Department of Health, that have been revised, renumbered, and/or reclassified.

To eliminate redundancy in WDVA rules.

To correct typographical errors or clarify language.

Citation of Existing Rules Affected by this Order: Amending WAC 484-10-045, 484-10-050, 484-20-010, 484-20-015, 484-20-035, 484-20-040, 484-20-045, 484-20-065, 484-20-087, 484-20-103, 484-20-105, 484-20-116, and 484-20-120.

Statutory Authority for Adoption: RCW 43.60A.070 and chapter 72.36 RCW.

Adopted under notice filed as WSR 04-14-051 on June 29, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 13, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 8, 2004.

Heidi Audette
PR and Legislative Manager

AMENDATORY SECTION (Amending Order 7659, filed 7/28/77)

WAC 484-10-045 Practice and procedures. In those contested cases, declaratory proceedings, and requests for rule making in which the department of veterans affairs has authority to conduct hearings, practice and procedure shall be in accordance with those uniform rules promulgated by the code reviser and codified as chapter ((1-08)) 1-21 WAC as now written or as hereafter amended except for those situations covered under WAC ((484-120-105)) 484-20-105.

AMENDATORY SECTION (Amending Order 7659, filed 7/28/77)

WAC 484-10-050 Exception to rules. (1) The rules are necessarily based on conditions which are considered to apply in the great majority of situations. Individual circumstances may exist in which application of the rule seems to work in opposition to the objective desired. This may occur when an individual's situation differs from that of the majority or when his circumstances are peculiar. In these cases, exceptions may be considered.

(2) An exception cannot be made to a specific provision of the law. However, individual case exception to a rule or procedure not specifically enunciated in the law can be authorized by the department of veterans affairs when it appears to be in the best interest of overall economy and the individual's welfare.

(3) Exception decisions are not subject to the fair hearing procedure of WAC ((484-120-105)) 484-20-105.

AMENDATORY SECTION (Amending WSR 01-23-001, filed 11/7/01, effective 12/8/01)

WAC 484-20-010 Definitions. The following words or phrases are used in this chapter in the meaning given, unless the context clearly indicates another meaning.

(1) Admission team - A team consisting of a designated veterans benefit specialist and designated medical or nursing staff.

(2) Adjudicative proceeding - In accordance with RCW 34.05.010(1), an adjudicative proceeding is a proceeding before an agency in which an opportunity for hearing before that agency is required by statute or constitutional right before or after the entry of an action by the agency.

(3) Administrative action - An act (as defined in RCW 34.05.010(3)) taken by the agency or state veterans home which implements or enforces a statute, applies an agency rule or order, or imposes sanctions or withholds benefits.

(4) Comprehensive care plan - A plan which outlines details of health care for Medicaid certified nursing facility residents.

(5) Cost of care.

(a) Daily rate - The maximum daily cost (rate) to provide care and services to a Medicaid recipient. The daily rate is set annually by the department of social and health services and applies to all Medicaid certified nursing facility residents. A different daily rate is established for the Washington veterans home, the Washington soldiers home, and the eastern Washington veterans home (also known as the Spokane veterans home).

(b) Private rate - The daily cost (rate) to provide services to state veterans home residents who have resource levels exceeding standards in WAC 484-20-040. There is a different private rate for nursing care and domiciliary care. The private rate is based on actual operating costs.

(c) Resident contribution - The monthly amount a resident pays to the state veterans home as partial payment of the cost of care. If the resident is a Medicaid recipient, the resident contribution is determined by the appropriate community service office. If the resident is not a Medicaid recipient, the resident contribution is determined by the facility. The resident contribution is recalculated with any change in the resident's monthly income.

(6) Department - The department of veterans affairs.

(7) Director - The director of the department of veterans affairs or his/her designee.

(8) Domiciliary care - Is the provision of a home, with necessary ambulant medical care. To be entitled to domiciliary care, the applicant must consistently have a disability, disease or injury which is chronic in nature and produces disablement of such a degree and probable persistency as will incapacitate from earning a living for a prospective period.

(9) Facility - Refers to either the Washington veterans home, the Washington soldiers home or the eastern Washington veterans home (also known as the Spokane veterans home), but **does not** include the Medicaid certified nursing facility.

(10) Furlough - An approved absence for facility residents.

(11) Grievance - An oral or written statement of any difficulty, disagreement, or dispute relating in any way to a facility, a resident or facility staff.

(12) Grievance investigator - State veterans home social service staff or another appropriate person requested by the resident who investigates a grievance.

(13) Income - The receipt by an individual of any property or service which he/she can apply either directly, by sale, or conversion to meet his/her basic needs for food, clothing, and shelter.

(a) Earned income - Gross wages for services rendered and/or net earnings from self-employment. Earned income received at predictable intervals other than monthly or in unequal amounts will be converted to a monthly basis.

(b) Unearned income - All other income.

(14) Medicaid certified nursing facility - Refers to those nursing care units of each state veterans home that are Medicaid certified as described under WAC 388-97-005((20)).

(15) Personal needs allowance - In accordance with chapter 72.36 RCW the amount which a resident may retain from his/her income.

(16) Rehabilitation leave - A period of time granted to permit a resident to attempt to reestablish independent living or other care arrangements in a community of his/her choice while retaining the right to return to the facility without reapplying for admission.

(17) Rehabilitation plan - Describes individualized goals for professional treatment, counseling and/or guidance necessary to restore to the maximum extent possible the physical, mental and psychological functioning of an ill or disabled person.

(18) Resources - Cash or other liquid assets or any real or personal property that an individual or spouse, if any, owns and could convert to cash to be used for support or maintenance.

(a) When an individual can reduce a liquid asset to cash, it is a resource.

(b) If an individual cannot reduce an asset to cash, it is not considered an available resource.

(c) Liquid - Assets that are in cash or are financial instruments which are convertible to cash such as, but not limited to, cash in hand, stocks, savings, checking accounts, mutual fund shares, mortgage, promissory notes.

(d) Nonliquid - All other property both real and personal shall be evaluated according to the price that can reasonably be expected to sell for on the open market in the particular geographical area involved.

(19) Resident - An individual who resides at a state veterans home.

(20) Resident council - A group of residents elected in accordance with RCW 72.36.150 by facility residents.

(21) Social leave - An approved absence for residents of Medicaid certified nursing facility units.

(22) State veterans home - Refers to the Washington soldiers home and colony in Orting, the Washington veterans home in Retsil, the eastern Washington veterans home (also known as the Spokane veterans home), or all.

(23) Staff - Any individual hired or contracted to provide care and services at the state veterans homes.

(24) Superintendent - The licensed nursing home administrator appointed by the director to administer the day-to-day operations of a state veterans home.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-015 Application for admission. (1) Applications for admission to a state veterans home shall be made using forms prescribed by the department.

(2) All applications shall include either a copy of the applicant's military discharge or a statement from the applicable military service denoting the dates and character of service. An individual whose eligibility is based on the military service of a spouse shall provide proof of the spouse's military service.

(3) An admissions team shall:

(a) Review each application to ensure inclusion of all information and documents necessary to determine eligibility for admission;

(b) For admission to a Medicaid certified nursing facility, ensure a preadmission screening (in accordance with state regulations at WAC ((388-97-240)) 388-97-247 through 388-97-388) and if necessary a preadmission screening and ((annual)) resident review (((PASARR)) PASRR) (in accordance with state regulations at WAC ((388-97-245)) 388-97-247 through 388-97-260) have been conducted; and

(c) Recommend to the director that the application be approved or denied. The applicant shall receive written notice of the decision in accordance with WAC 484-20-103.

(4) Applications are reviewed and approved or denied in the order of receipt.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-035 Eligibility—Transfer of resources. Eligibility for admission as related to transfer of resources is determined by application of medical assistance eligibility rules as defined in ((chapter 388-95)) WAC 388-513-1364 through 388-513-1366.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-040 Eligibility—Indigency. (1) An applicant shall be considered indigent if:

(a) His/her assets and total annual income for the year following admission, less resources and income retained pursuant to WAC 484-20-065 and divided by twelve, does not exceed the private rate for the section/unit for which he/she is making application; or

(b) He/she is found eligible to receive Medicaid.

(2) If an applicant does not meet the requirements of subsection (1) of this section, he/she may be eligible for admission if:

(a) He/she will become indigent through purchase of necessary long term care; or

(b) He/she agrees to make reasonable efforts to sell any nonliquid resources considered nonexempt under ((chapter 388-95)) WAC 388-513-1350, and pay at the private rate.

(3) An applicant for residency in the colony of the Washington soldiers home may not have income in excess of the federal poverty level. Colony residents may own real property provided such property is the domicile of the colony resident and is located in the Orting school district.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-045 Eligibility—Inability to support self/need for care. (1) To be eligible for admission an applicant must be indigent as defined in WAC 484-20-040 and be in need of:

(a) Medicaid certified nursing facility care as described in WAC ((388-97-235)) 388-513-1315; or

(b) Nursing care other than Medicaid certified nursing facility care; or

(c) Domiciliary care.

(2) Applicants who are not in need of care as described in subsection (1) of this section are eligible for admission only if their application includes a rehabilitation plan. Such applicants shall be admitted for a specific period as defined by the rehabilitation plan. Any reductions or extensions of the period of residency are made upon recommendation of the interdisciplinary patient care team and are based on the resident's progress toward meeting or refusal to meet goals outlined in the rehabilitation plan.

AMENDATORY SECTION (Amending WSR 95-07-082, filed 3/16/95, effective 4/16/95)

WAC 484-20-065 Use of residents' income and resources. (1) **Monthly payments.** Each month residents shall pay to the state veterans home all income in excess of the established personal needs allowance. This payment shall be known as the resident contribution as defined in WAC 484-20-010 (5)(c). Department policy establishes the payment due date. The amount paid shall not exceed the private rate for the program/service area in which the resident resides. Subsections (3) and (5) of this section list exceptions.

(2) **Personal needs allowance.**

(a) **Single residents.** If the resident's monthly income equals or exceeds the established personal needs allowance, he/she may retain the established personal needs allowance. If the individual's monthly income is less than the established personal needs allowance, his/her personal needs allowance shall be limited to:

(i) For residents who are Medicaid recipients, the personal needs allowance authorized by the appropriate department of social and health services community service office; or

(ii) For residents who are not Medicaid recipients to the income which he/she receives.

(b) **Married residents, both residing in the state veterans home.** If each individual's income equals or exceeds the established personal needs allowance, each may retain the established personal needs allowance. If one of the individual's monthly income is less than the established personal needs allowance, his/her personal needs allowance shall be limited to:

(i) For residents who are Medicaid recipients, the personal needs allowance authorized by the appropriate department of social and health services community service office; or

(ii) For residents who are not Medicaid recipients, to the income to which he/she has an individual right.

(3) **Exceptions to monthly payments.** (Note: This subsection (3) only applies to residents who are not Medicaid recipients. The department of social and health services makes these types of determinations for residents who are Medicaid recipients in accordance with applicable Medicaid rules.) Residents may be authorized to retain (in addition to their personal needs allowance) the following:

(a) If a resident is on approved rehabilitation leave, monthly income which he/she would be entitled to receive if living in the community.

(b) If a resident is participating in an approved vocational rehabilitation program, the monthly vocational rehabilitation program earnings.

(c) If a resident is participating in a therapeutic employment program and it is documented in his/her plan of care, monthly therapeutic employment earnings; except for Medicaid recipients the amount retained shall not exceed limits established under medical assistance eligibility rules (~~(chapter 388-95)~~) WAC 388-478-0070, 388-513-1315, and 388-513-1395.

(4) **Application for benefits/entitlements.**

(a) Residents are required to apply for any and all entitlements or benefits as soon as they become eligible.

(b) Agency veterans benefit staff shall assist residents to make application for entitlements and benefits.

(c) Residents who apply for Medicaid and meet medical need requirements but are over the resource limit, shall be advised to seek the necessary assistance (to include legal advice) to reduce their resources. Residents shall be billed at the private rate until Medicaid resource limits are met.

(5) **Support of a nonresident spouse.**

(a) If a resident is a Medicaid recipient and has a community spouse, the provisions of chapter 388-513 WAC apply; except where preempted by federal law; shall apply to income and resources.

(b) If a resident is not a Medicaid recipient and has a community spouse, the provisions of chapter 388-513 WAC apply; except where preempted by federal law; shall be used to determine:

(i) Available and exempt income and resources with regard to eligibility and resident participation;

(ii) Ownership of income and resources; and

(iii) Participation by the community spouse.

(6) Only subsection (4)(a) and (b) of this section applies to residents of the colony at the Washington soldiers home.

(7) **Resource limits.**

(a) For residents who are Medicaid recipients, resource limits are in accordance with Medicaid rules found at chapter 388-513 WAC.

(b) For residents who are not Medicaid recipients, resource limits shall be established by the facility using the Medicaid resource limit for a single or a married individual; whichever is applicable.

(c) If a resident who is a Medicaid recipient receives or accumulates funds in excess of resource limits in (a) of this subsection, the case shall be referred to the appropriate department of social and health services community service office to adjust the resident contribution and/or determine continuing Medicaid eligibility. If the community service office determines the resident is no longer eligible to receive Medicaid benefits, the resident shall pay at the private rate until Medicaid eligibility is reestablished.

(d) If a resident who is not a Medicaid recipient receives or accumulates funds in excess of resource limits in (b) of this subsection, the resident shall pay at the private rate until accumulated funds are reduced to the resource limit.

(e) Exceptions to the resource limits in (b) of this subsection may be granted on a case-by-case basis if a resident has an approved discharge plan which includes a goal to reestablish independent community living through either an

approved rehabilitation leave or participation in an approved vocational rehabilitation program.

(8) Retroactive, lump sum benefits.

(a) If a Medicaid recipient receives a retroactive, lump sum award of benefits, he/she shall be required to report the award to the appropriate department of social and health services community service office. If the resident continues to be eligible for Medicaid, the community service office will issue a new Medicaid award letter which adjusts the resident contribution if appropriate. If the community service office determines the resident is no longer Medicaid eligible, the award shall be counted as income for the month(s) in which moneys would have been received and the resident shall pay retroactively the resident contribution due from date of admission to date of receipt of the retroactive lump sum award; except the resident contribution will not be collected for those months during which the resident received Medicaid benefits. If the resident's resources still exceed Medicaid resource limits, the resident shall pay at the private rate until Medicaid eligibility is reestablished.

(b) If a resident who is not a Medicaid recipient receives a retroactive lump sum award, the award shall be counted as income for the month(s) in which moneys would have been received and the resident shall pay retroactively the resident contribution due from date of admission to date of receipt of the retroactive lump sum award.

(9) The estate of any individual who is a resident at the time of death will be charged for the balance of any cost of care which the resident did not pay during his/her residency in the state veterans home. The state veterans home shall periodically inform the resident of the total amount of any past due cost of care. For residents who are Medicaid recipients, recovery shall be in accordance with ~~((WAC 388-527-2740))~~ chapter 388-527 WAC. For any resident who is not a Medicaid recipient, recovery shall be in accordance with a written agreement made at the time of admission.

~~(10) ((Residents and their spouses are required to disclose to the department all income and assets. For Medicaid recipients, disclosure will be accomplished following medical assistance rules. For all other residents, including colony residents at the Washington soldiers home, disclosure will be done at least annually when scheduled by the state veterans home, more frequently as requested by the state veterans home to verify continuing eligibility, or within fourteen days of any change in income and/or assets.~~

~~(11))~~ For any partial months of residency the resident's contribution shall apply first.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-087 Resident rights. In compliance with federal requirements at 42 CFR § 483.10, residents of a state veterans home have the right to a dignified existence, self-determination and communication with and access to persons and services inside and outside the state veterans home. The state veterans homes shall protect and promote the rights of each resident, including those with limited cognition or other barriers that limit the exercise of rights:

(1) Exercise of rights.

(a) The resident has the right to exercise his or her rights as a resident of the state veterans home and as a citizen or resident of the United States.

(b) The resident has the right to be free of interference, coercion, discrimination, and reprisal from the state veterans home in exercising his or her rights.

(c) In the case of a resident adjudged incompetent under the laws of the state by a court of competent jurisdiction, the rights of the resident are exercised by the person appointed under state law to act on the resident's behalf.

(d) In the case of a resident who has not been adjudged incompetent by the state court, any legal-surrogate designated in accordance with state law may exercise the resident's rights to the extent provided by state law.

(e) The state veterans home shall not require the resident to sign any contract or agreement that purports to waive any right of the resident.

(2) Notice of rights and services.

(a) The state veterans home shall inform the resident both orally and in writing in a language that the resident understands of his or her rights and all rules and regulations governing resident conduct and responsibilities during the stay in the state veterans home. Such notification must be made prior to or upon admission and during the resident's stay. Receipt of such information, and any amendments to it shall be acknowledged in writing.

(b) The resident or his or her surrogate decision maker has the right:

(i) Upon an oral or written request, to access all records pertaining to the resident including clinical records within twenty-four hours for Medicaid certified nursing facility residents and according to chapter ~~((7-02))~~ 70.129 RCW, for other facility residents; and

(ii) After receipt of his or her records for inspection, to purchase at a cost not to exceed the community standard, photocopies of the records or any portions of them upon request and two working days advance notice to the state veterans home.

(c) The resident has the right to be fully informed in language that he or she can understand of his or her total health status, including but not limited to, his or her medical condition.

(d) The resident has the right to refuse treatment, and to refuse to participate in experimental research; and

(e) The state veterans home shall according to federal regulations at 42 CFR § 483.10 (c)(8):

(i) Inform each resident who is entitled to Medicaid benefits, in writing, at the time of admission to the Medicaid certified nursing facility or, when the resident becomes eligible for Medicaid of:

(A) The items and services that are included in Medicaid certified nursing facility services under the state plan and for which the resident may not be charged;

(B) Those other items and services that the state veterans home offers and for which the resident may be charged, and the amount of charges for those services; and

(ii) Inform each resident when changes are made to the items and services specified in (e)(i)(A) and (B) of this subsection.

(f) The state veterans home shall inform each resident before, or at the time of admission, and periodically during the resident's stay, of services available in the state veterans home and of charges for those services, including any charges for services not covered under Medicaid or the Medicaid certified nursing facility daily rate.

(g) Disclosure of fees. Prior to admission, the state veterans home shall provide the applicant information on the amount which will be due upon admission.

(h) The state veterans home shall furnish a written description of legal rights which includes:

(i) A description of the manner of protecting personal funds, under subsection (3) of this section;

(ii) In the case of a Medicaid certified nursing facility resident, a description of the requirements and procedures for establishing eligibility for Medicaid, including the right to request an assessment which determines the extent of a couple's nonexempt resources at the time of admission and attributes to the community spouse an equitable share of resources which cannot be considered available for payment toward the cost of the resident's medical care in his or her process of spending down to Medicaid eligibility levels;

(iii) A posting of names, addresses, and telephone numbers of all pertinent state client advocacy groups such as the state survey and certification agency and the state ombudsman program, the protection and advocacy network, and the Medicaid fraud control unit; and

(iv) A statement that the resident may file a complaint with the state survey and certification agency concerning resident abuse, neglect, and misappropriation of resident property in the state veterans home.

(i) The state veterans home shall inform each resident of the name, specialty, and way of contacting the physician responsible for his or her care.

(j) The Medicaid certified nursing facility shall prominently display in the Medicaid certified nursing facility written information and provide to residents and applicants for admission oral and written information about how to apply for and use of Medicare and Medicaid benefits, and how to receive refunds for previous payments covered by such benefits.

(k) Notification of changes.

(i) The state veterans home must immediately inform the resident; consult with the resident's physician; and if known, notify the resident's surrogate decision maker and when appropriate, with the resident's consent, an interested family member when there is:

(A) An accident involving the resident which results in injury and has the potential for requiring physician intervention;

(B) A significant change in the resident's physical, mental, or psychosocial status (i.e., a deterioration in health, mental, or psychosocial status in either life-threatening conditions or clinical complications);

(C) A need to alter treatment significantly (i.e., a need to discontinue an existing form of treatment due to adverse consequences, or to commence a new form of treatment); or

(D) A decision to transfer or discharge the resident from the state veterans home.

(ii) The state veterans home shall also promptly notify the resident and, if known, the resident's surrogate decision maker and when appropriate, with the resident's consent an interested family member when there is:

(A) A change in room or roommate assignment; or

(B) A change in resident rights under federal or state law or regulations.

(iii) The facility must record and periodically update the address and phone number of the resident's surrogate decision maker and interested family member.

(3) Protection of resident funds.

(a) The resident has the right to manage his or her financial affairs, and the state veterans home may not require residents to deposit their personal funds with the state veterans home.

(b) Management of personal funds. Upon written authorization of a resident, the state veterans home shall hold, safeguard, manage, and account for the personal funds of the resident deposited with the state veterans home.

(c) Accounting and records. The state veterans home must establish and maintain a system that assures a full and complete and separate accounting, according to generally accepted accounting principles, of each resident's personal funds entrusted to the facility on the resident's behalf.

(i) The system must preclude any commingling of resident funds with state veterans home funds or with the funds of any person other than another resident.

(ii) The individual financial records must be available through quarterly statements on request to the resident or his or her legal representative.

(d) Notice of certain balances. The state veterans home shall notify each resident that receives Medicaid benefits:

(i) When the amount in the resident's account reaches two hundred dollars less than the SSI limit for one person; and

(ii) That, if the amount in the account, in addition to the value of the resident's other nonexempt resources, reaches the SSI limit for one person, the resident may lose eligibility for Medicaid or SSI.

(e) Conveyance upon death. Upon the death of a resident with a personal fund deposited with the state veterans home, the state veterans home must convey within thirty days the resident's funds, and a final accounting of those funds, to the individual or probate jurisdiction administering the resident's estate.

(f) Assurance of financial security. The state veterans homes are self-insured and assure the security of personal funds of residents deposited with the state veterans home.

(g) Limitation on charges to personal funds. The state veterans home may not impose a charge against the personal funds of a resident for any item or service for which payment is made under Medicaid, Medicare or the U.S. Department of Veterans Affairs.

(h) The state veterans home shall:

(i) Not charge a resident (or the resident's representative) for any item or service not requested by the resident;

(ii) Not require a resident (or the resident's representative) to request any item or service as a condition of admission or continued stay; and

(iii) Inform the resident (or the resident's representative) requesting an item or services for which a charge will be made that there will be a charge for the item or service and what the charge will be.

(4) Free choice. The resident has the right to:

(a) Choose a personal attending physician;

(b) Be fully informed in advance about care and treatment and of any changes in that care or treatment that may affect the resident's well-being; and

(c) Unless adjudged incompetent or otherwise found to be incapacitated under the laws of the state, participate in planning care and treatment or changes in care and treatment.

(5) Privacy and confidentiality. The resident has the right to personal privacy and confidentiality of his or her personal and clinical records.

(a) Personal privacy includes accommodations, medical treatment, written and telephone communications, personal care, visits, and meetings of family and resident groups, but this does not require the state veterans home to provide a private room for each resident;

(b) Except as provided in (c) of this subsection, the resident may approve or refuse the release of personal and clinical records to any individual outside the state veterans home;

(c) The resident's right to refuse release of personal and clinical records does not apply when:

(i) The resident is transferred to another health care institution; or

(ii) Record release is required by law.

(6) Grievances. A resident has the right to:

(a) Voice grievance without discrimination or reprisal. Such grievances include those with respect to treatment which has been furnished as well as that which has not been furnished; and

(b) Prompt efforts by the state veterans home to resolve grievances the resident may have, including those with respect to the behavior of other residents.

(7) Examination of survey results. A resident has the right to:

(a) Examine the results of the most recent survey or complaint investigation of the Medicaid certified nursing facility conducted by federal or state surveyors or inspectors and any plan of correction in effect with respect to the Medicaid certified nursing facility. The Medicaid certified nursing facility shall:

(i) Publicly post a copy of the most recent survey and complaint investigation until the violation is corrected to the satisfaction of the department of social and health services, up to a maximum of one hundred twenty days;

(ii) Make a copy of the survey results available for examination in a place readily accessible to residents;

(iii) Post a notice that the results of the survey or investigation are available and the location of the surveys when not posted; and

(iv) Post surveys and notices in a place or places in plain view of the residents in the Medicaid certified nursing facility, persons visiting those residents, and persons who inquire about placement in the Medicaid certified nursing facility; and

(b) Receive information from agencies acting as client advocates, and be afforded the opportunity to contact these agencies.

(8) Work. The resident has the right to:

(a) Refuse to perform services for the state veterans home;

(b) Perform services for the state veterans home, if he or she chooses, when:

(i) The state veterans home has documented the need or desire for work in the plan of care;

(ii) The plan specifies the nature of the services performed and whether the services are voluntary or paid; and

(iii) The resident agrees to the work arrangement described in the plan of care.

(9) Mail. The resident has the right to privacy in written communications, including the right to:

(a) Send and promptly receive mail that is unopened; and

(b) Have access to stationery, postage, and writing implements at the resident's own expense.

(10) Access and visitation rights.

(a) The resident has the right and the state veterans home shall provide immediate access to any resident by the following:

(i) Any representative from the federal or state agency administering Medicaid or U.S. Department of Veterans Affairs health care programs;

(ii) The resident's individual physician;

(iii) Any representative of the state long term care ombudsman (established under section 307 (a)(12) of the Older American's Act of 1965);

(iv) Subject to the resident's right to deny or withdraw consent at any time, immediate family or other relatives of the resident; and

(v) Subject to reasonable restrictions and the resident's right to deny or withdraw consent at any time, others who are visiting with consent of the resident.

(b) The state veterans home shall provide reasonable access to any resident by any entity or individual that provides health, social, legal, or other services to the resident, subject to the resident's right to deny or withdraw consent at any time.

(c) The state veterans home shall allow representatives of the state ombudsman, described in (a)(iii) of this subsection, to examine a resident's clinical records with the written permission of the resident or the resident's surrogate decision maker, and consistent with state law.

(11) Telephone. The resident has the right to have twenty-four-hour access to a telephone which:

(a) Provides auditory privacy; and

(b) Is accessible to a person with a disability and accommodates a person with sensory impairment.

(12) Personal property. The resident has the right to retain and use personal possessions, including some furnishings, and appropriate clothing, as space permits, unless to do so would infringe upon the rights or health and safety of other residents.

(a) No Medicaid certified nursing facility shall require residents to sign waivers of potential liability for losses of personal property.

(b) The state veterans home shall have a system in place to safeguard personal property within the state veterans home.

(13) Roommates rooms.

(a) A resident shall have the right to share a room with his or her spouse when married residents live in the same state veterans home and both spouses consent to the arrangement.

(b) A resident shall have the right to receive three days notice of change in room or roommate except where the move is at the resident's request, a longer or shorter notice is required to protect the health or safety of the person or other resident, or an admission is necessary.

(c) The Medicaid certified nursing facility shall make reasonable efforts to accommodate residents wanting to share the same room.

(14) Self-administration of drugs. An individual resident may self-administer drugs if the interdisciplinary care team has determined that this practice is safe.

(15) Refusal of certain transfers.

(a) An individual has the right to refuse a transfer to another room within the state veterans home, if the purpose of the transfer is to relocate a resident from a distinct part of the state veterans home that is a Medicaid certified nursing facility to a part of the state veterans home that is not a Medicaid certified nursing facility.

(b) A resident's exercise of the right to refuse transfer under (a) of this subsection does not affect the individual's eligibility or entitlement to Medicare or Medicaid benefits.

AMENDATORY SECTION (Amending WSR 97-06-013, filed 2/25/97, effective 3/28/97)

WAC 484-20-103 Administrative action, notice of.

(1) The state veterans home must notify the resident and the resident's representative, and make a reasonable effort to notify, if known, an interested family member of any proposed administrative action, as defined in RCW 34.05.010(3) and this chapter. Exceptions are indicated in subsection (4) of this section.

(2) All notices of proposed administrative actions must be given in writing, in a manner which the resident understands at least thirty days before the proposed administrative action will occur. Except, notice may be given as soon as practical before a transfer or discharge when:

(a) The safety of individuals in the state veterans home would be endangered;

(b) The health of individuals in the state veterans home would be endangered;

(c) An immediate transfer or discharge is required by the resident's urgent medical needs; or

(d) A resident has not resided in the facility for thirty days.

(3) All written notices must include:

(a) The reason for the proposed action;

(b) The effective date of the proposed action;

(c) If the proposed action is a transfer or discharge, the location to which the resident is to be transferred or discharged;

(d) The name, address and telephone number of the state long-term care ombudsman.

(4) For Medicaid certified nursing facility residents notice of transfer or discharge is governed by WAC ((388-97-270)) 388-97-042.

(5) For all transfers or discharges, staff must give sufficient preparation and orientation to residents to ensure a safe transfer or discharge from the state veterans home.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-105 Dispute settlement. Residents have two avenues to appeal an administrative action.

Exception: Transfer and/or discharge of a Medicaid certified nursing facility resident is governed by WAC ((388-97-270)) 388-97-042. Transfer and/or discharge appeals is governed by WAC 388-97-043.

(1) **Informal settlement.** Informal settlement of matters that may make more elaborate proceedings unnecessary under this chapter is strongly encouraged. Use of the informal settlement process does not preclude a resident from requesting an adjudicative proceeding at any time during the informal settlement process.

(a) An informal settlement to review an administrative action by the department may be requested by forwarding a written request to the superintendent, not later than twenty-one days following receipt of the written notice of an administrative action by the state veterans home.

(b) Within fourteen days of receipt of the request for review, the superintendent or his/her designee shall review the administrative action and shall inform the resident of his/her decision to uphold, modify or reverse the administrative action. Notification of the superintendent's decision will be given in writing and in all cases the superintendent's decision shall be final except in the case of a request to continue the matter through an adjudicative proceeding.

(2) **Adjudicative proceeding.** An adjudicative proceeding is a formal appeal of an administrative action.

(a) An adjudicative proceeding may be requested by forwarding a written request to the superintendent not later than twenty-one days from the date the resident receives the notice of an administrative action or a final decision under the informal settlement provisions of this section.

(b) All such requests shall include a statement of whether the resident is represented and, if so, the name and address of the representative and be signed by the resident or his/her legal representative.

(c) The department shall immediately forward the request to the office of administrative hearings for scheduling of an administrative hearing pursuant to chapters 34.05 and 34.12 RCW and chapter 10-08 WAC.

(d) Any administrative action imposed pursuant to this chapter shall be deferred until the outcome of the administrative hearing except in cases of discharge under WAC 484-20-120 ((2)(e)) (1)(a), (b), and (c).

(e) Administrative hearings pursuant to this subsection shall be conducted in the state veterans home in which the client resides except that in cases of discharge under WAC 484-

20-120((5)) (1)(e), the hearing shall be conducted in a location which is jointly agreed upon by both parties.

(f) Initial orders issued by the administrative law judge shall become final twenty-one days following issuance, unless the complaining party or the state veterans home requests a review of the order. In the case of such a review, the director or his/her designee, serving as the department's reviewing officer, shall conduct a review pursuant to chapter 34.05 RCW and issue a final order in the matter under consideration.

AMENDATORY SECTION (Amending WSR 94-22-050, filed 10/31/94, effective 12/1/94)

WAC 484-20-116 Social leave—Medicaid funded program residents. (1) Medicaid certified nursing facility residents and staff shall comply with state regulations related to social leave under WAC ((388-97-280)) 388-97-047.

(2) Medicaid certified nursing facility staff shall assist residents in obtaining CSO approval for social leave.

AMENDATORY SECTION (Amending WSR 97-06-013, filed 2/25/97, effective 3/28/97)

WAC 484-20-120 Transfer and discharge of state veterans home residents. (1) Transfer and discharge of state veterans home residents shall be in accordance with RCW 70.129.110. The state veterans home must not transfer or discharge a resident unless:

(a) The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility;

(b) The safety of individuals in the facility is endangered;

(c) The health of individuals in the facility would otherwise be endangered;

(d) The resident has failed to make the required payment for his/her stay; or

(e) The facility ceases to operate.

(2) In addition, WAC ((388-97-270)) 388-97-042 applies to the transfer and discharge of Medicaid certified facility residents.

(3) Notice of any transfer or discharge given under the authority of this section must be given in accordance with WAC 484-20-103 and is subject to the provisions of WAC 484-20-105.

WSR 04-19-027

PERMANENT RULES

DEPARTMENT OF PERSONNEL

[Filed September 9, 2004, 11:31 a.m., effective October 11, 2004]

Effective Date of Rule: October 11, 2004.

Purpose: The modifications add language to the rules to address higher education employees being granted leave without pay for the purpose of formal bargaining sessions under RCW 41.80.010 or chapter 41.06 RCW. Under the proposed modifications employees would not be penalized with adjustment to seniority, periodic increment dates or

leave accrual rates if the employees took leave without pay for the purposes of formal collective bargaining.

Citation of Existing Rules Affected by this Order: Amending WAC 251-08-100, 251-10-025, 251-22-060, and 251-22-200.

Statutory Authority for Adoption: RCW 41.06.150.

Adopted under notice filed as WSR 04-16-114 on August 4, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 4, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 4, Repealed 0.

Date Adopted: September 9, 2004.

E. C. Matt
Director

AMENDATORY SECTION (Amending WSR 98-19-035, filed 9/10/98, effective 10/12/98)

WAC 251-08-100 Periodic increment date. (1) For purposes of payment of periodic increment increases, the effective date shall be determined as follows:

(a) The first of the current month for actions occurring between the first and the fifteenth of the month; or

(b) The first of the following month for actions occurring between the sixteenth and the end of the month.

(2) The periodic increment date of new employees or probationary employees who are reappointed to a new class during the probationary period shall be established:

(a) Upon completion of six months in the class for those appointed at the first step in the salary range; or

(b) Upon completion of twelve months in the class for those appointed at a salary step above the first step in the salary range.

(3) The periodic increment date of all employees shall be changed as follows:

(a) Upon promotion, the existing periodic increment date will be eliminated and a new date established to be effective upon completion of the trial service period;

(b) Upon reappointment of a probationary employee during the probationary period, the former periodic increment date will be eliminated and a new date established as provided in subsection (2) of this section;

(c) Upon reallocation under WAC 251-06-080 (1)(a) of an employee who is at the top step of the current salary range, the employee will be given a new periodic increment date which will be six months following the reallocation action;

(d) When a leave of absence without pay exceeds ten working days in any calendar month, or exceeds ten consecutive working days, the date will be extended by one month, except as provided by WAC 251-22-165(5), 251-22-180, and 251-19-130, or when an employee is on leave without pay for the purpose of formal collective bargaining sessions as provided in WAC 251-22-200;

(e) When employees return from layoff status, the date will be reestablished and extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff;

(f) When a cyclic year position leave of absence without pay exceeds ninety calendar days, the periodic increment date shall be extended on a month-for-month basis. Provisions of (d) of this subsection shall apply to that period exceeding the ninety calendar days. Cyclic year position employees serving a probationary or trial service period will have their periodic increment dates extended by an amount of time equal to the period in which the employee is on leave of absence without pay;

(g) When employees are reverted from trial service following promotion (or return from alternate appointment), the periodic increment date held prior to promotion or layoff will be reestablished;

(h) When the director or the personnel appeals board orders remedial action per WAC 251-12-600, the periodic increment date may be modified as part of the order.

(4) The periodic increment date of all employees shall remain unchanged for all other actions including, but not limited to, transfer within class, appointment to another class with the same or lower salary range maximum, and reallocations except as provided in subsection (3)(c) of this section.

(5) The periodic increment date for incumbents of exempt positions which are converted to classified status shall be established as provided in WAC 251-19-160.

AMENDATORY SECTION (Amending WSR 86-14-041 (Order 152), filed 6/26/86, effective 8/1/86)

WAC 251-10-025 Layoff seniority—General provisions. (1) Layoff seniority is used to determine which employee(s) will be affected by a layoff.

(2) Layoff seniority is the number of calendar days an employee has been continuously employed in the classified service.

(3) Layoff seniority is based on the earliest date of continuous classified service. For the purposes of layoff seniority, classified service of less than full time shall be considered full-time service.

(4) Authorized leave of absence without pay shall not constitute a break in service; however, the time spent on such leave shall not be included in computing seniority except where required by statute or as stated in subsection (5) of this section.

(5) Leave of absence without pay (~~(scheduled for cyclic year positions))~~ granted for the following reasons does not constitute a break in service and shall be included when calculating layoff seniority: (~~(for employees in cyclic year positions-))~~)

(a) Leave taken to accommodate annual work schedules of employees occupying cyclic year positions as specified in WAC 251-19-130: or

(b) Leave taken for purposes of formal collective bargaining sessions under RCW 41.80.010 and Chapter 41.06 RCW.

(6) Permanent employees who are veterans or their unmarried widows/widowers as identified in WAC 251-10-045 shall have added to their unbroken service the veteran's active military service to a maximum of five years' credit.

(7) Participation of current state employees in the state internship program pursuant to WAC 251-25-050(1) shall be included in calculating an employee's layoff seniority.

AMENDATORY SECTION (Amending WSR 02-15-052, filed 7/11/02, effective 9/1/02)

WAC 251-22-060 Vacation leave—Accrual. (1) Full-time employees eligible for vacation leave shall accrue vacation leave, to be credited monthly, at the following rates:

(a) During the first year of continuous state employment - 12 days (8.0 hours per month);

(b) During the 2nd year of continuous state employment - 13 days (8 hours, 40 minutes per month);

(c) During the 3rd and 4th years of continuous state employment - 14 days (9 hours, 20 minutes per month);

(d) During the 5th through the 9th years of total state employment - 15 days (10 hours per month);

(e) During the 10th year of total state employment - 16 days (10 hours, 40 minutes per month);

(f) During the 11th year of total state employment - 17 days (11 hours, 20 minutes per month);

(g) During the 12th year of total state employment - 18 days (12 hours per month);

(h) During the 13th year of total state employment - 19 days (12 hours, 40 minutes per month);

(i) During the 14th year of total state employment - 20 days (13 hours, 20 minutes per month);

(j) During the 15th year of total state employment - 21 days (14 hours per month);

(k) During the 16th and succeeding years of total state employment - 22 days (14 hours, 40 minutes per month).

(2) Employees working less than full-time schedules shall accrue vacation leave credit on the same prorata basis that their appointment bears to a full-time appointment.

(3) Per the provisions of WAC 251-19-130(2), the scheduled period of cyclic year position leave of absence without pay shall not be deducted for purposes of computing the rate of vacation leave accrual for cyclic year position employees.

(4) The following shall apply for purposes of computing years of qualifying state employment:

(a) Employment in the legislative and/or the judicial branch shall not be credited;

(b) Employment exempt by the provisions of WAC 251-04-040(4) or employment in a state agency which is analogous to the conditions specified in WAC 251-04-040(4) shall not be credited;

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(c) Each contract year of full-time faculty and/or administrative exempt employment within the higher education institutions shall be credited as a year of qualifying service;

(d) Employment in part-time classified positions shall be credited as full-time service.

(5) Vacation leave credits shall not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, nor shall credit be given toward the rate of vacation leave accrual except during military leave without pay as provided in WAC 251-22-180 and during leave without pay for the purpose of formal collective bargaining sessions under RCW 41.06.010 and chapter 41.06 RCW.

AMENDATORY SECTION (Amending WSR 96-13-077, filed 6/18/96, effective 8/1/96)

WAC 251-22-200 Leave of absence without pay. (1) Leave of absence without pay may be allowed for any of the following reasons:

- (a) Conditions applicable for leave with pay;
- (b) Disability leave;
- (c) Educational leave;
- (d) Leave for government service in the public interest;
- (e) Parental leave;
- (f) Child care emergencies;
- (g) To accommodate annual work schedules of employees occupying cyclic year positions as specified in WAC 251-19-130;
- (h) Serious health condition of an eligible employee's child, spouse, or parent as provided in WAC 251-22-116.

(i) Leave taken for the purpose of formal collective bargaining sessions under RCW 41.80.010 and Chapter 41.06 RCW.

(2) Requests for leave of absence without pay must be submitted in writing to the employing official or designee and must receive the approval of both the employing official and the personnel officer.

(3) Leave of absence without pay extends from the time an employee's leave commences until he/she is scheduled to return to continuous service, unless at the employee's request the employing official and the personnel officer agree to an earlier date.

(4) Vacation leave and sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month.

(5) A classified employee taking an appointment to an exempt position shall be granted a leave of absence without pay, with the right to return to his/her regular position, or to a like position at the conclusion of the exempt appointment; provided application for return to classified status must be made not more than thirty calendar days following the conclusion of the exempt appointment.

Purpose: The modifications add language to the rules to address general government employees being granted leave without pay for the purpose of formal bargaining sessions under RCW 41.80.010 or chapter 41.06 RCW. Under the proposed modifications employees would not be penalized with adjustment to seniority if employee took leave without pay for purposes of formal collective bargaining.

Citation of Existing Rules Affected by this Order: Amending WAC 356-18-140 and 356-18-220.

Statutory Authority for Adoption: RCW 41.06.150.

Adopted under notice filed as WSR 04-16-115 on August 4, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: September 9, 2004.

E. C. Matt
Director

AMENDATORY SECTION (Amending WSR 01-07-057, filed 3/19/01, effective 5/1/01)

WAC 356-18-140 Leave without pay. (1) Leave without pay may be allowed when such leave will not operate to the detriment of the state service. Leave without pay shall not affect an employee's periodic increment date.

(2) Leave without pay may be authorized for any reasons applicable to:

- (a) Leave with pay.
- (b) Educational leave.
- (c) Military and U.S. Public Health Service and Peace Corps leave.

(d) Specific leaves granted for government service in the public interest upon specific request of an employee, concurred in by the appointing authority.

(e) Leave taken voluntarily to reduce the effect of an agency reduction in force. Such leave shall not affect an employee's seniority.

(f) Leave that is authorized in advance by the appointing authority as part of a plan to reasonably accommodate a person of disability (as defined in WAC 356-05-260).

(g) Leave taken for the purpose of formal collective bargaining sessions under RCW 41.80.010 and Chapter 41.06 RCW.

(3) Authorized leave without pay shall be limited to not more than 12 months in any consecutive five-year period, except for:

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PERMANENT RULES

DEPARTMENT OF PERSONNEL

[Filed September 9, 2004, 11:32 a.m., effective October 11, 2004]

Effective Date of Rule: October 11, 2004.

(a) Leaves without pay for military, U.S. Public Health Service or Peace Corps;

(b) Authorized government leave not exceeding two years;

(c) Employees receiving time loss compensation;

(d) Educational leaves under provisions of WAC 356-39-120;

(e) Leave for serious health condition for an eligible employee or the employee's spouse, child or parent and newborn, adoptive or foster child care under provisions of WAC 356-18-150 and 356-18-145;

(f) Leave taken voluntarily to reduce the effect of an agency reduction in force under the provisions of WAC 356-30-335.

(g) Leave that is authorized in advance by the appointing authority as part of a plan to reasonably accommodate a person of disability (as defined in WAC 356-05-260).

(4) Leave without pay exceeding twelve months in a consecutive five-year period, not covered by the exceptions noted in subsection (3) of this section, shall be treated as unauthorized absence.

(5) Employees returning from authorized leave without pay shall be employed in the same position, or in another or similar position in the same class and in the same geographical area, provided that such return to employment is not in conflict with rules relating to reduction in force.

AMENDATORY SECTION (Amending WSR 02-15-055, filed 7/11/02, effective 9/1/02)

WAC 356-18-220 Leave without pay—Effect on anniversary date, periodic increment date, and seniority.

(1) Leave without pay of fifteen consecutive calendar days or less will not affect an employee's anniversary date.

(2) When an employee is on leave without pay for more than fifteen consecutive days, the employee's anniversary date will not be affected when the absence is due to any of the following reasons:

(a) Military or United States Public Health Service;

(b) Government service and leave to enter the Peace Corps, not to exceed two years and one month;

(c) Leave taken by employees receiving time loss compensation due to injuries sustained while performing the employee's state job;

(d) Educational leave in accordance with the provisions of WAC 356-39-120;

(e) Leave without pay taken voluntarily under the provisions of WAC 356-30-335 to reduce the effect of an agency reduction in force.

(f) As of February 24, 2004, leave taken for the purpose of formal collective bargaining sessions under RCW 41.80-010 and Chapter 41.06 RCW.

(3) When an employee is on leave without pay for more than fifteen consecutive calendar days and the absence is not due to one of the reasons listed in subsection (2) of this section, the employee's anniversary date shall be moved forward in an amount equal to the duration of the leave of absence.

(4) When an employee's position is assigned to a program or facility whose primary purpose is academic and/or vocational education, and the program or facility follows the

customary public school practice of less than a twelve-month school year, the employing agency may place the employee on leave without pay while the program or facility is closed for customary school vacations without adjusting the employee's anniversary date.

(5) Leave without pay taken for any of the reasons listed in subsection (2) of this section shall not affect an employee's seniority.

(6) Employees who are on leave without pay for any reason other than subsection (2) of this section, shall have their seniority date extended by the number of calendar days they are on leave without pay including any intervening nonworking days.

(7) Leave without pay shall not affect an employee's periodic increment date.

WSR 04-19-032

PERMANENT RULES

JAIL INDUSTRIES BOARD

[Filed September 9, 2004, 11:57 a.m., effective October 10, 2004]

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

Purpose: This proposal outlines an informal arbitration process that interested parties may use to resolve disputes regarding the appropriate use of jail inmate labor. Legislation directs the board to establish this process, however, the legislation does not grant the board statutory enforcement powers. All participation is voluntary, and the goal of the process is to reach voluntary, mutually satisfactory agreements. Recommendations do not have the force of law.

Statutory Authority for Adoption: RCW 36.110.060.

Adopted under notice filed as WSR 04-14-019 on June 28, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 3, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 3, Amended 0, Repealed 0.

Date Adopted: September 7, 2004.

Jill Will
Executive Director

PERMANENT

Chapter 288-02 WAC

Jail Industries Board Arbitration Process

NEW SECTION

WAC 288-02-010 Authority. RCW 36.110.060, Duties of the board, directs the board to establish an arbitration process for resolving conflicts arising among the local business community and labor organizations concerning new jail industries programs, products, services, or wages. The board does not have enforcement powers and participation in the arbitration process is voluntary.

NEW SECTION

WAC 288-02-020 Issues considered for arbitration. The following matters will be considered for arbitration: disputes regarding appropriate use of inmate labor, funds and fees, and working conditions.

NEW SECTION

WAC 288-02-030 Mechanism of the arbitration process. (1) Issues should be reduced to letter format and directed to the executive director of the jail industries board. Every effort possible will be made to assist the complainant in developing the complaint.

(2) Three board members will be selected by the jail industries board chair to conduct an informal hearing and gather as much information as possible, reminding each party that all decisions and opinions are voluntary and have no actual legal standing. The jail industries board's executive director will act as record keeper and facilitator.

(3) The board will attempt to reconcile the issues as presented. This may be done by offering suggestions, asking others for their opinions, or pointing out to each party how a negotiated arrangement may look. The goal of the process is to reach a voluntary agreement.

(4) For the record, the executive director of the jail industries board will keep on file the information used by both parties and the outcome of the arbitration process. The board will use this information to assist with future arbitration issues.

(5) If a voluntary agreement cannot be reached, the board will advise both parties of next step options they may take.

WSR 04-19-034

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 9, 2004, 1:54 p.m., effective October 12, 2004]

Effective Date of Rule: October 12, 2004.

Purpose: To provide acceptance requirements for national UCC addenda forms.

Citation of Existing Rules Affected by this Order: Amending WAC 308-390-201.

Statutory Authority for Adoption: RCW 62A.9A-526.

Adopted under notice filed as WSR 04-16-053 on July 29, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 9, 2004.

Jon Donnellan
UCC Administrator

AMENDATORY SECTION (Amending WSR 01-10-056, filed 4/27/01, effective 7/1/01)

WAC 308-390-201 Multiple names. (1) To file multiple debtor and secured party names on a paper submittal, a filer must provide the additional names in ((boxes 2 or 11 only of the national UCC Financing Statement and box 7 only on the national UCC Financing Statement Amendment. Debtor names appearing in other boxes or on attachments will not be indexed. There is no limit to the number of addendum pages that may be attached.

(2) ~~To file multiple secured party names on a paper submittal, a filer must provide the additional names in box 12 only of the national UCC Financing Statement Addendum and box 7 of the national UCC Financing Statement Amendment. Secured party names appearing in other boxes or on attachments will not be indexed. There is no limit to the number of addendum pages that may be attached~~) designated boxes on approved addenda forms only. The approved addenda forms are UCC1Ad, UCC1Ap, and UCC3Ap. Addenda forms are approved as provided in WAC 308-390-104. The number of paper submittal addenda pages that may be attached is limited as set forth in subsection (2) of this section.

(2) The number and type of paper submittal addenda forms that may be filed and indexed is limited to the following combinations:

(a) UCC1 plus one addendum (UCC1Ad) form and/or one or two additional party (UCC1Ap) forms. This combination permits a maximum of nine debtor and six secured party names to be indexed.

(b) UCC3 plus one or two additional party (UCC3Ap) forms. This combination permits a maximum of seven debtor or five secured party names to be indexed.

(3) Debtor and secured party names appearing in the incorrect boxes or on paper submittal attachments or addenda in excess of that stated in subsection (2) of this section will be accepted but not added to the index.

(4) To file and index more names than provided on the allowable number of paper submittal addenda pages, a filer may file using the Washington UCC electronic filing function on the internet. Electronic filing permits an unlimited number of names to be filed and added to the index.

WSR 04-19-036

PERMANENT RULES

UNIVERSITY OF WASHINGTON

[Filed September 10, 2004, 2:53 p.m., effective October 11, 2004]

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

Purpose: To repeal WAC 478-168-330 Fines, from chapter 478-168 WAC, Regulations for the University of Washington libraries. This section was inadvertently left out of the repealer the university filed to amend chapter 478-168 WAC when these rules were adopted by the university on June 11, 2004. These rules will take effect on September 21, 2004. Because of this omission, WAC 478-168-330 Fines, will conflict with amended section WAC 478-168-310 Fines and charges, as well as with other amendments of these rules. Repealing WAC 478-168-330 Fines, will allow the rules in chapter 478-168 WAC to function as originally intended.

Citation of Existing Rules Affected by this Order: Repealing WAC 478-168-330.

Statutory Authority for Adoption: RCW 28B.20.130.

Adopted under notice filed as WSR 04-14-084 on July 6, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Date Adopted: September 8, 2004.

Rebecca Goodwin Deardorff
Director of Rules Coordination

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 478-168-330 Fines.

WSR 04-19-039

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 13, 2004, 10:39 a.m., effective November 1, 2004]

Effective Date of Rule: November 1, 2004.

Purpose: Amending chapter 308-129 WAC regulating sellers of travel. The current level of revenue collection warrants a reduction in fees and still maintains the level of revenue required to administratively operate the program as required under RCW 43.24.086.

Citation of Existing Rules Affected by this Order: Amending WAC 308-129-110 Seller of travel registration fees.

Statutory Authority for Adoption: RCW 19.138.170, 43.24.023, 43.24.086.

Adopted under notice filed as WSR 04-16-118 on August 4, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 13, 2004.

Andrea C. Archer
Assistant Director

AMENDATORY SECTION (Amending WSR 04-12-027, filed 5/26/04, effective 7/1/04)

WAC 308-129-110 Seller of travel registration fees. The following fees shall be charged by the business and professions division of the department of licensing:

Title of Fee	Fee
Original registration fee	\$ ((199.00)) <u>145.00</u>
Registration renewal	((199.00)) <u>145.00</u>
Service of process fee	20.00

Branch offices are subject to a duplicate registration fee. The duplicate registration fee for each branch office shall be an amount equal to the original registration fee.

PERMANENT

**WSR 04-19-040
PERMANENT RULES
DEPARTMENT OF LICENSING**

[Filed September 13, 2004, 10:41 a.m., effective November 1, 2004]

Effective Date of Rule: November 1, 2004.

Purpose: Amending chapter 308-127 WAC regulating timeshare. The current level of revenue collection warrants a reduction in fees and still maintains the level of revenue required to administratively operate the program as required under RCW 43.24.086.

Citation of Existing Rules Affected by this Order: Amending WAC 308-127-160 Fees.

Statutory Authority for Adoption: RCW 64.36.081, 43.24.023, 43.24.086.

Adopted under notice filed as WSR 04-16-117 on August 4, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 13, 2004.

Andrea C. Archer
Assistant Director

AMENDATORY SECTION (Amending WSR 04-12-028, filed 5/26/04, effective 7/1/04)

WAC 308-127-160 Fees. The following fees shall be charged under the authority of RCW 64.36.081 and 43.24.086:

(1) Registration application fees:	
Start up timeshare program including one project.	\$1000.00
Each additional project in program.	200.00
Each apartment unit in program.	((20.00)) <u>10.00</u>
The first unit of personal property in the timeshare program.	500.00
Each additional unit of personal property in the timeshare program.	100.00
Businesses of listing or brokering resale intervals.	500.00

(2) Interval Fees:	
For each interval through one thousand.	1.00
Intervals beyond one thousand.	0.00
Each monthly filing of listings of resale intervals (in lieu of interval fees for resale intervals).	10.00
(3) Renewal fees:	
Timeshare program including one project.	500.00
Late renewal fee for timeshare program.	2000.00
Each additional project to a maximum of five projects.	200.00
Each apartment unit - to maximum of twenty-five apartment units.	((20.00)) <u>10.00</u>
(4) Consolidation fees:	
Each additional project added.	200.00
Each additional apartment unit.	((20.00)) <u>10.00</u>
The first additional unit of personal property being consolidated.	250.00
Each additional unit of personal property added in one consolidation.	100.00
(5) Exemption fees:	
Programs consisting of a single apartment unit in a single project with fifty-two or fewer intervals.	250.00
All other types of programs.	1000.00
(6) Impound fees:	
Initial establishment of an impound, escrow, trust, or other arrangement requiring a depository.	500.00
Each required periodic report.	50.00
(7) Advertising fees:	
Each initial submission of advertisement whether or not submitted in a timely manner, and whether or not in use at the time of payment.	25.00

PERMANENT

Examination of advertisement which are for the purpose of marketing surveys and not involving an examination of project or program instruments. 150.00

(8) Fees for persons in the business of offering commercial promotional programs: Registration of individual. 500.00

(9) Salespersons fees: Registration. 25.00; Renewal. 25.00; Transfer. 25.00

(10) Fees for amendment of registration: For a timely submission of an amendment filing. 25.00; Penalty fee for failure to file an amendment within twenty days of the occurrence of a materially adverse change. 500.00

(11) Inspection fees: Applicants and registrants shall pay the cost of inspections conducted pursuant to chapter 64.36 RCW. The inspection fees shall be paid prior to the granting of a registration or consolidation. The inspection fee shall be the actual cost to the department for conducting of the inspection.

WSR 04-19-044

PERMANENT RULES

HORSE RACING COMMISSION

[Filed September 13, 2004, 4:06 p.m., effective October 14, 2004]

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

Purpose: To repeal WAC 260-32-200 When suspension commences. With the recent amendments to WAC 260-24-510, this rule is no longer applicable.

Citation of Existing Rules Affected by this Order: Repealing WAC 260-32-200 When suspension commences.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 04-16-033 on July 27, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 1.

Date Adopted: September 9, 2004.

R. M. Leichner Executive Secretary

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 260-32-200 When suspension commences.

WSR 04-19-045

PERMANENT RULES

HORSE RACING COMMISSION

[Filed September 13, 2004, 4:06 p.m., effective October 14, 2004]

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

Purpose: To amend WAC 260-75-020 and 260-75-030, to first specify the sections only apply to a class 1 racing association, second to clarify the role of the commission to inspect satellite locations rather than reviewing them, and third to eliminate the language allowing commission staff to review the log of cash balance, including conducting a physical count of the cash balance.

Citation of Existing Rules Affected by this Order: Amending WAC 260-75-020 and 260-75-030.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 04-16-034 on July 27, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 9, 2004.

R. M. Leichner Executive Secretary

PERMANENT

AMENDATORY SECTION (Amending WSR 00-07-040, filed 3/6/00, effective 4/6/00)

WAC 260-75-020 Satellite locations applications.

Each application for a satellite location from a class 1 racing association shall be submitted on the satellite application form provided by the commission. The application form must be completed in every respect, containing all the information and attachments requested. The application includes an association satellite application, satellite location application and a satellite location application—personal history statement.

(1) The association satellite application is to be completed by the sponsoring association.

(2) The satellite location application is to be completed by the proposed satellite location. The application shall be signed under oath by an individual attesting that the information set forth in the application and any accompanying materials is true, accurate and complete. The following person(s) shall sign the application:

(a) The highest ranking officer/official of a charitable, nonprofit or profit seeking corporation;

(b) The principal owner of a sole proprietorship;

(c) All partners of a partnership or general partner of a limited partnership; and

(d) The executive secretary may also require the following persons to sign the application:

(i) The chairman of the board of directors or trustees;

(ii) The person in charge of financial records; and/or

(iii) Persons with a substantial interest in the applicant business or charitable/nonprofit organization.

(3) The satellite location application—personal history statement is to be completed by each individual owner and spouse or each officer of a charitable, nonprofit or profit seeking corporation and any stockholder having ~~((10%))~~ ten percent or more corporate stock.

(4) The commission will consider only those applications that have been fully completed. The following reasons will cause an application to be incomplete:

(a) Failure to provide all information requested on the application form and/or attachments;

(b) Failure to provide supplemental information requested during the application investigation.

(5) The commission may disclose to the public or discuss at a public meeting all information set forth in the application and all supplemental information submitted subject to the exemptions in chapter 42.17 RCW and other applicable laws including, but not limited to, chapter 10.97 RCW: Provided, That consistent with chapter 10.97 RCW, the commission may disclose conviction data of an applicant or licensee.

(6) In addition to other information required by the commission, each applicant shall provide the following information on or attached to the application:

(a) Copy of corporate applicants' articles of incorporation and bylaws; or, if not a corporation, a copy of any bylaws and other documents which set out the organizational structure and purposes of the organization;

(b) A copy of a nonprofit or charitable applicant's Internal Revenue Service tax exemption letter if one has been obtained;

(c) Details and copies of all lease or rental arrangements, whether oral or written, between the applicant and the owner

of premises upon which the satellite activity will be conducted, if such premises are leased or rented.

(7) Before each race meet, on a form approved by the commission, the association shall submit a renewal application for each satellite location.

(8) An association shall inform the commission immediately if any changes are made to the original application.

AMENDATORY SECTION (Amending WSR 00-07-040, filed 3/6/00, effective 4/6/00)

WAC 260-75-030 Satellite location policies and procedures.

(1) Each class 1 association shall develop internal control policies and procedures for its satellite locations. These procedures shall include controls for satellite location assets including maintaining a log of daily cash balances. The policies and procedures shall be filed with the commission.

(2) Each satellite location shall have a location manager designated by the host racing association. All location managers and mutuel clerks shall be licensed by the commission. The host association shall not activate any terminal for any person that is not currently licensed or approved by the commission.

(3) All satellite locations shall be periodically ~~((reviewed))~~ inspected by the commission to ensure that the internal control policies and procedures are followed. ~~((This may include a review of the log of cash balances, including conducting a physical count of the cash balance by a commission official.))~~

WSR 04-19-046

PERMANENT RULES

HORSE RACING COMMISSION

[Filed September 13, 2004, 4:07 p.m., effective October 14, 2004]

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

Purpose: To amend WAC 260-14-050 to prohibit any employee or commissioner from having any ownership interest in any horse running in any race under the jurisdiction of the commission.

Citation of Existing Rules Affected by this Order: Amending WAC 260-14-050 Ownership interest in racehorses.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 04-16-035 on July 27, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 9, 2004.

R. M. Leichner
Executive Secretary

AMENDATORY SECTION (Amending Order 75.2, filed 4/17/75)

WAC 260-14-050 Ownership interests in race horses.

(1) No regulatory employee or employee shall have any ownership interest in any race horse running at any race meet (at which he is employed) under the jurisdiction of the commission.

(2) ~~((No employee of the commission, except temporary clerks, shall have any ownership interest in any race horse running at any track under jurisdiction of the commission except as provided by subparagraph (3) hereof.~~

(3) ~~An employee may retain an interest in a horse as lessor, or an option to purchase or repurchase a horse only under the following conditions:~~

~~(a) An affidavit containing:~~

~~(i) The name of the horse or horses in which the employee has retained an interest is filed with the commission;~~

~~(ii) The nature of the interest retained is disclosed in said affidavit. (i.e., lessor, option, etc.); and~~

~~(iii) The nature of the retained interest is such that no purse money or owner's bonuses earned in the state of Washington shall redound directly or indirectly to such employee.~~

(4)) No commissioner shall have any ownership interest in any race horse running at any race meet under the jurisdiction of the commission ~~((unless he discloses such interest in an affidavit filed with the commission.~~

(5) ~~Copies of affidavits filed hereunder shall be maintained in a separate file in the offices of the commission in Olympia, Washington, and shall be open and available for public inspection during regular office hours of said commission).~~

WSR 04-19-047

PERMANENT RULES

HORSE RACING COMMISSION

[Filed September 13, 2004, 4:08 p.m., effective October 14, 2004]

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

Purpose: To amend WAC 260-88-010 by replacing all references of an "appeal" of a stewards decision with a "request for a hearing to challenge the ruling" to align this section with the recent amendments to WAC 260-24-510.

Citation of Existing Rules Affected by this Order: Amending WAC 260-88-010.

Statutory Authority for Adoption: RCW 67.16.020.

Adopted under notice filed as WSR 04-16-036 on July 27, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 9, 2004.

R. M. Leichner
Executive Secretary

AMENDATORY SECTION (Amending WSR 04-05-096, filed 2/18/04, effective 3/20/04)

WAC 260-88-010 ~~((Appeal to))~~ Hearing before the commission. Any person against whom a ruling is made by the stewards may ~~((appeal the ruling to))~~ request a hearing before the commission to challenge the ruling. However, a decision concerning the disqualification or nondisqualification of a horse due to a foul or riding infraction during the running of a race is final and ~~((may not be appealed to))~~ will not be reviewed by the commission.

(1) ~~((Appeals))~~ Requests for a hearing before the commission must be filed with an office of the commission within ~~((twenty))~~ seven days of ~~((the date))~~ service of the stewards' ruling.

(2) The ~~((appeal))~~ request must include: The name, address, telephone number and the signature of the person making the ~~((appeal))~~ request and a statement of the basis ~~((of the appeal))~~ for the challenge to the ruling.

(3) The commission will conduct an ~~((adjudication))~~ adjudicative proceeding according to the provisions of chapter 34.05 RCW Administrative Procedure Act and chapter 260-08 WAC Practice and Procedure.

(4) On notification by the commission that ~~((an appeal))~~ a request for a hearing has been filed, the stewards shall forward to the commission the record of the ~~((proceeding on which the appeal is based))~~ ruling conference.

(5) Any person ~~((bringing an appeal))~~ requesting a hearing before the commission will be heard in person or by counsel. A person ~~((bringing an appeal))~~ appearing before the commission may submit his or her case entirely in writing, provided this is specified at the time of the filing of the ~~((appeal))~~ request for hearing with the commission and this procedure is given written approval by the commission.

(6) All communications to the commission with respect to ~~((an appeal))~~ a stewards' ruling must be in writing, and all papers filed with the commission shall be the property of the commission.

~~((7)) An appeal from a decision of a racing official to the commission shall not affect such decision until the appeal has been acted upon by the commission, unless otherwise ordered by the commission or by a court of competent jurisdiction.~~

PERMANENT

~~Upon a showing of good cause, the commission may stay the effect of any ruling of the stewards pending commission review of the ruling. The granting of such a stay shall carry no presumption as to the validity of the stewards' ruling. The commission may lift such a stay pending appeal if appropriate.)~~

WSR 04-19-050
PERMANENT RULES
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed September 14, 2004, 9:09 a.m., effective October 15, 2004]

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

Purpose: WAC 139-05-242 Readmission to basic law enforcement academy, peace officer certification and subsequent changes to RCW 43.101.010 became effective January 1, 2002. Some of the changes directly affected the conditions under which a recruit, who was dismissed from the Basic Law Enforcement Academy, could be readmitted to that or future academy sessions. Portions of WAC 139-05-242 are in conflict with the more recent RCW.

Statutory Authority for Adoption: RCW 43.101.080.

Adopted under notice filed as WSR 04-14-078 on July 6, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 8, 2004.

Sharon M. Tolton
Deputy Director

AMENDATORY SECTION (Amending WSR 00-17-017, filed 8/4/00, effective 9/4/00)

WAC 139-05-242 Readmission to basic law enforcement academy. No person may be readmitted to the basic law enforcement training academy except as provided in this section.

(1) Any request for readmission to any academy shall be made and submitted by the individual's employing or sponsoring agency.

(2) Any individual terminated from any academy for academic failure or who has voluntarily withdrawn from any

academy for any reason, may be readmitted to a subsequent academy session only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission of the individual to the academy program, and

(b) The executive director of the commission, or his or her designee, is satisfied that any conditions to the individual's readmission specified by the director or his or her designee have been met.

(3) Any individual dismissed from any academy for disciplinary reasons other than those specified by ~~((section))~~ subsection (4)(, below) of this section, may be readmitted to a subsequent academy program only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission, and

(b) The executive director of the commission, or his or her designee, is satisfied that any conditions to the individual's readmission specified by the director or his or her designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.

(4) Any person dismissed from any academy for an integrity violation, including but not limited to cheating, ~~((the making of materially false statements,))~~ or the commission of a crime, or other violations not constituting disqualifying misconduct as defined in RCW 43.101.010(7), shall not be eligible for readmission to any subsequent academy within twenty-four months from the date of dismissal. Such ineligibility shall not be affected by any new employment or reemployment during the period of ineligibility specified in the preceding sentence of this subsection.

~~((An exception to the ineligibility period specified in subsection (4) may be granted at the sole discretion of the director, based upon mitigating circumstances. However, no person may be considered for such early readmission after an integrity violation dismissal unless a written request is made on his or her behalf by the head of the agency employing the individual at the time of the request. Such request may be granted by the director upon hearing the matter in a proceeding conducted in accordance with the applicable procedures of the commission. The director's decision under this subsection shall be subject to further review only for abuse of discretion.~~

~~((6))~~ After the ineligibility period specified in subsection (4) of this section has passed, ~~((or after an exception thereto has been granted by the commission under subsection (5),))~~ the person previously dismissed for an integrity violation may be readmitted to a subsequent academy session only if:

(a) The head of the individual's current employing agency submits to the commission a written request for readmission, and

(b) The executive director of the commission, or his or her designee, is satisfied that any conditions to the individual's readmission specified by the director or his or her designee have been met, and determines there no longer exists "good cause" to exclude the individual from the academy program.

~~((7) Any and all information deemed to be relevant to the eligibility for readmission under this section of any law~~

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~~enforcement recruit or prospective recruit may be disseminated without restriction between the commission staff and any employer or prospective employer.~~

(8))) (6) For purposes of this section, reserves and volunteers will be deemed to be employees of the agencies which sponsor them for participation in a training academy.

**WSR 04-19-051
PERMANENT RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed September 14, 2004, 9:12 a.m., effective February 1, 2005]

Effective Date of Rule: February 1, 2005.

Purpose: The forklift and other powered industrial trucks rule, chapter 296-863 WAC, has been rewritten and reorganized for clarity and ease of use for the employer and employees. This will make the requirements easier to read and understand. Requirements pertaining to rough terrain forklift trucks have been updated to reflect criteria of the American Society of Mechanical Engineers. Minimum side railroad track clearance requirements have been increased to equal those stipulated by the Washington Utilities and Transportation Commission.

Citation of Existing Rules Affected by this Order: Amending WAC 296-24-47511 Liquefied petroleum gas as a motor fuel; and repealing WAC 296-24-230 Powered industrial trucks, 296-24-23001 Definition, 296-24-23003 General requirements, 296-24-23005 Designations, 296-24-23007 Designated locations, 296-24-23009 Converted industrial trucks, 296-24-23011 Safety guards, 296-24-23013 Fuel handling and storage, 296-24-23015 Changing and charging storage batteries, 296-24-23017 Lighting for operating areas, 296-24-23019 Control of noxious gases and fumes, 296-24-23021 Dockboards (bridge plates), 296-24-23023 Trucks and railroad cars, 296-24-23025 Operator training, 296-24-23027 Powered industrial truck operations, 296-24-23029 Traveling, 296-24-23031 Loading, 296-24-23033 Operation of the truck, 296-24-23035 Maintenance of industrial trucks, and 296-24-23037 Appendix 1 stability of powered industrial trucks nonmandatory appendix.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Adopted under notice filed as WSR 04-08-039 on March 30, 2004.

Changes Other than Editing from Proposed to Adopted Version: WAC 296-863-20020 Protect operators from falling objects.

- The exception has been clarified.

WAC 296-863-30010 Inspect your PITs.

- A note has been added for clarity.

WAC 296-863-40060 Make sure work platforms and PITs used to lift people meet these requirements.

- Sentence has been modified for clarity.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal

Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 40, Amended 1, Repealed 20.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 40, Amended 1, Repealed 20.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 40, Amended 1, Repealed 20.

Date Adopted: September 14, 2004.

Paul Trause
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 296-24-230	Powered industrial trucks.
WAC 296-24-23001	Definition.
WAC 296-24-23003	General requirements.
WAC 296-24-23005	Designations.
WAC 296-24-23007	Designated locations.
WAC 296-24-23009	Converted industrial trucks.
WAC 296-24-23011	Safety guards.
WAC 296-24-23013	Fuel handling and storage.
WAC 296-24-23015	Changing and charging storage batteries.
WAC 296-24-23017	Lighting for operating areas.
WAC 296-24-23019	Control of noxious gases and fumes.
WAC 296-24-23021	Dockboards (bridge plates).
WAC 296-24-23023	Trucks and railroad cars.
WAC 296-24-23025	Operator training.
WAC 296-24-23027	Powered industrial truck operations.
WAC 296-24-23029	Traveling.
WAC 296-24-23031	Loading.
WAC 296-24-23033	Operation of the truck.
WAC 296-24-23035	Maintenance of industrial trucks.
WAC 296-24-23037	Appendix 1 stability of powered industrial trucks non-mandatory appendix.

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AMENDATORY SECTION (Amending WSR 99-17-094, filed 8/17/99, effective 12/1/99)

WAC 296-24-47511 Liquefied petroleum gas as a motor fuel. (1) Application.

(a) This section applies to internal combustion engines, fuel containers, and pertinent equipment for the use of liquefied petroleum gases as a motor fuel on easily movable, readily portable units including self-propelled vehicles.

(b) Fuel containers and pertinent equipment for internal combustion engines using liquefied petroleum gas where installation is of the stationary type are covered by WAC 296-24-47509. This section does not apply to containers for transportation of liquefied petroleum gases nor to marine fuel use. All requirements of WAC 296-24-47505 apply to this section, unless otherwise noted in WAC 296-24-47505.

(2) General.

(a) Fuel may be used from the cargo tank of a truck while in transit, but not from cargo tanks on trailers or semitrailers. The use of fuel from the cargo tanks to operate stationary engines is permitted providing wheels are securely blocked.

(b) Passenger-carrying vehicles shall not be fueled while passengers are on board.

(c) ~~((Industrial trucks (including lift trucks) equipped with permanently mounted fuel containers shall be charged outdoors. Charging equipment shall comply with the provisions of WAC 296-24-47517.))~~ **Reserved.**

(d) LP-gas fueled industrial trucks shall comply with the Standard for Type Designations, Areas of Use, Maintenance and Operation of Powered Industrial Trucks, NFPA 505-1969.

(e) Engines on vehicles shall be shut down while fueling if the fueling operation involves venting to the atmosphere.

(3) Design pressure and classification of fuel containers.

(a) Except as covered in (3)(b) and (c) of this section, containers shall be in accordance with Table H-32.

(b) ~~((Fuel containers for use in industrial trucks (including lift trucks) shall be either DOT containers authorized for LP-gas service having a minimum service pressure of 240 p.s.i.g. or minimum Container Type 250. Under 1950 and later ASME Codes, this means a 312.5 p.s.i.g. design pressure container.))~~ **Reserved.**

TABLE H-32

Container type	For gases with vapor press. Not to exceed lb. per sq. in. gage at 100°F. (37.8°C.)	Minimum design pressure of container lb. per sq. in. gage	
		1949 and earlier editions of ASME Code (Par. U-68, U-69)	1949 edition of ASME Code (Par. U-200, 1U-201); 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of ASME Code; All editions of API-ASME Code ²
200 ¹	215	200	250

¹ Container type may be increased by increments of 25. The minimum design pressure of containers shall be 100% of the container type designation when constructed under 1949 or earlier editions of the ASME Code (Par. U-68 and U-69). The minimum design pressure of containers shall be 125% of the container type designation when constructed

under: (1) The 1949 ASME Code (Par. U-200 and U-201), (2) 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division I) editions of the ASME Code, and (3) all editions of the API-ASME Code.

² Construction of containers under the API-ASME Code is not authorized after July 1, 1961.

(c) Containers manufactured and maintained under DOT specifications and regulations may be used as fuel containers. When so used they shall conform to all requirements of this section.

(d) All container inlets and outlets except safety relief valves and gaging devices shall be labeled to designate whether they communicate with vapor or liquid space. (Labels may be on valves.)

(4) Installation of fuel containers.

(a) Containers shall be located in a place and in a manner to minimize the possibility of damage to the container. Containers located in the rear of trucks and buses, when protected by substantial bumpers, will be considered in conformance with this requirement. Fuel containers on passenger-carrying vehicles shall be installed as far from the engine as is practicable, and the passenger space and any space containing radio equipment shall be sealed from the container space to prevent direct seepage of gas to these spaces. The container compartment shall be vented to the outside. In case the fuel container is mounted near the engine or the exhaust system, the container shall be shielded against direct heat radiation.

(b) Containers shall be installed with as much clearance as practicable but never less than the minimum road clearance of the vehicle under maximum spring deflection. This minimum clearance shall be to the bottom of the container or to the lowest fitting on the container or housing, whichever is lower.

(c) Permanent and removable fuel containers shall be securely mounted to prevent jarring loose, slipping, or rotating, and the fastenings shall be designed and constructed to withstand static loading in any direction equal to twice the weight of the tank and attachments when filled with fuel using a safety factor of not less than four based on the ultimate strength of the material to be used. Field welding, when necessary, shall be made only on saddle plates, lugs or brackets, originally attached to the container by the tank manufacturer.

(d) Fuel containers on buses shall be permanently installed.

(e) Containers from which vapor only is to be withdrawn shall be installed and equipped with suitable connections to minimize the accidental withdrawal of liquid.

(5) Valves and accessories.

(a) Container valves and accessories shall have a rated working pressure of at least 250 p.s.i.g., and shall be of a type suitable for liquefied petroleum gas service.

(b) The filling connection shall be fitted with an approved double back-pressure check valve, or a positive shutoff in conjunction with an internal back-pressure check valve. On a removable container the filler valve may be a hand operated shutoff valve with an internal excess flow valve. Main shutoff valves on the container on liquid and vapor must be readily accessible.

(c) With the exceptions of (5)(d)(iii) of this section, filling connections equipped with approved automatic back-

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pressure check valves, and safety relief valves, all connections to the containers having openings for the flow of gas in excess of a No. 54 drill size shall be equipped with approved automatic excess flow valves to prevent discharge of content in case connections are broken.

(d) Liquid-level gaging devices:

(i) Variable liquid-level gages which require the venting of fuel to the atmosphere shall not be used on fuel containers of industrial trucks (including lift trucks).

(ii) On portable containers that may be filled in the vertical and/or horizontal position, the fixed liquid-level gage shall indicate maximum permitted filling level for both vertical and horizontal filling with the container oriented to place the safety relief valve in communication with the vapor space.

(iii) In the case of containers used solely in farm tractor service and charged at a point at least 50 feet from any important building, the fixed liquid-level gaging device may be so constructed that the outward flow of container content exceeds that passed by a No. 54 drill size opening, but in no case shall the flow exceed that passed by a No. 31 drill-size opening. An excess flow valve is not required. Fittings equipped with such restricted drill size opening and container on which they are used shall be marked to indicate the size of the opening.

(iv) All valves and connections on containers shall be adequately protected to prevent damage due to accidental contact with stationary objects or from loose objects thrown up from the road, and all valves shall be safeguarded against damage due to collision, overturning or other accident. For farm tractors where parts of the vehicle provide such protection to valves and fittings, the foregoing requirements shall be considered fulfilled. However, on removable type containers the protection for the fittings shall be permanently attached to the container.

(v) (Exchange of removable fuel containers preferably should be done outdoors but may be done indoors.) When removable fuel containers are used, means shall be provided in the fuel system to minimize the escape of fuel when the containers are exchanged. This shall be accomplished by one of the following methods:

(A) Using an approved automatic quick-closing coupling (a type closing in both directions when uncoupled) in the fuel line, or

(B) Closing the valve at the fuel container and allowing the engine to run until the fuel in the line is consumed.

(6) Piping—Including pipe, tubing, and fittings.

(a) Pipe from fuel container to first-stage regulator shall be not less than schedule 80 wrought iron or steel (black or galvanized), brass or copper; or seamless copper, brass, or steel tubing. Steel tubing shall have a minimum wall thickness of 0.049 inch. Steel pipe or tubing shall be adequately protected against exterior corrosion. Copper tubing shall be types K or L or equivalent having a minimum wall thickness of 0.032 inch. Approved flexible connections may be used between container and regulator or between regulator and gas-air mixer within the limits of approval. The use of aluminum pipe or tubing is prohibited. In the case of removable containers an approved flexible connection shall be used between the container and the fuel line.

(b) All piping shall be installed, braced, and supported so as to reduce to a minimum the possibility of vibration strains or wear.

(7) Safety devices.

(a) Spring-loaded internal type safety relief valves shall be used on all motor fuel containers.

(b) The discharge outlet from safety relief valves shall be located on the outside of enclosed spaces and as far as practicable from possible sources of ignition, and vented upward within 45 degrees of the vertical in such a manner as to prevent impingement of escaping gas upon containers, or parts of vehicles, or on vehicles in adjacent lines of traffic. A rain cap or other protector shall be used to keep water and dirt from collecting in the valve.

(c) When a discharge line from the container safety relief valve is used, the line shall be metallic, other than aluminum, and shall be sized, located, and maintained so as not to restrict the required flow of gas from the safety relief valve. Such discharge line shall be able to withstand the pressure resulting from the discharge of vapor when the safety relief valve is in the full open position. When flexibility is necessary, flexible metal hose or tubing shall be used.

(d) Portable containers equipped for volumetric filling may be filled in either the vertical or horizontal position only when oriented to place the safety relief valve in communication with the vapor space.

(e) WAC 296-24-47505 (10)(l) for hydrostatic relief valves shall apply.

(8) Vaporizers.

(a) Vaporizers and any part thereof and other devices that may be subjected to container pressure shall have a design pressure of at least 250 p.s.i.g.

(b) Each vaporizer shall have a valve or suitable plug which will permit substantially complete draining of the vaporizer. It shall be located at or near the lowest portion of the section occupied by the water or other heating medium.

(c) Vaporizers shall be securely fastened so as to minimize the possibility of becoming loosened.

(d) Each vaporizer shall be permanently marked at a visible point as follows:

(i) With the design pressure of the fuel-containing portion in p.s.i.g.

(ii) With the water capacity of the fuel-containing portion of the vaporizer in pounds.

(e) Devices to supply heat directly to a fuel container shall be equipped with an automatic device to cut off the supply of heat before the pressure inside the fuel container reaches 80 percent of the start to discharge pressure setting of the safety relief device on the fuel container.

(f) Engine exhaust gases may be used as a direct source of heat supply for the vaporization of fuel if the materials of construction of those parts of the vaporizer in contact with exhaust gases are resistant to the corrosive action of exhaust gases and the vaporizer system is designed to prevent excessive pressures.

(g) Vaporizers shall not be equipped with fusible plugs.

(9) Gas regulating and mixing equipment.

(a) Approved automatic pressure reducing equipment shall be installed in a secure manner between the fuel supply

container and gas-air mixer for the purpose of reducing the pressure of the fuel delivered to the gas-air mixer.

(b) An approved automatic shutoff valve shall be provided in the fuel system at some point ahead of the inlet of the gas-air mixer, designed to prevent flow of fuel to the mixer when the ignition is off and the engine is not running. In the case of industrial trucks and engines operating in buildings other than those used exclusively to house engines, the automatic shutoff valve shall be designed to operate if the engine should stop. Atmospheric type regulators (zero governors) shall be considered adequate as an automatic shutoff valve only in cases of outdoor operation such as farm tractors, construction equipment, irrigation pump engines, and other outdoor stationary engine installations.

(c) The source of the air for combustion shall be completely isolated from the passenger compartment, ventilating system, or air-conditioning system.

(10) Stationary engines in buildings. Stationary engines and gas turbines installed in buildings, including portable engines used instead of or to supplement stationary engines, shall comply with the Standard for the Institution and Use of Stationary Combustion Engines and Gas Turbines, NFPA 37-1970, and the appropriate provisions of WAC 296-24-47505 through 296-24-47509.

(11) Portable engines in buildings.

(a) Portable engines may be used in buildings only for emergency use, except as provided by (11) of this section.

(b) Exhaust gases shall be discharged to outside the building or to an area where they will not constitute a hazard.

(c) Provision shall be made to supply sufficient air for combustion and cooling.

(d) An approved automatic shutoff valve shall be provided in the fuel system ahead of the engine, designed to prevent flow of fuel to the engine when the ignition is off or if the engine should stop.

(e) The capacity of LP-gas containers used with such engines shall comply with the applicable occupancy provision of WAC 296-24-47507(5).

(12) Industrial trucks inside buildings.

(a) ~~((LP-gas fueled industrial trucks are permitted to be used in buildings and structures.))~~ Reserved.

(b) ~~((No more than two LP-gas containers shall be used on an industrial truck for motor fuel purposes.))~~ Reserved.

(c) ~~((LP-gas fueled industrial trucks are permitted to be used in buildings frequented by the public, when occupied by the public. The total water capacity of containers on each industrial truck shall not exceed 105 pounds (nominal 45 pounds LP-gas.))~~ Reserved.

(d) Trucks shall not be left unattended in areas occupied by the public.

(e) ~~((Industrial trucks shall not be parked and left unattended in areas of possible excessive heat or sources of ignition.))~~ Reserved.

(13) Garaging LP-gas-fueled vehicles.

(a) LP-gas-fueled vehicles may be stored or serviced inside garages provided there are no leaks in the fuel system and the fuel tanks are not filled beyond the maximum filling capacity specified in WAC 296-24-47505 (12)(a).

(b) LP-gas-fueled vehicles being repaired in garages shall have the container shutoff valve closed except when fuel is required for engine operation.

(c) Such vehicles shall not be parked near sources of heat, open flames, or similar sources of ignition or near open pits unless such pits are adequately ventilated.

Chapter 296-863 WAC

FORKLIFTS AND OTHER POWERED INDUSTRIAL TRUCKS

NEW SECTION

WAC 296-863-10005 Scope. This chapter applies to powered industrial trucks that use electric motors or internal combustion engines. This includes, but is not limited to:

- Fork trucks.
- Forklifts.
- Tractors.
- Platform lift trucks.
- Motorized hand trucks.
- Other specialized industrial trucks.

Definition:

A powered industrial truck (PIT) is a mobile, power-driven vehicle used to carry, push, pull, lift, stack, or tier material.

Exemption: This chapter does not apply to:

- Compressed air-powered industrial trucks.
- Nonflammable compressed gas-operated industrial trucks.
- Vehicles covered by chapter 296-307 WAC, Safety standards for agriculture.
- Vehicles intended primarily for earth moving or over-the-road hauling.

NEW SECTION

WAC 296-863-200 Design, construction, and equipment.

Summary:

Your responsibility:

To make sure PITs are properly designed, constructed, and equipped.

You must:

Design and construction

Make sure PITs meet design and construction requirements

WAC 296-863-20005.

Meet these requirements when modifying or altering PITs

WAC 296-863-20010.

Labeling

Make sure PITs are properly labeled

WAC 296-863-20015.

Equipment

Protect operators from falling objects

WAC 296-863-20020.

Provide fall protection on order pickers

WAC 296-863-20025.

Provide directional lights when required

WAC 296-863-20030.

Liquefied petroleum gas (LPG) PITs

Make sure liquefied petroleum gas (LPG) fueled PITs meet these requirements

WAC 296-863-20035.

Meet these requirements when converting gasoline fuel PITs to liquefied petroleum gas (LPG) fuel

WAC 296-863-20040.

NEW SECTION

WAC 296-863-20005 Make sure PITs meet design and construction requirements.

You must:

- Make sure PITs meet American National Standards Institute (ANSI) design and construction requirements.

- Make sure PITs manufactured **before** March 1, 2000, meet the requirements of ANSI B56.1-1969, Safety Standards for Powered Industrial Trucks.

- Make sure PITs manufactured **on or after** March 1, 2000, meet the requirements of ANSI B56.1-1993, Safety Standards for Powered Industrial Trucks.

- Make sure rough terrain forklift trucks manufactured on or after January 1, 2005, meet the design and construction requirements of ANSI B56.6-1992, Safety Standard for Rough Terrain Forklift Trucks.

Note: There may be a nameplate on the PIT or a statement in the instruction manual indicating that the PIT meets the requirement of the appropriate ANSI standard. If in doubt, check with the manufacturer.

ANSI B56.1-1993 and B56.6-1992 are available by:

- Purchasing copies by writing:

American National Standards Institute

11 West 42nd Street

New York, NY 10036

OR

- Contacting the ANSI website at www.ansi.org.

NEW SECTION

WAC 296-863-20010 Meet these requirements when modifying or altering PITs.

You must:

Have written approval from the PIT manufacturer before making any modifications to the PIT that:

- Change the relative position of the various parts of the PIT from what they were when originally received from the manufacturer.

- Add extra parts not provided by the PIT manufacturer.

- Eliminate any parts.

- Affect capacity or safe operation.

Exemption: This does not apply to converting PITs from gasoline to LPG fuel.

You must:

- Make sure any modifications or additions to the PIT are shown on the plates, tags, or decals to reflect any changes in the PITs:

- Capacity.

- Operation.

- Maintenance instructions.

NEW SECTION

WAC 296-863-20015 Make sure PITs are properly labeled.

You must:

- Make sure all PIT nameplates as well as any stickers, stencils or marks that relate to the stability and safety of the PIT are:

- In place.

- Legible.

Note: PITs should have a nameplate installed by the manufacturer that contains at least the following information:

- Model and serial number.

- Approximate weight of the PIT.

- Certification that the manufacturer has met the mandatory requirements of ANSI B56.1 Safety Standards for Powered Industrial Trucks.

- Type designation to show the PIT meets the applicable requirements of a nationally recognized testing laboratory.

You must:

- Make sure PITs approved for hazardous (classified) locations have a label or some other identifying mark indicating acceptance by a nationally recognized testing laboratory.

- Make sure PITs with front-end attachments, including fork extensions, are marked to:

- Identify the attachment.

- Show the approximate combined weight of the PIT and attachment.

- Show the maximum capacity of the PIT with attachments at their highest elevation and the load laterally centered.

NEW SECTION

WAC 296-863-20020 Protect operators from falling objects.

You must:

- Use an overhead guard to protect operators from falling objects such as small packages, boxes, and bagged material.

Exemption: A high lift rider truck may be operated without the guard, providing all of the following conditions are met:

- Vertical movement of the lifting mechanism is restricted to seventy-two inches (1800 mm) or less from the ground.

- The high lift rider truck will operate only in an area where:

- The top of a tiered load will not be more than one hundred twenty inches (3000 mm) high.

- The bottom of a tiered load will not be more than seventy-two inches (1800 mm) high.

- Only stable loads are handled.

- The operator is protected from objects falling from high stack areas.

Note: The overhead guard is not intended to withstand the impact of a maximum capacity load of the PIT.

You must:

- Equip all high lift rider trucks with overhead guards that meet the design and construction requirements of American National Standards Institute (ANSI) B56.1-1993, Safety Standards for Powered Industrial Trucks.

- Use a vertical load backrest extension to keep all or any part of the load from falling backwards towards the operator if the load presents a hazard.

NEW SECTION

WAC 296-863-20025 Provide fall protection on order pickers.

You must:

- Make sure order pickers have either:
 - Standard guardrails on all open sides;

OR

– A safety harness and lanyard that are connected to a tie off point that has been approved by the PIT manufacturer.

• Make sure personal fall arrest equipment meets the requirements of WAC 296-24-87035, Appendix C—Personal fall arrest systems.

NEW SECTION

WAC 296-863-20030 Provide directional lights on PITs when required.

You must:

• Provide PITs with directional lighting if the general lighting is less than two lumens per square foot.

- Note:**
- Lighting levels can be measured with a light meter.
 - Conversion information: One foot-candle = one lumen incident per square foot = 10.76 lux.

NEW SECTION

WAC 296-863-20035 Make sure liquefied petroleum gas (LPG) fueled PITs meet these requirements.

You must:

• Use fuel containers that meet **either** of the following minimum requirements:

– A U.S. Department of Transportation (USDOT) approved container authorized for LP-gas service that has a minimum service pressure of two hundred forty pounds per square inch gage (psig);

OR

– A container Type 250 that has a design pressure of 312.5 psig.

• Make sure fuel containers do not use variable liquid-level gages that require venting fuel to the atmosphere.

• Make sure the fuel system of PITs **used inside buildings:**

– Has an approved automatic shutoff valve, located ahead of the inlet of the gas-air mixer, that will stop the flow of fuel to the mixer if the engine stops;

AND

– Use not more than two LP-gas fuel containers.

• Make sure the fuel system of PITs **used outdoors** has an approved automatic shutoff valve, located ahead of the inlet of the gas-air mixer, that will stop the flow of fuel to the mixer if both:

- The ignition is OFF.
- The engine is not running.

Note: You may use an atmospheric type regulator (zero governor) as a shutoff valve if the PIT is used outdoors.

NEW SECTION

WAC 296-863-20040 Meet these requirements when converting gasoline fuel PITs to liquefied petroleum gas (LPG) fuel.

You must:

• Make sure PITs originally approved to use gasoline for fuel that are then converted to LPG fuel:

– Meet the requirements for LP or LPS designated PITs;

AND

– Are converted using only approved equipment.

Definitions:

• **LP** refers to liquefied petroleum gas-powered trucks that, in addition to meeting all the requirements for type G trucks, have minimum acceptable safeguards against inherent fire hazards.

• **LPS** refers to liquefied petroleum gas powered trucks that in addition to meeting the requirements for LP type trucks, have additional exhaust, fuel, and electrical systems safeguards.

- Note:**
- Tables 1, 2, and 3 list the types of PITs and the locations where they can be used safely.
 - The description of the component parts of the conversion system and the recommended method of installation on specific PITs are contained in the "Listed by Report" provided by the testing laboratory.

NEW SECTION

WAC 296-863-300 Inspection, repair, maintenance, and servicing.

Summary:**Your responsibility:**

To make sure PITs are kept in safe condition and properly serviced.

- References:**
- Appropriate respiratory protection may need to be used when operating PITs. See chapter 296-841 WAC, Respiratory hazards, for more information.
 - Appropriate PPE may need to be worn. See WAC 296-800-160 in the *Safety and Health Core Rules* for more information.

You must:**Inspect, repair and maintain PITs**

Make sure PITs are in safe working condition

WAC 296-863-30005.

Inspect your PITs

WAC 296-863-30010.

Meet these requirements when repairing PITs

WAC 296-863-30015.

Maintain your PITs properly

WAC 296-863-30020.

Service your PITs

Service gasoline fueled PITs safely

WAC 296-863-30025.

Service liquefied petroleum gas (LPG) fueled PITs safely

WAC 296-863-30030.

Make sure battery charging areas are safe

WAC 296-863-30035.

Service batteries for electric PITs safely

WAC 296-863-30040.

NEW SECTION**WAC 296-863-30005 Make sure PITs are in safe working condition.****You must:**

- Remove any PIT from service that is not in safe operating condition.
- Immediately remove PITs from service that have any of the following problems, and do not return them to service until the cause of the problem has been eliminated:
 - A leak in the fuel system.
 - A clogged water muffler screen or other muffler part.
 - An exhaust system that is emitting hazardous sparks or flames.
 - A part that is hotter than its normal operating temperature thus creating a hazardous condition.

NEW SECTION**WAC 296-863-30010 Inspect your PITs.****You must:**

- Inspect PITs according to the manufacturer's instructions.
 - Inspect PITs at these times:
 - Daily before being put into service;
- AND**
- After each shift, if the PIT is used on a continuous (twenty-four-hour) basis.

Note: You can designate someone on the off-going shift, on-coming shift, or some other person to do the inspection.

You must:

- Report and correct any deficiencies noted during the inspection.

NEW SECTION**WAC 296-863-30015 Meet these requirements when repairing PITs.****You must:**

- Make sure repairs are made by authorized persons.
- Make sure replacement parts are equivalent to the parts used in the original design.
- Make sure repairs are not made in Class I, II, or III locations. See Tables 1, 2, and 3 for more information.

Definitions:

Class I locations are areas where flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures.

Class II locations are areas where the presence of combustible dust could be sufficient to produce explosions.

Class III locations are areas where the presence of easily ignitable fibers are suspended in the air but are not in large enough quantities to produce ignitable mixtures.

You must:

- Make sure fuel and ignition system repairs that involve fire hazards are made only in locations designated for such repairs.
- Disconnect the battery before starting repairs to a PIT electrical system.
- Close the fuel container shutoff valve before repairing an LP-gas fueled PIT in a garage.

Exemption: The container shutoff valve may be left open if it is necessary to run the engine.

NEW SECTION**WAC 296-863-30020 Maintain your PITs properly.****You must:**

- Maintain PITs according to this chapter and the manufacturer's instructions.
- Keep PITs:
 - Clean.
 - Free of excess lint, oil, and grease.
- Take appropriate precautions to protect employees from the hazards associated with the cleaning agents or solvents used.
 - Precautions could include methods such as ventilation.
- Make sure solvents used for cleaning PITs have a flash point of 100° Fahrenheit or more.

NEW SECTION**WAC 296-863-30025 Service gasoline fueled PITs safely.****You must:**

- Handle and store liquid fuels, such as gasoline and diesel fuel, according to the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA No. 30-1996).

Note: National Fire Protection Association codes are available by: Purchasing copies by writing:
National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471
OR
Contacting the NFPA website at www.nfpa.org.

You must:

- Stop the engine before filling a fuel tank.
- Avoid spilling fuel during servicing.
- Make sure you do **not** use open flames to check the gasoline level in fuel tanks.
- Do the following before restarting the engine after fueling:
 - Put on the fuel tank cap.
 - Make sure spilled oil or fuel is completely washed away or evaporated.

NEW SECTION**WAC 296-863-30030 Service liquefied petroleum gas (LPG) fueled PITs safely.****You must:**

- Handle and store liquefied petroleum gas fuel according to the National Fire Protection Association Storage and Handling of Liquefied Petroleum Gases (NFPA No. 58-1998).
- Shut down the engine while fueling.
- Fuel PITs equipped with permanently mounted fuel containers outdoors.
- Make sure filling fuel containers from industrial bulk storage containers is done at least:
 - Ten feet from the nearest masonry-walled building.

– Twenty-five feet from the nearest building or other construction.

– Twenty-five feet from any building opening.

• Make sure PITs are stored or serviced inside garages only when:

– There are no leaks in the fuel system;

AND

– The fuel tanks are not filled beyond the maximum filling density specified in WAC 296-24-47505 (12)(a), Storage and handling of liquefied petroleum gases.

Reference: See chapter 296-24 WAC, Part F-1, for LPG charging equipment requirements and maximum filling density and LPG service stations.

NEW SECTION

WAC 296-863-30035 Make sure battery charging areas are safe.

You must:

• Make sure battery charging areas are designated and provided with all of the following:

– Means to flush and neutralize spilled electrolyte.

– Fire protection.

– Ventilation that is adequate to disperse fumes from gassing batteries.

• Prohibit smoking in battery charging areas.

• Take precautions to prevent open flames, sparks, or electric arcs in battery charging areas.

• Protect battery charging equipment from being damaged by PITs.

• Provide at least one of the following to handle batteries:

– Conveyor.

– Overhead hoist.

– Other equivalent material handling equipment.

NEW SECTION

WAC 296-863-30040 Service batteries for electric PITs safely.

You must:

• Make sure PITs are properly positioned with the brake on before charging or changing batteries.

• Make sure you do **not** use open flames to check the electrolyte level in storage batteries.

• Do the following when charging batteries:

– Make sure vent caps are functioning.

– Open the battery or compartment covers to dissipate heat.

– Pour acid into water, never pour water into acid.

• Provide a carboy tilter or siphon to handle electrolyte.

• Keep tools and other metallic objects away from the top of uncovered batteries.

• Make sure reinstalled batteries are properly positioned and secured.

NEW SECTION

WAC 296-863-400 Operations.

Summary:

Your responsibility:

To operate your PITs safely.

You must:

General operations

Protect employees around PITs

WAC 296-863-40005.

Operate PITs safely

WAC 296-863-40010.

Make sure PIT loads are carried safely

WAC 296-863-40015.

Meet these requirements when the operator leaves the normal operating position

WAC 296-863-40020.

Meet these requirements when operating near railroad tracks

WAC 296-863-40025.

Special operations

Meet this requirement when using motorized hand trucks

WAC 296-863-40030.

Meet these requirements when using elevators

WAC 296-863-40035.

Meet these requirements when using dockboards (bridge plates)

WAC 296-863-40040.

Meet these requirements when loading or unloading railroad cars with a PIT

WAC 296-863-40045.

Meet these requirements when loading or unloading highway trucks with PITs

WAC 296-863-40050.

Liquefied petroleum gas (LPG) fueled PITs

Meet these additional requirements when operating liquefied petroleum gas (LPG) fueled PITs

WAC 296-863-40055.

Personnel lifting

Make sure work platforms and PITs used to lift people meet these requirements

WAC 296-863-40060.

Operate PITs using elevated work platforms safely

WAC 296-863-40065.

NEW SECTION

WAC 296-863-40005 Protect employees around PITs.

You must:

• Make sure operators use restraint devices, such as seatbelts or lap-bars, when they are provided on the PIT.

• Make sure you do not allow people:

– Under the elevated part of any PIT, whether it is loaded or empty;

– To put any part of their body between the uprights of the mast;

OR

– Outside the running lines of the PIT.

• Make sure you do not allow unauthorized people to ride on PITs.

• Make sure people riding on PITs have a safe place to ride.

• Make sure you do not allow stunt driving or horseplay.

• Make sure PITs are not driven up to anyone in front of a bench or other fixed object.

- Make sure access to fire aisles, stairways, and fire equipment is kept clear.
- Make sure there is sufficient headroom under overhead installations such as lights, pipes, and sprinkler systems to safely operate PITs.

Reference: PIT operations may cause the airborne concentration levels of carbon monoxide gas to increase. You have to keep the concentration levels below the levels specified in chapter 296-841 WAC, Respiratory hazards.

NEW SECTION

WAC 296-863-40010 Operate PITs safely.

You must:

- Operate PITs according to the manufacturer's instructions.
 - Make sure PIT operators do all of the following:
 - Obey all traffic regulations, including authorized workplace speed limits.
 - Yield the right of way to ambulances, fire trucks, and other vehicles in emergency situations.
 - Keep a safe distance of approximately three truck lengths from the PIT ahead.
 - Look in the direction they are going and keep a clear view of their path of travel.
 - Slow down and sound the horn at cross aisles and other locations where vision is obstructed.
 - Do not pass other PITs traveling in the same direction at intersections, blind spots, or other dangerous locations.
 - Keep a safe distance from the edge of ramps or platforms while on any of the following:
 - Elevated docks.
 - Elevated platforms.
 - Freight cars.
 - Make sure operators keep PITs under control at all times, including doing all of the following:
 - Drive at a speed that allows the PIT to be stopped safely.
 - Drive more slowly on wet or slippery floors.
 - Reduce speed to a safe level while turning.
 - Avoid driving over loose objects.

NEW SECTION

WAC 296-863-40015 Make sure PIT loads are carried safely.

You must:

- (1) Make sure loads are stable, safe and within the rated load capacity of the PIT.
- (2) Do both of the following when picking up a load:
 - Place the load engaging means under the load as far as possible.
 - Tilt the mast carefully backwards to stabilize the load.
- (3) Make sure not to tilt the load engaging means forward when it is elevated unless:
 - Picking up a load;

OR

 - Depositing a load on a rack or stack.
- (4) Do both of the following when traveling with a load:
 - Keep the load trailing if it obstructs the operator's forward view.

- Travel with the load upslope when climbing or descending slopes of more than ten percent.

(5) Do both of the following when climbing a slope:

- Tilt the load and load engagement means backwards if necessary to stabilize the load;

AND

- Raise the load and load engagement means only as far as necessary to clear the surface.

(6) Make sure PITS with attachments are operated as partially loaded trucks, even if they are **not** carrying a load.

NEW SECTION

WAC 296-863-40020 Meet these requirements when the operator leaves the normal operating position.

You must:

- Make sure operators do the following when getting off the PIT:
 - Fully lower the load engaging means.
 - Neutralize the controls.
 - Set the brakes.
- Make sure operators do the following when leaving a PIT unattended:
 - Fully lower the load engaging means.
 - Neutralize the controls.
 - Shut off power.
 - Set the brakes.
 - Block the wheels, if parked on an incline.

Note: A PIT is unattended when the operator:

- Is more than twenty-five feet away;
- OR**
- Can not see the PIT.

NEW SECTION

WAC 296-863-40025 Meet these requirements when operating near railroad tracks.

You must:

- Make sure PITs are driven diagonally across railroad tracks, whenever possible.
- Make sure PITs are parked eight feet six inches or more from the center of any railroad tracks.

NEW SECTION

WAC 296-863-40030 Meet this requirement when using motorized hand trucks.

You must:

- Make sure motorized hand trucks enter elevators and other confining areas with the load end forward.

NEW SECTION

WAC 296-863-40035 Meet these requirements when using elevators.

You must:

- Do both of the following when driving PITs onto an elevator:
 - Approach slowly.
 - Enter the elevator squarely after the elevator car is leveled.

- Do all the following after the PIT is positioned on the elevator:
 - Neutralize the controls.
 - Shut off the power.
 - Set the brakes.

NEW SECTION**WAC 296-863-40040 Meet these requirements when using dockboards (bridge plates).****You must:**

- Make sure dockboards are not overloaded:
 - Make sure they are strong enough to carry the load imposed on them.
 - Make sure loads do not exceed the dockboard's rated capacity.
- Do the following when using dockboards:
 - Drive slowly and carefully over dockboards.
 - Properly secure dockboards before driving on them.
- Make sure powered dockboards meet the design and construction requirements of U.S. Department of Commerce Commercial Standard CS 202-56 (1961) "Industrial Lifts and Hinged Loading Ramps."
 - Do the following when using portable dockboards:
 - Use anchors or other devices that will prevent slipping.
 - Make sure they have handholds or other effective means for safe handling.

NEW SECTION**WAC 296-863-40045 Meet these requirements when loading or unloading railroad cars with a PIT.****You must:**

- Check the railroad car flooring for breaks or weakness before driving on it.
 - Set the brakes and use wheel stops or other recognized positive protection to keep railcars from moving:
 - During loading or unloading operations;
- OR**
- While dockboards (bridge plates) are in position.
- Meet these requirements when using PITs to open or close freight car doors:
 - The PIT has to have an approved device specifically designed to open and close doors.
 - The device has to be designed so that force will be applied to the door parallel to door travel.
 - The PIT operator has to be trained to use the device and have full view of the operation.
 - People must be kept clear while the door is being moved.

NEW SECTION**WAC 296-863-40050 Meet these requirements when loading or unloading highway trucks with PITs.****You must:**

- Check the truck or trailer flooring for breaks or weakness before driving on it.
- Prevent movement of trucks or trailers during loading or unloading by:
 - Setting the brakes;

AND

- Chocking or blocking the wheels.

- Exemptions:**
- You can use mechanical means instead of wheel chocks or blocks to secure the trailer to the loading dock.
 - Wheel chocks or blocks are not required when:
 - The mechanical means prevents the trailer from moving away from the dock.
 - The mechanical equipment is used and maintained as recommended by the manufacturer.
 - Damaged mechanical equipment is immediately removed from service.

Note: You may need to use fixed jacks to keep a semi-trailer that is not coupled to a tractor from up ending during loading or unloading.

NEW SECTION**WAC 296-863-40055 Meet these additional requirements when operating liquefied petroleum gas (LPG) fueled PITs.****You must:**

- Make sure you do not park PITs near:
 - Sources of heat, open flames, or similar ignition sources;
- OR**
- Open pits, such as service pits, that do not have adequate ventilation.
- Make sure PITs stored inside a garage do not have:
 - A leak in the fuel system.
 - Fuel containers filled beyond the maximum filling capacity.

Reference: See WAC 296-24-47505(12), Storage and handling of liquefied petroleum gases, for maximum filling capacities.

NEW SECTION**WAC 296-863-40060 Make sure work platforms and PITs used to lift people meet these requirements.****You must:**

- Make sure work platforms:
 - Are securely fastened to the lifting carriage or forks.
 - Have standard guardrails and toeboards on all sides.
- Guard the area between the platform and the PIT mast to prevent employee contact with chains or other shear points.
 - Make sure PITs used to elevate a work platform have a lift mechanism that can not drop faster than one hundred thirty five feet per minute in the event of a system failure.
 - Make sure the lifting carriage or forks are prevented from tilting.

Note: Examples of how this may be accomplished are the use of:

- A control lever that prevents the inadvertent movement; or
- Use of a strap or other device to hold the control lever in position.

You must:

- Make sure PITs with controls (vertical only or horizontal and vertical) that can be elevated with the lifting carriage or forks, have a way for people on the platform to shut off power to the PIT.

Note: You can find the minimum requirements for standard railings of various types of construction in WAC 296-24-75011, Railings, toeboards and cover specifications.

NEW SECTION

WAC 296-863-40065 Operate PITs using elevated work platforms safely.

You must:

- Make sure the PIT operator:
 - Is attending the lift equipment when workers are on the platform.
 - Is in the normal operating position while raising or lowering the platform.

Note: A PIT is unattended when the operator:

- Is more than twenty-five feet away;
- OR
- Cannot see the PIT.

You must:

- Make sure the operator does not move the PIT from one point to another while workers are on the platform.
- The operator may inch or maneuver the PIT at very low speed with workers on the platform.

NEW SECTION

WAC 296-863-500 Hazardous (classified) locations.

Summary:

Your responsibility:

To use PITs safely in hazardous (classified) locations.

You must:

- Use the appropriate approved PITs in hazardous (classified) locations
- WAC 296-863-50005.

NEW SECTION

WAC 296-863-50005 Use the appropriate PITs in hazardous (classified) locations.

You must:

- Make sure PITS are used in hazardous (classified) locations as follows:
 - PITS authorized to be used in Class 1 locations are shown in Table 1, Approved PIT Use in Class 1 Locations.
 - PITS authorized to be used in Class 2 locations are shown in Table 2, Approved PIT Use in Class 2 Locations.
 - PITS authorized to be used in Class 3 locations are shown in Table 3, Approved PIT Use in Class 3 Locations.
 - PITS authorized to be used in unclassified locations are:
 - Approved PITS designated as Type D, E, G, or LP;
- AND
- PITs that meet the requirements of a Type D, E, G, or LP PIT.

Definitions:

- An unclassified location is an area that is not designated as a Class 1, 2, or 3 location.
- Designations means a code used to show the different types of hazardous (classified) locations where PITs can be safely used:
 - **D** refers to trucks that are diesel engine powered that have minimum safeguards against inherent fire hazards.
 - **DS** refers to diesel powered trucks that, in addition to meeting all the requirements for type D trucks, are provided with additional safeguards to the exhaust, fuel and electrical systems.
 - **DY** refers to diesel powered trucks that have all the safeguards of the DS trucks and, in addition, any electrical equipment is completely enclosed. They are equipped with temperature limitation features.
 - **E** refers to electrically powered trucks that have minimum acceptable safeguards against inherent fire hazards.
 - **ES** refers to electrically powered trucks that, in addition to all of the requirements for the E trucks, have additional safeguards to the electrical system to prevent emission of hazardous sparks and to limit surface temperatures.
 - **EE** refers to electrically powered trucks that have, in addition to all of the requirements for the E and ES type trucks, have their electric motors and all other electrical equipment completely enclosed.
 - **EX** refers to electrically powered trucks that differ from E, ES, or EE type trucks in that the electrical fittings and equipment are designed, constructed and assembled to be used in atmospheres containing flammable vapors or dusts.
 - **G** refers to gasoline powered trucks that have minimum acceptable safeguards against inherent fire hazards.
 - **GS** refers to gasoline powered trucks that are provided with additional exhaust, fuel, and electrical systems safeguards.
 - **LP** refers to liquefied petroleum gas-powered trucks that, in addition to meeting all the requirements for type G trucks, have minimum acceptable safeguards against inherent fire hazards.
 - **LPS** refers to liquefied petroleum gas-powered trucks that in addition to meeting the requirements for LP type trucks, have additional exhaust, fuel, and electrical systems safeguards.

Note:

- Tables 1, 2, and 3 show the type of approved PITs that can be used in the appropriate divisions and groups.
- PITS cannot be used in divisions and groups that do not have a PIT designation listed.
- Approved PITs will be marked or labeled with the designation of the PIT. See WAC 296-863-20010, Make sure PITs are properly labeled.

Table 1
Approved PIT Use in Class 1 Locations

Class 1	
Locations in which flammable gases or vapors are, or may be, present in the air in quantities sufficient to produce explosive or ignitable mixtures.	
Division 1	Division 2
Conditions exist continuously, intermittently, or periodically under normal operating conditions.	Conditions may occur due to accidentally, for example, due to a puncture of a storage drum.

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Class 1							
Locations in which flammable gases or vapors are, or may be, present in the air in quantities sufficient to produce explosive or ignitable mixtures.							
<u>Group A</u> Acetylene	<u>Group B</u> Hydrogen	<u>Group C</u> Ethyl ether	<u>Group D</u> Acetone Alcohols Benzene Gasoline Lacquer solvent	<u>Group A</u> Acetylene	<u>Group B</u> Hydrogen	<u>Group C</u> Ethyl ether	<u>Group D</u> Acetone Alcohols Benzene Gasoline Lacquer solvent
No PIT type can be used	No PIT type can be used	No PIT type can be used	Use this PIT type: EX	No PIT type can be used	No PIT type can be used	No PIT type can be used	Use this PIT type: DS DY ES EE EX GS LPS

Table 2
Approved PIT Use in Class 2 Locations

Class 2					
Locations which are hazardous because of the presence of combustibile dust.					
Division 1 Explosive mixture may be present under normal operating conditions, or where failure of equipment may cause the condition to exist simultaneously with arcing or sparking of electrical equipment, or where dusts of an electrically conducting nature may be present.			Division 2 Explosive mixture not normally present, but where deposits of dust may cause heat rise in electrical equipment, or where such deposits may be ignited by arcs or sparks from electrical equipment.		
<u>Group E</u> Metal dust	<u>Group F</u> Carbon black Coal dust Coke dust	<u>Group G</u> Grain dust Flour dust Starch dust Organic dust	<u>Group E</u> Metal dust	<u>Group F</u> Carbon black Coal dust Coke dust	<u>Group G</u> Grain dust Flour dust Starch dust Organic dust
No PIT type can be used	Use this PIT type: EX	Use this PIT type: EX	No PIT type can be used	Use this PIT type: EX DY EE	Use this PIT type: DS DY ES EE EX GS LPS

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Table 3
Approved PIT Use in Class 3 Locations

Class 3	
Locations where easily ignitable fibers or flyings are present but not likely to be in suspension in quantities sufficient to produce ignitable mixtures.	
Division 1	Division 2
Locations in which easily ignitable fibers or materials producing combustible flyings are handled, manufactured, or used.	Locations in which easily ignitable fibers are stored or handled (except in the process of manufacture).
Use this PIT type: DY EE EX	Use this PIT type: DS DY E ES EE EX GS LPS

NEW SECTION

WAC 296-863-600 Training.

Summary:

Your responsibility:

To make sure PIT operators are competent.

You must:

Operator training

Make sure PIT operators are trained

WAC 296-863-60005.

Retrain PIT operators as required

WAC 296-863-60010.

Evaluate PIT operators performance

WAC 296-863-60015.

NEW SECTION

WAC 296-863-60005 Make sure PIT operators are trained.

You must:

• Make sure employees successfully complete an operator training program before operating PITs. The only time a trainee can operate a PIT is:

– Under the direct supervision of a person who has the knowledge, training, and experience to train and evaluate operators;

AND

– When operating the PIT does not endanger the trainee or other employees.

• Make sure training is done by you or someone you designate that has the knowledge, training, and experience to:

– Conduct the training;

AND

– Evaluate trainee competence.

• Make sure your operator training program consists of:
– Formal instruction.

■ Such as lecture and discussion, interactive computer learning, video tapes, and written material.

– Practical training.

■ Such as demonstrations done by the trainer and practical exercises performed by trainees.

– Evaluation of trainee performance.

• Make sure the initial operator training program covers the subjects in Table 4, Required Training Topics.

Note: If an operator has previously received training specified in Table 4, Required Training Topics, additional training in that topic is not required if:

• The training was appropriate to the PIT and working conditions in your workplace;

AND

• The employee has passed a PIT performance evaluation within the last three years.

Table 4
Required Training Topics

Topics related to powered industrial truck	Topics related to your workplace
• Operating instructions,	• Surface conditions where the PIT will be operated
• Warnings and precautions for the types of PIT the operator will be authorized to operate	• Composition of loads to be carried and load stability
• Differences between the PIT and the automobile	• Load manipulation, stacking, and unstacking
• PIT controls and instrumentation: Where they are located, what they do, and how they work	• Pedestrian traffic in areas where the PIT will be operated
• Engine or motor operation	• Narrow aisles and other restricted places where the PIT will be operated
• Steering and maneuvering	• Use of door opening and closing devices
• Visibility (including restrictions due to loading)	• Hazardous (classified) locations where the PIT will be operated
• Fork and attachment adaptation, operation, and use limitations	• Ramps and other sloped surfaces that could affect the PITs stability
• PIT capacity	• Closed environments and other areas where insufficient ventilation or poor PIT maintenance could cause a buildup of carbon monoxide or diesel exhaust
• PIT stability	• Other unique or potentially hazardous environmental conditions in the workplace that could affect safe operation

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Topics related to powered industrial truck	Topics related to your workplace
• Any PIT inspection and maintenance that the operator will be required to perform	
• Refueling	
• Charging and recharging of batteries	
• Operating limitations	
• Any other operating instructions, warnings, or precautions listed in the operator's manual for the types of PIT that the employee is being trained to operate	

You must:

- Keep written records of operator training and evaluations that include the following information:
 - Name of the operator.
 - Date of the training.
 - Date of the evaluation.
 - Name of the person giving the training or evaluation.

NEW SECTION

WAC 296-863-60010 Retrain PIT operators as required.

You must:

- Provide PIT operators refresher training if any of the following occur:
 - The operator is involved in an accident or near-miss incident.
 - The operator is seen operating the PIT in an unsafe manner.
 - An evaluation shows the operator is not operating the PIT safely.
 - The operator is assigned to drive a different type or modified PIT.
 - Conditions in the workplace change that could affect safe operation of the PIT.

Note: Refresher training is required only in those topics where the operator has been found deficient.

NEW SECTION

WAC 296-863-60015 Evaluate PIT operators performance.

You must:

- Evaluate PIT operators performance at each of these times:
 - As part of their initial training program.
 - After refresher training to determine the effectiveness of the training.
 - At least once every three years.

NEW SECTION

WAC 296-863-700 Definitions.

ANSI is an acronym for the American National Standards Institute.

Authorized person (maintenance) means a person who has been designated to perform maintenance on a PIT.

Authorized person (training) means a person approved or assigned by the employer to perform training for powered industrial truck operators.

Approved means listed or approved by a nationally recognized testing laboratory or a federal agency that issues approvals for equipment such as the Mine Safety and Health Administration (MSHA); the National Institute for Occupational Safety and Health (NIOSH); Department of Transportation; or U.S. Coast Guard, which issue approvals for such equipment.

Bridge plate (dockboard) means a device used to span the distance between rail cars or highway vehicles and loading platforms.

Classified location or hazardous location means areas that could be hazardous because of explosive or flammable atmospheres. These locations are broken down into the following categories:

- Class I locations are areas where flammable gases or vapors are or may be present in the air in quantities sufficient to produce explosive or ignitable mixtures.
- Class II locations are areas where the presence of combustible dust could be sufficient to produce explosions.
- Class III locations are areas where the presence of easily ignitable fibers are suspended in the air but are not in large enough quantities to produce ignitable mixtures.

Counterweight means a weight used to counteract or the load being carried by the truck, or to increase the load carrying capacity of a truck.

Designations means a code used to show the different types of hazardous (classified) locations where PITs can be safely used:

- **D** refers to trucks that are diesel engine powered that have minimum safeguards against inherent fire hazards.
- **DS** refers to diesel powered trucks that, in addition to meeting all the requirements for type D trucks, are provided with additional safeguards to the exhaust, fuel and electrical systems.
- **DY** refers to diesel powered trucks that have all the safeguards of the DS trucks and, in addition, any electrical equipment is completely enclosed. They are equipped with temperature limitation features.
- **E** refers to electrically powered trucks that have minimum acceptable safeguards against inherent fire hazards.
- **ES** refers to electrically powered trucks that, in addition to all of the requirements for the E trucks, have additional safeguards to the electrical system to prevent emission of hazardous sparks and to limit surface temperatures.
- **EE** refers to electrically powered trucks that have, in addition to all of the requirements for the E and ES type trucks, have their electric motors and all other electrical equipment completely enclosed.
- **EX** refers to electrically powered trucks that differ from E, ES, or EE type trucks in that the electrical fittings and

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equipment are designed, constructed and assembled to be used in atmospheres containing flammable vapors or dusts.

- **G** refers to gasoline powered trucks that have minimum acceptable safeguards against inherent fire hazards.

- **GS** refers to gasoline powered trucks that are provided with additional exhaust, fuel, and electrical systems safeguards.

- **LP** refers to liquefied petroleum gas-powered trucks that, in addition to meeting all the requirements for type G trucks, have minimum acceptable safeguards against inherent fire hazards.

- **LPS** refers to liquefied petroleum gas powered trucks that in addition to meeting the requirements for LP type trucks, have additional exhaust, fuel, and electrical systems safeguards.

Electrolyte means a chemical, usually acid, that is mixed with water to produce electricity.

Flammable liquid means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99% or more of the total volume of the mixture.

Flashpoint means the minimum temperature at which a liquid gives off enough vapor to ignite.

Front-end attachment means a device that is attached to the forks or lifting device of the truck.

Lanyard means a flexible line of webbing, rope, or cable used to secure a harness to an anchor point.

Listed by report means a reporting listing the field assembly, installation procedures, or both, for a UL listed product that does not have generally recognized installation requirements.

Liquefied petroleum gas means any gas that is composed predominantly of the following hydrocarbons, or mixtures of them; propane, propylene, butanes (normal butane or iso-butane), and butylenes.

Load engaging means a device attached to a powered industrial truck and used to manipulate or carry a load.

Motorized hand truck means a powered truck with wheeled forks designed to go under or between pallets and is controlled by a walking or riding operator.

Nationally recognized testing laboratory means an organization recognized by the Occupational Safety and Health Administration that conducts safety tests on equipment and materials.

Order picker means a truck controlled by an operator who is stationed on a platform that moves with the load engaging means.

Powered industrial truck (PIT) means a mobile, power-driven vehicle used to carry, push, pull, lift, stack, or tier material.

Rough terrain forklift truck means a truck intended to be used on unimproved natural terrain and at construction sites.

Safety harness (full body harness) means a configuration of connected straps to distribute a fall arresting force over at least the thighs, shoulders and pelvis, with provisions for attaching a lanyard, lifeline, or deceleration devices.

Tie-off point (anchorage) means a secure point to attach a lanyard that meets the requirements of WAC 296-24-87035, Appendix—C Personal fall arrest systems.

Vertical load backrest extension means a device that extends vertically from the fork carriage frame.

WSR 04-19-062

PERMANENT RULES

CENTRALIA COLLEGE

[Filed September 15, 2004, 4:03 p.m., effective October 16, 2004]

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

Purpose: Centralia College is proposing to repeal and amend certain portions of Title 132L WAC, and adopt new sections consistent with changes in operating procedures or with legislative requirements.

Citation of Existing Rules Affected by this Order: Repealing chapter 132L-280 WAC, Student records policy and chapter 132L-400 WAC, Loss of eligibility—Student athletic participation; adopting chapter 132L-122 WAC, Withholding services for outstanding debt and chapter 132L-300 WAC, Discrimination complaint process; and amending chapter 132L-19 WAC, Disruption of operation, chapter 132L-26 WAC, Emergency procedures, chapter 132L-108 WAC, Practice and procedure, chapter 132L-117 WAC, Parking and traffic regulations—Centralia College, chapter 132L-120 WAC, Student rights and responsibilities code, chapter 132L-133 WAC, Organizations, chapter 132L-136 WAC, Use of college facilities, chapter 132L-140 WAC, Environmental protection, and chapter 132L-276 WAC, Public records.

Statutory Authority for Adoption: RCW 28B.50.140 and chapter 34.05 RCW.

Adopted under notice filed as WSR 04-10-052 on April 30, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; **Federal Rules or Standards:** New 0, Amended 0, Repealed 0; or **Recently Enacted State Statutes:** New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 9, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 9, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; **Pilot Rule Making:** New 0, Amended 0, Repealed 0; or **Other Alternative Rule Making:** New 0, Amended 0, Repealed 0.

Date Adopted: June 18, 2004.

Dr. James M. Walton
President

PERMANENT

Chapter 132L-19 WAC

DISRUPTION OF OPERATION

NEW SECTION

WAC 132L-19-010 Civil unrest. In the event of activities that interfere with the orderly operation of the college, the college president or designee shall determine the course of action that appears to offer the best possibility for resolution of the problem. The emergency procedures outlined below will be followed:

(1) Inform those involved in such activities that they are in violation of college and/or civil regulations.

(2) Inform them that they should cease and desist. Indicate an area on campus where they are able to conduct their activities without interfering with the operation of the college, if such an area is available.

(3) If they do not respond within a reasonable time, call the civil authorities.

AMENDATORY SECTION (Amending Resolution No. 81-9, filed 6/12/81)

WAC 132L-26-010 Authority to suspend operations. The president of (~~the~~) Centralia College is authorized to suspend the operation of any or all campuses (~~of~~) of the (~~the~~) college if, in his or her opinion, an emergency condition beyond his or her control makes this closure advisable, and the public health, or property, or safety is jeopardized.

~~(In accordance with WAC 251-22-240, as amended by the higher education personnel board, April 6, 1981, Community College District 12 adopts the following suspended operation rules:)~~

AMENDATORY SECTION (Amending Order 77-30, filed 9/1/77)

WAC 132L-26-025 Authority to staff campus—Limitations. In (~~the event~~) case of suspended operation, the president or his or her designee shall have the option to staff any campus or any portion thereof in any manner (~~during the first five days of suspended operation~~), consistent with WAC 251-22-240.

AMENDATORY SECTION (Amending Resolution No. 81-2, filed 1/14/81)

WAC 132L-26-030 Employee notification—Time. If the president declares a condition of suspended operations (~~and provides notification~~), the public will be notified of this closure (~~to employees~~) via local radio station transmission at least one hour prior to the (~~employees' reporting time, or by telephone or personal contact prior to the time the individual employee would depart home for work, the provisions of WAC 251-22-240 would not apply. Employees not notified prior to their usual departure time from home would be covered by the provision of WAC 251-22-240~~) opening of the business day.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132L-26-035	Return to work.
WAC 132L-26-040	Voluntary staffing.
WAC 132L-26-050	Mandatory staffing.
WAC 132L-26-055	Temporary duties.
WAC 132L-26-060	Suspended operation procedures after fifteen days.
WAC 132L-26-065	Layoffs—Conditions.
WAC 132L-26-070	Closure notification plan—Recall plan.
WAC 132L-26-075	Option to recover time loss.
WAC 132L-26-080	Suspended operations—Not a lock-out.

AMENDATORY SECTION (Amending WSR 90-05-005, filed 2/9/90, effective 3/12/90)

WAC 132L-108-050 Brief adjudicative procedures. This rule is adopted in accordance with RCW 34.05.482-494, 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 in accordance with chapter 132L-120 WAC;

(4) Parking and traffic violations in accordance with chapter 132L-117 WAC;

(5) Outstanding debts owed by students or employees;

(6) Loss of eligibility for participation in institution sponsored athletic events (~~pursuant to chapter 132L-400 WAC~~) in accordance with chapter 132L-120 WAC;

(7) Appeals of admission decisions;

(8) Appeals of library fines;

(9) Appeals of denial of records requests;

(10) Federal financial aid appeals as provided for by federal law.

NEW SECTION

WAC 132L-108-090 Transmittal of recommended decisions. In the case where the presiding officer is not the institutional officer designated to enter an initial or final order, the presiding officer shall transmit a full and complete record of the proceedings and a recommended decision to the institutional official who is to enter a final or initial order after considering the record and evidence so transmitted. The record of proceedings shall include such comments upon the demeanor of witnesses as the presiding officer deems relevant.

NEW SECTION**WAC 132L-108-100 Petition for stay pending appeal.**

Upon the request of a party intending to appeal, the official, officer, or body of officers who entered a final decision in an adjudicative proceeding may issue a stay of effectiveness pending the outcome of the appeal.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-010 Purpose for adopting parking and traffic regulations. Pursuant to the authority granted RCW 28B.50.140(10), the board of trustees of ~~((Community))~~ Centralia College ~~((District 12))~~ is granted authority to adopt rules and regulations for pedestrian and vehicular traffic upon public lands devoted to, operated by or maintained by the college. The board delegates this authority to the president. The objectives of these regulations are:

- (1) To protect and control pedestrian and vehicular traffic.
- (2) To assure access at all times for emergency traffic.
- (3) To minimize traffic disturbances during class hours.
- (4) To facilitate the work of the college by assuring access to its vehicles and by assigning limited parking space for the most efficient use by all.
- (5) To regulate the use of parking spaces.
- (6) To protect state owned property.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-020 Applicable parking and traffic regulations. (1) All regulations in this chapter and all motor vehicle and other traffic laws of the state of Washington shall apply on the campus.

(2) The traffic code of the city of Centralia shall apply upon all lands located within the city of Centralia.

(3) The traffic code of the municipality within which any Centralia College controlled property resides shall apply.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-030 Definitions. As used in this chapter, the following words and phrases shall mean:

(1) "Board": The board of trustees of ~~((Community))~~ Centralia College ~~((District 12))~~.

(2) "Campus": All lands and buildings devoted to, operated by, or maintained by Centralia College ~~((District 12))~~.

~~((Campus security officer": Employee of the college who is responsible to the dean of administration for campus traffic control, parking, security, and safety.~~

(4)) "College": Centralia College ~~((District 12))~~.

~~((5) "Safety and security supervisor": The college's safety and security supervisor.~~

(6)) (4) "Employee": An individual appointed to the faculty, staff, or administration of the college.

(7)) (5) "Guests/visitors": Person or persons who come upon the campus as guests and person or persons who lawfully visit the campus.

~~((8))~~ (6) "Continuing permits": Permits issued to full-time employees for an indefinite period of time.

~~((9))~~ (7) "Annual permits": Permits ~~((which))~~ that are valid from the date of issue until the first day of the following fall quarter.

~~((10))~~ (8) "Temporary permits": Permits ~~((which))~~ that are valid for a specific period designated on the permit.

~~((11))~~ (9) "Vehicle": Automobile, truck, motor-driven cycle, scooter or and vehicle otherwise powered.

~~((12))~~ (10) "Full-time student": Any person who is enrolled on campus for ten credit hours or more at the college.

~~((13))~~ (11) "Part-time student": Any person who is enrolled on campus for nine credit hours or ~~((less))~~ fewer at the college.

~~((14))~~ (12) "Full-time employee": An employee of the college employed twenty hours or more per week on a permanent regular basis.

~~((15))~~ (13) "Part-time employee": An employee of the college employed less than twenty hours per week.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-040 Authorization for issuance of permits. (1) The ~~((safety and security supervisor))~~ chief administrative officer, or designee, is authorized to issue parking permits to students, employees, and guests upon the following:

(1a) When the vehicle is properly registered with the college.

(1b) When a permanent or special parking permit is necessary to enhance the business or operation of the college.

(2) Additional permits are available at the current fee schedule to individuals who may be registered to drive any one of several vehicles. Only one vehicle registered to an individual under one permit fee shall be permitted to park on campus at any one time.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-060 Visitor permits. All guests/visitors (including salespersons, maintenance or service personnel) will park in appropriate parking areas after obtaining a temporary permit ~~((from central services))~~.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-080 Display of permits. The parking permit issued by the college shall be visibly affixed on the outside of the rear window or the rear bumper on the driver's side of the vehicle ~~((, for which the permit is issued, on the lower left hand corner of the window as viewed front [from] the rear of the vehicle. If the vehicle is a convertible or has no rear window the permit shall be affixed to the driver side rear bumper or driver side windshield lower corner)).~~ Motorcycle permits must be affixed in a conspicuous place.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-090 Transfer of permits. Parking permits are not transferable. If a vehicle is sold or traded, the parking permit must be removed, the new vehicle must be registered ((with central services and the)), and a new permit will be reissued.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-110 Right to refuse permit. The ~~((college dean of administration))~~ chief administrative officer, or designee, reserves the right to refuse the issuance of a parking permit to anyone who has had a previous permit revoked, or whose driving or parking record indicates a disregard for the rights or safety of others.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-130 Delegation of authority. The authority and powers conferred upon the ~~((dean of administration))~~ chief administrative officer by these regulations shall be subject to delegation to that individual's subordinates.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-140 Enforcement. (1) Parking and traffic regulations will be enforced at all times.

(2) The ~~((dean of administration))~~ chief administrative officer, or designee shall be responsible for the enforcement of the regulations contained in this chapter.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-160 Issuance of traffic tickets or summons. (1) The ~~((safety and security supervisor))~~ chief administrative officer or designee may issue a warning or citation for a violation of these regulations. The warning or citation should set forth the date, the approximate time, permit number, license information and nature of violation.

(2) Such warning or citation may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-170 Fines and penalties. The ~~((safety and security supervisor))~~ chief administrative officer, or designee, is authorized to impose the following fines and penalties for violation of the regulations contained in this chapter:

(1) ~~((A schedule of fines shall be set by the board of trustees.))~~ The president shall set a schedule of fines. The schedule shall be published by the college in the College Policy Manual, on the parking permit request form, and ((traffic

regulations and)) on the traffic parking citation form. In addition, the schedule is available upon request.

(2) Fines will be assessed in accordance with the fees and fines schedules as established by the ~~((board of trustees))~~ president for the following violations:

- (a) No valid permit displayed
- (b) Visitor parking violations
- (c) Occupying more than one parking space
- (d) Occupying space/area not designated for parking
- (e) Handicapped parking violation
- (f) Parking in area not authorized by permit
- (g) Parking in reserved staff space without authorization
- (h) Blocking or obstructing traffic (may be towed ~~((if creating a safety hazard))~~ at owner's expense)
- (i) Parking adjacent to fire hydrant (may be towed ~~((if creating a safety hazard))~~ at owner's expense)
- (j) Parking in fire lane (may be towed ~~((if creating a safety hazard))~~ at owner's expense)
- (k) Parking in zone or area marked no parking
- (l) Other violations of college parking traffic regulations ~~((and its objectives)).~~

(3) At the discretion of the ~~((dean of administration))~~ chief administrative officer, or designee, an accumulation of citations by a staff, administrator, or faculty member may be turned over to a private collection agency for the collection of past due fines. Other appropriate collection procedures may be initiated as deemed necessary.

(4) Vehicles parking in a manner so as to obstruct traffic, including access to and from parking spaces and areas, may be subject to a fine and may be impounded and taken to such place for storage as the ~~((safety and security supervisor))~~ chief administrative officer, or designee, selects. The expenses of such impounding and storage shall be the responsibility of the registered owner or driver of the vehicle.

(5) Vehicles impounded by means of an immobilizing device shall be charged a service fee according to the current fee schedule.

(6) The college shall not be liable for loss or damage of any kind resulting from impounding and storage of vehicles.

(7) Vehicles involved in violations of these regulations may be impounded as provided for in these regulations.

(8) Persons may appeal the issuance of a citation according to WAC 132L-117-180.

(9) In the event a person fails or refuses to pay an untested fine which has been outstanding in excess of five days, the ~~((dean of administration))~~ chief administrative officer, or designee, may initiate the following actions:

(a) Student may not be able to obtain transcript of credits until all fines are paid.

(b) ~~((Student may not receive a degree/diploma until all fines are paid.))~~

(e)) Students will not be able to register for subsequent quarters until all fines are paid.

(c) Students may be turned over to a private collection agency for the collection of past due fines.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-180 Appeal proceedings—Appeal of fines and penalties. (1) Appeals must be presented in writing, giving full particulars, listing witnesses, evidence, etc.

(2) Appeals must be submitted to the ~~((dean of students))~~ chief administrative officer within five days from date of citation.

(3) If an appeal is not resolved to the satisfaction of the alleged violator, he/she shall have five additional days from receipt of decision by the ~~((dean of students))~~ chief administrative officer to appeal to the parking advisory committee.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-190 Parking ~~((advisory))~~ appeals committee. The parking ~~((advisory))~~ appeals committee shall be convened as necessary by the president and be structured and responsible for the following purposes:

(1) ~~((To review and recommend necessary changes to the college parking and traffic regulations annually.))~~

(2) To receive and hear appeals related to parking and traffic violations. All decisions made by the parking ~~((advisory))~~ appeals committee relative to parking/traffic appeals shall be final.

~~((3))~~ (2) Membership shall consist of at least: ~~((Three))~~ Two student representatives, one faculty representative, one classified representative, and one administrator ~~((, and the dean of administration—ex-officio))~~. The chair will be appointed by the president.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-210 Designation of parking. The parking spaces available on campus may be allocated and designated by the ~~((dean of administration))~~ chief administrative officer in such a manner as will best achieve the objectives of these rules and regulations.

(1) Special provisions shall be made for physically disabled employees, visitors, students, or their designee. Physically disabled individuals utilizing handicapped parking spaces must display in that vehicle a valid state issued disabled parking permit or license plate. ~~((Temporarily))~~ Temporary handicapped permits will be issued ~~((by the safety and security supervisor))~~. In addition to the ~~((disabled))~~ handicapped permit, valid college parking permits must be purchased and displayed on the vehicle.

(2) Spaces specifically designated as "visitor" are to be used only by visitors driving vehicles without continuing or annual permits, for a maximum time period of 30 minutes. A temporary permit is not required. Visitors requiring parking for longer than 30 minutes may obtain a temporary permit ~~((at Central Services;))~~ and will park in ~~((normal))~~ undesigned spaces.

(3) Parking spaces may be designated for special purposes as deemed necessary.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-230 Regulatory signs, markings, barricades, etc. The ~~((dean of administration))~~ chief administrative officer, or designee, is authorized to make and erect signs, barricades, and other structures and to paint marks and other directions upon the streets, entry/exits, and roadways for the regulation of traffic and parking upon the various public lands devoted to, operated by, or maintained ~~((or by))~~ by the college. Drivers ~~((or vehicles))~~ shall observe and obey all the signs, barricades, structures, markings and directions given them by the campus ~~((security officer))~~ authorities in the control and regulation of traffic and parking.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-240 Speed limit. No vehicle shall be operated on the campus at a speed in excess of five miles per hour ~~((, or such slower speed as is reasonable and prudent to the circumstances))~~.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-250 Pedestrians right of way. (1) The operator of a vehicle shall yield right of way to any pedestrian. ~~((Pedestrian shall not leave a curb or other place of safety and walk or run into the path of an oncoming vehicle.))~~

(2) When a sidewalk or crosswalk is provided, pedestrians shall proceed upon the sidewalk or crosswalk.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-260 Two-wheeled motorcycles or bicycles. (1) All two-wheeled vehicles powered by an engine shall park in areas designated for motorcycles only and will not use spaces assigned to automobiles or bicycles.

(2) Bicycles and other nonengine-powered cycles are to be parked in bicycle racks where provided. No person shall park a bicycle or other nonengine-powered cycle inside a building, by a doorway, on a path, sidewalk, walkway, or in such a manner as to block or obstruct the normal flow of pedestrian traffic.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-270 Report of accidents. (1) The operator of any vehicle involved in an accident on campus resulting in injury or death of any person or claimed damage to either or both vehicles exceeding five hundred dollars shall immediately report such accident to ~~((central services))~~ the chief administrative officer, or designee. Accidents occurring after the close of business shall be reported the next working day. Operator shall within twenty-four hours after such accident file a state of Washington motor vehicle report.

(2) Other minor accidents may be reported to ((central services)) the chief administrative officer, or designee, for insurance record purposes.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-280 Disabled and inoperative vehicles—Impounding. (1) Disabled or inoperative vehicles shall not be parked on the campus for a period exceeding seventy-two hours, without authorization from the ((~~dean of administration~~)) chief administrative officer, or designee.

(2) Vehicles parked over seventy-two hours without authorization may be impounded and stored at the expense of either or both the owner and operator thereof.

(3) Notice of intent to impound will be posted on the vehicle and sent by registered mail to the legal owner forty-eight hours prior to impound.

AMENDATORY SECTION (Amending Order A-4(90), filed 8/14/90, effective 9/14/90)

WAC 132L-117-290 Authority to establish parking fee. The ((~~board~~)) president shall set and review as necessary parking permit fees in accordance with WAC 132L-117-300 and a schedule of fines and penalties in accordance with WAC 132L-117-170.

AMENDATORY SECTION (Amending WSR 00-07-113, filed 3/20/00, effective 4/20/00)

WAC 132L-120-080 Student responsibilities. (1) Students who choose to attend Centralia College also choose to participate actively in the adult learning process offered by the college. As a process, learning is not a product or commodity that is bought and sold, but rather, is a relationship between teachers who are willing and competent to teach and learners who are willing and competent to learn. Therefore, the responsibility for learning is shared equally between students and faculty.

(2) The college is responsible for providing its students with an educational environment rich in the high quality resources needed by students to attain their individual educational goals. In return, students are responsible for making themselves aware of the full breadth of the resources available, for the timely choosing and appropriate use of those resources, and for the specific behavioral tasks necessary for attaining desired learning outcomes. Examples of specific student responsibilities are:

- (a) To know and adhere to the college's policies, practices, and procedures;
- (b) To participate actively in the learning process, both in and out of the classroom;
- (c) To seek timely assistance in meeting educational goals;
- (d) To attend all class sessions;
- (e) To participate in class activities;
- (f) To participate actively in the advising process;
- (g) To develop skills required for learning, e.g., basic skills, time management, motivation, study skills, and openness to the educational process;

(h) To assume final responsibility for the selection of appropriate educational goals;

(i) To assume final authority for the selection of courses appropriate for meeting chosen educational goals;

(j) To seek out and use campus resources; and

(k) To contribute towards improving the college.

(3) Any student is subject to these rules, independent of any other status the individual may have with the college. Any action taken against a student under these rules shall be independent of other actions taken by virtue of another relationship with the college in addition to that of student.

(4) The college recognizes a responsibility to resolve behavioral problems before they escalate into serious problems. Therefore, the chief judicial affairs officer shall seek the assistance of other college departments or offices in investigating student behavioral problems. The chief judicial affairs officer will be as proactive as is possible concerning the resolution of student behavioral problems and use reasonable arbitration and conflict resolution methods in order to prevent such problems from escalating. The chief judicial affairs officer may seek and authorize settlements involving disputes related to student conduct when such settlements will better serve the college's broader interests.

(5) Students are expected to obey all college rules and regulations and obey the law. Any student shall be subject to disciplinary action as provided for in this code who, either as a principal actor, aider, abettor, or accomplice violates any local, state, or federal law, interferes with the personal rights or privileges of others or the educational process of the college; violates any provision of this code; or commits any of the following prohibited actions. The standard of conduct as listed below should be interpreted by students as general notice of prohibited conduct. They should be read broadly, and are not designed to define misconduct in exhaustive terms:

(a) Assault, intimidation, or interference.

(b) Disorderly, disruptive, or abusive conduct: Disorderly, disruptive, or abusive behavior that interferes with the rights of others or which obstructs or disrupts teaching, learning, research, or administrative functions. Such conduct includes, but is not limited to: Interference with any speaker or audience; blocking or impeding pedestrian or vehicular traffic; blocking access to or from campus buildings or offices; and activities of observers or participants that disrupt classes, meetings, office or business activities, or any other normal functions of the college.

(c) Failure to follow instructions: Inattentiveness, inability, or failure of student to follow the reasonable instructions of any college employee acting within his or her professional responsibility; refusal to comply with any lawful order to leave the college campus or any portion thereof.

(d) Illegal assembly, obstruction, or disruption: Any assembly or other act which interferes with vehicular or pedestrian traffic, classes, hearings, meetings, the educational and administrative functions of the college, or the private rights and privileges of others.

(e) False complaint: Filing a formal complaint falsely accusing another student with violating a provision of this code or falsely accusing a college employee of a misdeed. Also includes making any intentional false claim, charge, or

statement against any member of the college community to harass, defame, or intimidate that individual.

(f) False alarms: Falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities. This includes reporting any type of emergency known to be false.

(g) Sexual harassment: Engaging in unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature or because of the sex of the recipient, where such behavior offends the recipient or a third party, causes discomfort or humiliation, creates an intimidating, offensive, or hostile work or classroom environment that interferes with job or school performance.

(h) Racial harassment: Engaging in verbal, written, or physical conduct relating to a person's race or color when the harassing conduct is sufficiently severe, persistent, or pervasive that it affects a person's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening, abusive, or otherwise hostile educational or work environment; or the harassing conduct has the purpose or effect of substantially or unreasonably interfering with a person's academic or work performance; or the harassing conduct otherwise adversely affects an individual's learning opportunities or employment opportunities. A hostile environment may be created by behaviors such as, but not necessarily limited to:

(i) Intimidation and implied or overt threats of physical violence motivated by race, color, or national origin;

(ii) Physical acts of aggression or assault upon another, or damage to another's property that is motivated by the individual's race, color, or national origin;

(iii) Depending on the circumstances and context, demeaning racial jokes, taunting, racial slurs, and derogatory racial "nicknames," innuendoes, or other negative or derogatory remarks of a racial nature or relating to national origin;

(iv) Depending on the circumstances and context, graffiti and/or slogans or visual displays such as cartoons or posters depicting racial/ethnic slurs or racially/ethnically derogatory sentiments;

(v) Criminal offenses directed at persons because of their race or national origin.

(i) Furnishing false or incomplete information: The submission of information known to be false or incomplete to any college official. This includes, but is not limited to, providing false or incomplete information during an investigation, or before any student or employee disciplinary, grievance, or tenure process or hearing, or on any college document or form, or to any college employee or agent requesting information as part of their official duties and responsibilities.

(j) Intimidation of witnesses: Threatening or otherwise placing undue emotional pressure on any witness or potential witness during an investigation or informal or formal college hearing.

(k) Destruction of evidence: Knowingly destroying any evidence that could be used during an investigation or informal or formal college hearing for the purpose of denying its use as part of the investigation or hearing.

(l) Sexual assault: Any type of sexual assault in any form, including acquaintance rape and other forced and/or nonconsensual sexual activity.

(m) Physical or emotional abuse: Actual or attempted physical or emotional abuse of any person or conduct which threatens or endangers the health and safety of any person or which intentionally or recklessly causes a reasonable apprehension of harm to any person.

(n) Harassment: Behavior of any sort or any malicious act which serves no legitimate or legal purpose which causes harm to any person's physical or mental well-being. Includes intentionally and repeatedly following or contacting another person by any means in a manner that alarms, annoys, intimidates, harasses, causes substantial emotional distress, causes fear for personal safety or property, or is detrimental to that person or that would cause any of these reactions in a reasonable person. A warning that the behavior is unwanted is not required if a reasonable person would have known that the behavior in question was more likely than not to result in any of the above reactions in another reasonable person and no legitimate or legal purpose is evident.

(o) Threat: Conduct intended to threaten bodily harm, damage to property, or to endanger the health or safety of any person on the college campus. Includes behavior that involves an expressed or implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in college activities and causes the person to have a reasonable apprehension that such interference is about to occur.

(p) Reckless conduct: Recklessly engaging in conduct which creates a substantial risk of physical harm to either one's self or another person.

(q) Incitement: Intentionally inciting others to engage immediately in any unlawful activity, which incitement leads directly to such conduct.

(r) Undue noise: Unauthorized creation of noise in such a way as to interfere with college functions or using sound amplification equipment in a loud and raucous manner.

(s) Aiding or abetting misconduct: Aiding, assisting, abetting, or serving as an accomplice in the commission of any illegal act or any act prohibited by this code.

(t) Failure to cooperate with an investigation: Failure to cooperate with any lawful investigation of any conduct violation when such investigation is carried out by any college employee acting within the scope of their responsibilities; failure to cooperate with an investigation of any conduct violation, or interference with a proper investigation of any conduct violation by withholding evidence, encouraging or threatening another to withhold evidence.

(u) Theft or robbery: Theft of the property of the district or of another; actual or attempted theft of property or services belonging to the college, any member of its community, or any campus visitor; includes knowingly possessing stolen property.

(v) Malicious mischief: Intentional or negligent damage to or destruction of any college facility or other public or private real or personal property.

(w) Unauthorized use of college equipment and supplies: Using college equipment or supplies for personal gain or use without proper authority.

(x) Unauthorized entry, access, or presence: Unauthorized entry, access, or presence upon the property of the college or into a college facility or portion thereof which has been reserved, restricted in use, or placed off limits; unauthorized presence in any college facility or office at any time; unauthorized possession or use of a key, access code, or password to any college facility or system. Unauthorized entry, access, or presence also applies to unauthorized access to any college, student, or staff data base, computer system, telephone system, or information system.

(y) Computer, telephone, or electronic technology violation: Conduct that violates college published policies on computer, telephone, or electronic technology use. This includes the use of any college computer, computer system, telephone system, information system, or other electronic technology to violate any local, state, or federal law.

(z) Cheating, fabrication, facilitating academic dishonesty, multiple submission, and plagiarism. Cheating is intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise. The term academic exercise includes all form of work submitted for credit or hours. Fabrication is the intentional and unauthorized falsification or invention of any information or citation in an academic exercise. Facilitating academic dishonesty is intentionally or knowingly helping or attempting to help another to violate a provision of this section of the discipline code. Multiple submission includes submitting the same or substantially the same paper or oral report in more than one course without the instructor's permission in the later course(s). Plagiarism is the deliberate adoption or reproduction of ideas or words or statements of another person as one's own without acknowledgment.

(aa) Forgery or alteration of records: Forging or tendering any forged records or instruments of any district record or instrument to an employee or agent of the college.

(bb) Refusal to provide identification in appropriate circumstances: Refusal to provide positive identification (e.g., valid driver's license, student identification card, or state identification card) in appropriate circumstances to any college employee in the lawful discharge of said employee's duties.

(cc) Smoking: Smoking in any classroom or laboratory, the library, or in any college facility or office posted "no smoking" or in any area of the campus posted "no smoking."

(dd) Controlled substances: Using, possessing, being demonstrably under the influence of, or selling any narcotic or controlled substance or legend drugs including anabolic steroids, except when the use or possession of a drug is specifically prescribed as medication by an authorized health care provider licensed by law to prescribe the said medication.

(ee) Alcoholic beverages: Being demonstrably under the influence of any form of alcoholic beverage. Possessing or consuming any form of alcoholic beverage on college property or any college-controlled facility or at any college activity, program, or event, with the exception of sanctioned events, approved by the president or his or her designee.

(ff) Violation of college policy: Violation of clearly stated proscriptions in any published college policy, rule, or regulation.

(gg) Ethics violation: The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular trade, skill, craft, or profession for which the student is taking courses or is pursuing as their educational goal or major. These ethics codes must be distributed to students as part of an educational program, course, or sequence of courses and the student must be informed that a violation of such ethics codes may subject the student to disciplinary action by the college.

(hh) Hazing: Conspiracy to engage in hazing or participation in hazing another. Hazing shall include any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group, that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm to any student or other person attending Centralia College. Consent is no defense to hazing. The term does not include customary athletic events or other similar contests or competitions. Hazing is also a misdemeanor, punishable under state law.

(ii) Initiation violation: Conduct associated with initiation into a student organization, association, or living group, or any pastime or amusement engaged in with respect to an organization, association, or living group not amounting to a violation of under the definition of hazing. Conduct covered by this definition may include embarrassment, ridicule, sleep deprivation, verbal abuse, or personal humiliation. Consent is no defense to initiation violation.

(jj) Prohibition of animals: No student may bring into or allow any animal, with the exception of service animals, to enter any college owned or controlled facility. All dogs on campus shall be under direct physical control, leashed by their owner or custodian.

(kk) Misuse of student identification: Includes, but is not limited to, alteration of validly issued identification in any manner; use of, or allowing use of, identification by a person other than the one for whom the identification was issued; or use of counterfeit student identification.

(ll) Other misconduct: Any other conduct or action in which the college can demonstrate a clear and distinct interest and which threatens the educational process or any other legitimate function of the college or the health or safety of any member of the college community or visitor.

(mm) Failure to comply with the following regulations governing firearms and weapons:

(i) It shall be the policy of the college that carrying, exhibiting, displaying, or drawing any weapon or weapon facsimile, such as a gun or firearm, dagger, sword, knife, or any other cutting or stabbing instrument or club or any other weapons apparently capable of producing bodily harm and/or property damage is prohibited, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for safety of other persons is prohibited.

(ii) Explosives, incendiary devices, or any similar device, object, or product is prohibited.

(iii) The above regulations shall not apply to equipment or material owned, used, or maintained by the college; nor will they apply to law enforcement officers.

(nn) Gambling: Any form of gambling is prohibited.

(oo) Lewd conduct: Engaging in lewd, indecent, or obscene behavior as defined by applicable law is prohibited.

(pp) Bicycling and skating: All persons using bicycles, skates or other similar nonpowered conveyances or vehicles shall do so in a manner that does not endanger the health, safety or welfare of themselves or others, and that does not unduly interfere with pedestrians, cause damage, block or impede access, create noise or distraction that interferes with the learning environment, or in any manner that interferes with the rights of others.

(qq) Skateboarding: No skateboarding shall be allowed on or in any Centralia College owned or controlled campus or facility.

(6) The college will consider as an aggravating factor in determining sanctions any violation of law or of this student code in which it can be shown that the accused intentionally selected the person or target of the violation based upon race, religion, color, disability, sexual orientation, national origin, or ancestry, and therefore may impose harsher or additional sanctions and penalties.

(7) Violation of any of the above regulations may also constitute violation of the criminal laws or ordinances of various cities, municipalities, counties, the state of Washington, or the United States and may subject a violator to criminal sanctions in addition to any sanctions imposed by the college.

AMENDATORY SECTION (Amending WSR 00-07-113, filed 3/20/00, effective 4/20/00)

WAC 132L-120-130 Judicial board. The college judicial board will hear and make recommendations on all disciplinary cases referred to it by the chief judicial affairs officer or appealed to it by students who have been disciplined by the chief judicial affairs officer.

(1) The college judicial board will be composed of the following nine members:

(a) A chair will be designated by the president of the college and shall continue in office until the person resigns or is recalled by the president. It is the responsibility of the chair to ensure that all procedural guidelines specified in this code and the Administrative Procedure Act are followed, to call the judicial board into session, to preside at all meetings and hearings of the committee, to take whatever steps are necessary during the hearing itself to ensure that the hearing is conducted in a safe and orderly manner, to advise the members of the committee concerning precedents and guidelines affecting the individual case, and to inform the student in writing of the action taken by the college judicial board following the hearing.

(b) Two full-time tenured faculty members appointed by the ~~((faculty representative))~~ vice-president, instruction. Two alternates shall be appointed to serve in the event that appointees are unable to serve or complete their term. The committee members shall serve for two-year terms. Terms shall begin with the first day of fall quarter and shall include summer quarter. One-year terms may be appointed to stagger experience on the judicial board.

(c) Two student representatives enrolled in a minimum of six credits in good standing shall be chosen by the ASCC

in such manner as the members thereof shall determine. Two alternates shall be appointed to serve in the event that members are unable to serve or complete their term. The committee members shall serve for two-year terms. Terms shall begin with the first day of fall quarter and shall include summer quarter. One-year terms may be appointed to stagger experience on the judicial board.

(d) Two exempt members appointed by the exempt representative. Two alternates shall be appointed to serve in the event that appointees are unable to serve or complete their term. The committee members shall serve for two-year terms. Terms shall begin with the first day of fall quarter and shall include summer quarter. One-year terms may be appointed to stagger experience on the judicial board.

(e) Two classified staff members appointed by the classified staff representative. Two alternates shall be appointed to serve in the event that appointees are unable to serve or complete their term. The committee members shall serve for two-year terms. Terms shall begin with the first day of fall quarter and shall include summer quarter. One-year terms may be appointed to stagger experience on the judicial board.

(2) The judicial board shall be convened by the chief judicial affairs officer during the first four weeks of fall quarter to discuss these rules and receive training. Other meetings may be held as determined by the chairperson or requested by the committee members.

(3) Faculty or student members may be excused from service for the entire year, for a particular period, or for a particular case. If any member of the judicial board is unable to consider the matters raised in a particular hearing for any reason, (including, but not limited to, conflict of interest and matters of conscience or related reasons), such member(s) shall abstain from participation. Replacement of excused members shall be made from respective alternate panels.

(4) A quorum is required to conduct a disciplinary hearing. In addition to the chair, at least one faculty member, one student, one classified staff, and one exempt member are required for a quorum.

(5) If a quorum cannot be formed because of the non-availability of members, e.g., summer quarter, break, excused absence, or other reasons, the president may appoint an ad hoc judicial board with the same composition as the regular judicial board, including the temporary appointment of a chair.

Chapter 132L-122 WAC

WITHHOLDING SERVICES FOR OUTSTANDING DEBT

NEW SECTION

WAC 132L-122-010 Policy. If any person, including faculty member, staff member, student, or former student, is indebted to the institution for an outstanding overdue debt, the institution need not provide any further services of any kind to such individual, including, but not limited to, admission, course registration, library access, transmitting files, records, transcripts, or other services which have been requested by such person.

NEW SECTION

WAC 132L-122-020 Notification. (1) The college shall notify in writing any person who owes the college an outstanding debt and from whom the college intends to withhold services. Written notice shall be in person or by first class mail to the address of record. The notice shall contain the amount owed, the reason for the debt, the method of paying the debt, and the services withheld.

(2) The letter of notification shall also state that the person has a right to a brief adjudicative proceeding before the administrator designated in the notice. The proceeding must be requested within ten business days of the date of mailing of the notification of refusal to provide services.

NEW SECTION

WAC 132L-122-030 Procedure for brief adjudicative proceeding. Upon receipt of a timely request for a hearing, the designated administrator shall have the records and files of the institution available for review and shall hold an informal hearing concerning whether the individual in fact owes or owed any outstanding debts to the institution. The hearing must be conducted within ten business days of the request for a hearing. After the informal hearing, a decision shall be rendered by the administrator indicating whether in fact the institution is correct in withholding services for the outstanding debt. If the outstanding debt is owed by the individual involved, no further services shall be provided. Notification of this decision shall be sent to the individual within five business days after the hearing. This hearing shall constitute a brief adjudicative proceeding established by the Administrative Procedure Act at RCW 34.05.482 through 34.05.494.

AMENDATORY SECTION (Amending Order A-1(93), filed 6/15/93, effective 7/16/93)

WAC 132L-133-020 Organization—Operation—Information. (a) Organization. Centralia College is established in Title 28B RCW as a public institution of higher education. ~~((The institution is governed by a five member board of trustees, appointed by the governor.))~~ A five-member board of trustees, appointed by the governor, governs the institution. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(b) Operation. The administrative office is located at the following address: ~~((Hanson))~~ Hanson Administration Building, Corner of Walnut and Rock Streets. The mailing address is 600 West Locust, Centralia, WA 98531-4099.

The ~~((office))~~ operating hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays ~~((for fall, winter and spring quarters (approximately September 1 through June 15). Summer hours (approximately June 16 through August 31) are 7:30 a.m. to 5:00 p.m. Monday through Thursday, and 7:30 a.m. to 11:30 a.m. on Friday, except holidays.))~~ for fall, winter and spring quarters (approximately September 1 through June 15). Summer hours (approximately June 16 through August 31) are 7:30 a.m. to 5:00 p.m. Monday through Thursday, and 7:30 a.m. to 11:30 a.m. on Friday, except holidays. Educational opera-

tions are ~~((false))~~ located at the following addresses: 600 West Locust, Centralia ~~((and East County Center))~~ and Centralia College East, 701 Airport Way, Morton ~~((and Tenino))~~.

(c) 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, 600 West Locust, Centralia, WA 98531-4099.

NEW SECTION

WAC 132L-133-030 Meeting of the board of trustees. The board customarily holds monthly meetings on the second Thursday of each month at such place as it may designate. Notices of the time and place of all regular and special meetings shall be governed by the requirements of chapter 42.30 RCW, Open Public Meetings Act, as now or hereafter amended.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-020 General policy. ~~((Community))~~ Centralia College ~~((District #12))~~ is an educational institution provided and maintained by the people of the state. Its campuses, buildings, properties, and facilities shall be reserved at all times for those activities ~~((which))~~ that are related to its broad educational objectives and goals. ~~((However, the facilities, when not required for scheduled district use, are available for rental by the public in accordance with specified fee schedules and other regulations and procedures for such use.))~~ Access to college-owned or college-controlled buildings, offices, classrooms, and facilities is granted only to conduct official business. Attempting to enter, entering, or remaining in such buildings, offices, classrooms, or facilities without legitimate purpose is prohibited. The main thoroughfares of any of the college's campuses are open to the general public during normal business and class hours. After normal business and class hours, the campus shall be closed to the public. The general public, and all guests or visitors to any college-owned or college-controlled property shall conform to all municipal, state and federal laws and statutes. In addition, the public, guests, and visitors shall be subject to all of the applicable provisions of chapter 132L-120 WAC, Student rights and responsibilities code.

NEW SECTION

WAC 132L-136-021 Smoking policy. Smoking is prohibited in all buildings and facilities and within twenty feet of all entry doors where posted.

NEW SECTION

WAC 132L-136-025 Bicycling and skating. All persons using bicycles, skates, or other similar nonpowered conveyances or vehicles shall do so in a manner that does not endanger the health, safety, or welfare of themselves or others, and that does not unduly interfere with pedestrians, cause damage, block or impede access, create noise or distraction

that interferes with the learning environment, or in any manner that interferes with the rights of others.

NEW SECTION

WAC 132L-136-026 Skateboarding. No skateboarding shall be allowed on or in any Centralia College-owned or -controlled campus or facility. Violators will be subject to actions under, as now or hereafter amended, no trespass under chapter 9A.52 RCW and/or the Student rights and responsibilities code chapter 132L-120 WAC.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-030 Administrative control. The board of trustees delegates to the president authority to establish procedures for proper review and approval of the use of the ~~((district's))~~ college's facilities; to establish, within the framework of these policies, regulations governing such use; and to establish and revise fee schedules consistent with WAC 132L-136-080.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-040 Trespass regulations. (1) Individuals who are not students or members of the faculty or staff, whose actions are in violation of ~~((trespass regulations, WAC 132L-20-040—Authority to prohibit trespass,))~~ chapter 132L-136 WAC or WAC 132L-120-080 will be advised by the president, or ~~((his))~~ designee, of the specific nature of the violation, and if the individuals persist in the violation, they will be requested to leave the ~~((district property))~~ campus. Failure to comply with such a request will subject such individuals to arrest for trespass under the provisions of chapter ~~((9-83))~~ 9A.52 RCW.

(2) Members of the ~~((district))~~ college community (students, faculty, or staff) who do not comply with these regulations will be reported to the appropriate ~~((district))~~ college office for action in ~~((accord))~~ accordance with established ~~((district))~~ college policies.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-050 Scheduling. ~~Facilities may be available for rental by the public in accordance with specified fee schedules and other regulations and procedures for such use when not scheduled for college use.~~ The administrative regulations and procedures, schedule of fees, and application forms for use may be obtained at the office of the ~~((dean of administration on the Centralia college campus and at the office of the assistant director for administration on the Olympia Vocational Technical Institute campus. The scheduling of facilities by groups or organizations will be through these offices for the specific campus))~~ chief administrative office or designee.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-060 Users. In order to assure appropriate scheduling of ~~((Community))~~ Centralia College ~~((District #12))~~ facilities, the following priorities will serve as guidelines:

~~((1-Community))~~ (1) Centralia College ~~((District #12))~~ scheduled programs and activities.

~~((2-Community))~~ (2) Centralia College ~~((District #12))~~ related activities, recognized college organizations, and those public or private agencies, whose purpose relate to the advancement of ~~((District #12))~~ Centralia College programs, and/or sponsored activities.

~~((3-))~~ (3) Nonprofit organizations that are nonsectarian, nonpolitical, and noncommercial:

~~((a-))~~ (a) Public education groups that would be engaging in activities serving public education goals and objectives, and

~~((b-))~~ (b) Other than public education groups or organizations,

~~((4-))~~ (i) That would be engaging in activities that serve governmentally supported objectives, or

~~((2-))~~ (ii) That would be engaging in activities related to community improvement objectives, or

~~((3-))~~ (iii) That would be engaging in activities related to the organization's goals and objectives.

~~((4- Private organizations and those organizations of a religious or sectarian, political or commercial nature requesting facilities on an emergency basis.~~

5-) (iv) Other organizations or groups.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-070 Limitations of use. ~~((1-District))~~ (1) College facilities may not be used in ways which interfere with or are detrimental to the ~~((district's))~~ college's own instructional and educational programs.

~~((2-District))~~ (2) College facilities may not be used for commercial sales, advertising, or promotional activities except when such activities serve educational purposes of the ~~((district))~~ college and are conducted under the sponsorship of a ~~((district))~~ college department of office.

~~((3-))~~ (3) Each group or organization which uses ~~((district))~~ college facilities must abide by the ~~((regulations))~~ policies and procedures ~~((of))~~ for use as determined by the board of trustees and/or the ~~((district))~~ college president and shall be subject to revocation of their privilege to use the facilities for failing to do so.

~~((4-))~~ (4) The administration reserves the right to deny or cancel the use of facilities when such use or meeting may in any way be prejudicial to the best interests of the ~~((district))~~ college.

AMENDATORY SECTION (Amending Order 74-18, filed 3/19/74)

WAC 132L-136-080 Fees. Fees, when applicable, will be determined by the following categories and assessed accordingly:

~~((1-))~~ (1) Direct charges: Will include charges for utilities (heat, light, etc.), security, and custodial services.

~~((2-))~~ (2) Special charges: Will include charges for use of audio-visual or television equipment and operator; for law enforcement services, and/or any other similar kind of expenses incurred.

~~((3-))~~ (3) Rental charges: Will include charges (depreciation, overhead costs, amortization, etc.) for use of facilities.

~~((4-))~~ (4) Damage charges: Will include charges to defray any expense for the repair or replacement of damaged property or equipment incurred as a result of a rental agreement.

NEW SECTION

The following section of the Washington Administrative Code is recodified as follows:

Old WAC Number	New WAC Number
132L-136-020	132L-136-011

AMENDATORY SECTION (Amending Order 77-3, filed 3/30/77)

WAC 132L-140-010 Environmental protection policy. It shall be the policy of ~~((Community))~~ Centralia College ~~((District 12))~~ that capital projects proposed and developed by the ~~((district))~~ college shall comply with the provisions of chapter 43.21C RCW, the State Environmental Policy Act (SEPA); chapter ~~((197-10))~~ 197-11 WAC, WAC guidelines for SEPA implementation; and WAC 131-24-030, SEPA implementation rules of the state board for community college education.

AMENDATORY SECTION (Amending Order 85-1, Motion No. 85-56, filed 9/3/85)

WAC 132L-140-020 Responsible officer. In compliance with WAC ~~((197-10-820))~~ 197-11-910, the ~~((district))~~ director of ~~((facilities and capital planning))~~ maintenance and construction projects is designated to be the "responsible official" for carrying out this policy.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 132L-140-030	SEPA information center.
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AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-010 Purpose. The purpose of this chapter shall be to ensure compliance by ~~((the Community College District No. 12))~~ Centralia College with the provisions of chapter ~~((1, Laws of 1973 (Initiative 276), Disclosure Campaign finances Lobbying Records; and in particular with sections 25-32 of that act, dealing with public records))~~ 42.17 RCW.

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-020 Definitions. (1) Public records. "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by ~~((any state or local agency regardless of physical form or characteristics))~~ Centralia College regardless of physical form or characteristics, except those student records exempted by the Family Educational Rights and Privacy Act of 1974, known as FERPA or the "Buckley Amendment" (U.S.C. 1232g and 34 CFR 99) as amended.

(2) Writing. "Writing means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds; or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents."

~~((3) Community College District No. 12. The Community College District No. 12 is an agency organized by statute pursuant to RCW 28B.50.040. The Community College District No. 12 shall hereinafter be referred to as the "district" and including the two institutions known as Centralia College and Olympia Vocational Technical Institute. Where appropriate, the term district also refers to the staff, the board of trustees, and the employees of the district on both campuses.))~~

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-050 Public records available. All public records of the ~~((district))~~ college, as defined in WAC 132L-276-020 are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by ~~((section 31, chapter 1, Laws of 1973))~~ chapter 42.17 RCW and WAC 132L-276-100. Records may be requested from the public records officer located in the Human Resources Office, Hanson Administration Building.

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-060 Public records officer. The ~~((district's))~~ college's public records shall be in the charge of the public records officer designated by the ~~((district))~~ college president. ~~((The person so designated shall in turn designate persons in the administrative office on each campus to implement this section.))~~ The public records officer and his or her designees shall be responsible for the following: The implementation of the ~~((district's))~~ college's rules and regulations regarding release of public records, coordinating the staff of the ~~((district))~~ college in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter ~~((1, Laws of 1973))~~ 42.17 RCW.

PERMANENT

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the ~~((district))~~ college. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. During summer operations, Friday hours shall be from 9:00 a.m. to 11:00 a.m.

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-080 Requests for public records. In accordance with requirements of chapter ~~((1, Laws of 1973))~~ 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the ~~((district))~~ college, which shall be available at ~~((its administrative))~~ the office ~~((on the appropriate campus))~~ outlined in WAC 132L-276-050. The form shall be presented to the public records officer and/or his designee(s), at the ~~((administrative office on the appropriate campus))~~ Hanson Administrative Building during customary office hours. ~~((The request shall include the following information:~~

- ~~(a) The name of the person requesting the record;~~
- ~~(b) The time of day and calendar date on which the request was made;~~
- ~~(c) The nature of the request;~~
- ~~(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;~~
- ~~(e) If the requested matter is not identifiable by reference to the district's current index, an appropriate description of the record requested.))~~

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer and/or his or her designee(s), to assist the member of the public in appropriately identifying the public record requested.

(3) The public records officer and/or his or her designee to whom the request is presented shall, ~~((by the close of that business day, if the request is presented before noon, or noon the following business day if the request is presented in the afternoon,))~~ within five business days after the day of request:

- (a) Make the requested document available, or
- (b) State that such a document does not exist, or
- (c) Ask for clarification of the document requested, or
- (d) Deny access because the document is exempt from public inspection under chapter 42.17 RCW, WAC 132L-276-050, and 132L-276-100.

(4) Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third

persons or agencies affected by the request, or to determine if the information requested is exempt.

(5) If the intent of the request is not clear, the public records officer may request clarification from the requestor. The public records officer does not need to respond to the request if the requestor fails to clarify the request.

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-090 Copying. (1) No fee shall be charged for the inspection of public records. The ~~((district))~~ college shall charge a fee of 10¢ per page of copy for providing copies of public records and for use of the ~~((district's))~~ college's copy equipment. This charge is the amount necessary to reimburse the ~~((district))~~ college for its actual costs incident to such copying. If a particular request for copies requires an unusually large amount of time, or the use of any equipment not readily available, the ~~((district))~~ college will provide copies at a rate sufficient to cover any additional cost. All fees must be paid by money order, cashier's check, or cash in advance.

(2) Copies shall be made at Centralia College. If copying facilities are not available at the college, the college will arrange to have copies made commercially according to the provisions of WAC 132L-276-090. The public records officer or designee of Centralia College shall make the copies.

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-100 Exemptions. (1) The ~~((district))~~ college reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 132L-276-080 is exempt under the provisions of ~~((section 31, chapter 1, Laws of 1973))~~ chapter 42.17 RCW.

(2) In addition, pursuant to ~~((section 26, chapter 1, Laws of 1973))~~ chapter 42.17 RCW, the ~~((district))~~ college reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter ~~((1, Laws of 1973))~~ 42.17 RCW. The college also reserves the right not to disclose records consistent with specific exemptions identified in chapter 42.17 RCW. The public records officer and/or his designee will fully justify such deletion in writing.

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

AMENDATORY SECTION (Amending Order 73-20, filed 5/18/73)

WAC 132L-276-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the

(e) Description of Record, or Matter, Requested if not Identifiable by Reference to the Community College District No. 12's Current Index

REQUEST FOR PUBLIC RECORDS

PUBLIC RECORDS

OFFICER SIGNATURE

RECIPIENT'S SIGNATURE

REASON IF UNABLE TO COMPLY:

I understand that I will be charged per copy for all standard letter size copies I desire and that other size publications are available at cost.

Request: Approved By -Date Public Records Officer and/or his designee

Denied Date

Reasons for Denial:

REQUESTOR'S SIGNATURE

Referred to: By -Date Public Records Officer and/or his designee))

Public records of Centralia College are provided for inspection and copying subject to the following regulations:

REQUEST FOR PUBLIC RECORDS

To: Public Records Officer Centralia College DATE OF REQUEST TIME OF REQUEST

WAC 132L-276-120 Protection of public records.

- (1) No person shall knowingly alter, deface, or destroy public records of Centralia College. (2) Care and safekeeping of public records of Centralia College, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor. (3) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished. (4) Boisterous or otherwise disruptive conduct by those requesting public records of Centralia College shall not be permitted.

PUBLIC RECORDS OR INFORMATION REQUESTED

REQUESTED BY NAME ORGANIZATION MAILING ADDRESS

I have read, understand, and will comply with the above-stated regulations.

REQUESTER READ AND SIGN

Requestor's Signature and Date

COMPLETED BY PUBLIC RECORDS OFFICER ACKNOWLEDGMENT OF RECEIPT

I understand that I must abide by the rules and regulations published by Centralia College for the protection of public records, a copy of which I have read and understand.

REPEALER

The following sections of the Washington Administrative Code are repealed:

NO. OF COPIES AMOUNT RECEIVED DATE OF RECEIPT TIME OF RECEIPT

- WAC 132L-276-030 Description of central and field organization of Community College District No. 12. WAC 132L-276-040 Operations and procedures.

PERMANENT

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 132L-280-010	General policy.
WAC 132L-280-015	Definitions.
WAC 132L-280-020	Annual notification of rights.
WAC 132L-280-030	Procedure to inspect education records.
WAC 132L-280-040	Disclosure of education records.
WAC 132L-280-050	Limits on rights to review and inspect and obtain copies of education records.
WAC 132L-280-060	Record of request and disclosures.
WAC 132L-280-070	Disclosure of directory information.
WAC 132L-280-080	Requests for corrections, hearings, adding statements to education records.
WAC 132L-280-090	Fees for copies.
WAC 132L-280-100	Waiver.
WAC 132L-280-110	Type and location of education records.
WAC 132L-280-120	Remedy for students protected by this act.

Chapter 132L-300 WAC**DISCRIMINATION COMPLAINT PROCESS**NEW SECTION

WAC 132L-300-010 General policy. It is the policy of Centralia College to assure equal opportunity and nondiscrimination on the basis of race or ethnicity, creed, color, national origin, sex, marital status, sexual orientation, age, religion, the presence of any sensory, mental or physical disability, and status as a disabled veteran or Vietnam-era veteran or veteran of a uniformed service.

NEW SECTION

WAC 132L-300-020 Applicability. This policy applies to any member of the Centralia College community. The Centralia College community is defined to include, but not be limited to: Students and any other individuals enrolled or seeking enrollment at the college; employees and any other individuals seeking employment at the college; vendors and other providers of service to the college; and other users of college services.

NEW SECTION

WAC 132L-300-030 Right to complain. Any member of the college community has the right to make a complaint against the college that alleges violation of the general policy described in WAC 132L-300-010 or that alleges violations of any federal, state, municipal, or college law, regulation, policy, order, or directive that prohibits discrimination. This complaint process covers sexual harassment, as a form of illegal discrimination. Copies of Centralia College's sexual harassment policy are available from the offices of either the equal opportunity officer or the chief student judicial affairs officer. Complaints may be informal or formal. In addition, any member of the Centralia College community has the right to file a complaint of discrimination with the appropriate state or federal agency. A complainant has the right of professional assistance at his or her own expense.

NEW SECTION

WAC 132L-300-040 Protection from retaliation. No individual shall be penalized or retaliated against in any way by a member of the college community for initiating a complaint.

NEW SECTION

WAC 132L-300-050 Informal complaint procedure. An informal complaint may be initiated in one of two ways:

(1) All persons covered by this policy are encouraged to discuss the matter with the appropriate administrator. The complaint may be concluded by mutual consent at this point. The administrator must submit a brief description of the facts to the equal opportunity officer of the college for maintaining a confidential record.

(2) As an alternative to subsection (1) of this section or, if subsection (1) of this section fails, the complainant may consult informally with the equal opportunity officer, if the complaint is about an employee, or with the chief student judicial affairs officer, if the complaint is about a student. The equal opportunity officer or chief student judicial affairs officer will provide advice and intervention in confidence, where appropriate.

NEW SECTION

WAC 132L-300-060 Outcomes of the informal complaint process. Informal complaints may have several outcomes. The person raising the issue may only want to discuss the matter with a neutral party in order to clarify whether discrimination may be occurring and to determine his or her options, including the pursuit of more formal options. In such a situation the equal opportunity officer or chief student judicial affairs officer will give assistance and offer suggestions as to how the issue might be resolved, without drawing a conclusion as to whether illegal discrimination has occurred. In other cases the equal opportunity officer or chief student judicial affairs officer may be asked to act as a mediator, to talk to the alleged offending person to see whether an informal resolution of the issue can be reached. In the case of an employee, the supervisor of the alleged offending person may

be notified that an informal complaint has been received, but that no investigation has taken place. If this process reaches resolution, no further actions will be taken and the matter will be closed. Issues not resolved may require that further inquiries be made and/or that the appropriate administrator take a more active role in finding a solution to the problem.

NEW SECTION

WAC 132L-300-070 Time limit for formal complaint procedures. Formal complaints must be submitted within six months of the most recent alleged discriminatory act, preferably within thirty days, in order to help ensure effective investigation and corrective action.

NEW SECTION

WAC 132L-300-080 Formal complaint procedures against students. Complaints about the conduct of a student, who was not performing as an employee of the college during the alleged incident, should be made to the chief student judicial affairs officer of the college. Complaints about students shall be handled in accordance with chapter 132L-120 WAC, Student rights and responsibilities code. A copy of this code is available from the chief student judicial affairs officer. In addition, the Family Education Rights and Privacy Act places protections and limits on releasing information about students. The chief student judicial affairs officer shall notify the equal opportunity officer of all such complaints, seek consultation and/or assistance as appropriate, and provide the equal opportunity officer timely notification of the outcome.

NEW SECTION

WAC 132L-300-085 Formal complaint procedures against employees and/or agents of the college. Complaints about the conduct of an employee should be made to the equal opportunity officer of the college. If there are repeated informal complaints about a member of the college community, the president may initiate an investigation without a formal complaint from an individual. The president will provide a written copy of the complaint to the individual against whom the complaint is lodged.

NEW SECTION

WAC 132L-300-090 Outcomes of the formal complaint process. (1) Within fifteen days after receipt of a complaint, the equal opportunity officer will consult with the complainant, the appropriate administrator, the person against whom the complaint is made and/or other appropriate persons, in an attempt to resolve the matter and/or to determine whether further investigation is warranted. Every effort will be made to report the findings within sixty days of receipt of the written complaint. If for any reason, an extension is necessary, the complainant will be informed in writing of the reasons for the extension, the status of the investigation, and the probable date of completion.

(2) If the investigating officer determines that corrective action is needed, that officer will initiate discussions with the appropriate administrator to resolve the complaint. A formal

investigation can be terminated at any time should a satisfactory resolution be reached before a written finding is made.

(3) Upon completion of the investigation, the investigating officer will notify in writing the complainant and the appropriate administrator of the findings and recommendations.

NEW SECTION

WAC 132L-300-100 Complainant appeal process. If the complainant disputes the findings or is dissatisfied with the recommendations, he or she may appeal such findings by filing a complaint with an outside agency within its established time limits.

NEW SECTION

WAC 132L-300-110 Responsibilities of the equal opportunity officer. The equal opportunity officer, located in the Human Resource Office, Hanson Administration Building, on the Centralia College campus shall be responsible for implementation of this policy. All inquiries will be handled confidentially when feasible. When any member of the college community or persons denied admission, employment, or services files a complaint of discrimination with an outside federal or state agency, that agency will request a response from the college to the charges of the complaint. The equal opportunity officer will prepare the response, usually after conducting an internal investigation of the complaint.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 132L-400-010 Grounds for ineligibility.
- WAC 132L-400-020 Suspension procedure—
Right to informal hearing.
- WAC 132L-400-030 Hearing.
- WAC 132L-400-040 Decision.

WSR 04-19-068

PERMANENT RULES

GAMBLING COMMISSION

[Order 437—Filed September 16, 2004, 8:57 a.m., effective October 17, 2004]

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

Purpose: Clarifies the wagering amount allowed for each betting round. A single wager may be placed for each decision made by the player before additional cards are dealt or revealed. This is consistent with language already in WAC 230-40-010 (1)(c), which explains that each player is responsible for their own decisions on each hand. Decisions include whether to fold, discard, draw additional cards, or raise the wager. Provides regulatory consistency regarding betting round limits between house-banked card rooms and

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tribal casinos. Tribal casinos already set betting round limits based on separate wagers for separate decisions.

Citation of Existing Rules Affected by this Order: Amending WAC 230-40-120.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 04-15-048 on July 13, 2004, with a published date of August 4, 2004.

Changes Other than Editing from Proposed to Adopted Version: Housekeeping change in subsection (6) "on" was changed to "for."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 14, 2004.

Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 427, filed 2/19/04, effective 7/1/04)

WAC 230-40-120 Limits on wagers in card games. Social and public card room licensees shall not allow wagering limits set by the commission to be exceeded in any card game. The number and value of wagers in card games are limited as follows:

Nonhouse-banked card games.

(1) Poker:

(a) There shall be no more than five betting rounds in any one game;

(b) The maximum number of wagers in any betting round shall be four, comprised of an initial wager plus three raises; and

(c) The maximum amount of a single wager shall not exceed twenty-five dollars;

(2) Games based on achieving a specific number of points - each point shall not exceed five cents in value;

(3) An ante, except for panguingue (pan), shall not be more than the maximum wager allowed for the first betting round for any game. The ante may, by house rule, be made by one or more players, but the total ante may not exceed the maximum wager allowed for the first betting round. An ante, by house rule, may be used as part of a player's wager;

(4) Panguingue (pan) - the maximum value of a chip for a payoff shall not exceed ten dollars. An ante will not exceed one chip. Doubling of conditions is prohibited. Players going

out may collect not more than two chips from each participating player;

House-banked card games.

(5) Licensees authorized to conduct house-banked card games shall not allow a single wager to exceed one hundred dollars, except that such licensees may allow a single wager of up to two hundred dollars on a limited number of tables as follows:

(a) Licensees authorized to operate five tables or fewer may operate one table at the two hundred dollar limit;

(b) Licensees authorized to operate from six to ten tables may operate two tables at the two hundred dollar limit; and

(c) Licensees authorized to operate more than ten tables may operate three tables at the two hundred dollar limit;

(6) A single wager may be made ~~((on))~~ for each ((separate element of chance)) decision made by the player before additional cards are dealt or revealed. In addition, for blackjack, an additional wager may be placed for doubling down or splitting pairs; and

(7) Bonus wagers for house-banked progressive jackpots shall not exceed one dollar. Bonus wagers with a predetermined prize amount based upon a separate element of chance within the same game shall not exceed the authorized maximum table limits as described in subsection (5) of this section.

**WSR 04-19-069
PERMANENT RULES
GAMBLING COMMISSION**

(Order 436—Filed September 16, 2004, 8:58 a.m., effective January 1, 2005)

Effective Date of Rule: January 1, 2005.

Purpose: Recorded surveillance is an integral part of a card room's security and control features. Individuals and businesses with access to a digital surveillance system's operating system or data files are in a position to manipulate the system. Currently, we have no recourse against these people. Therefore, businesses and individuals that have access to the operating system or data files of digital surveillance will require licensure. Licensing this new group will enhance our regulatory program to protect the public by running background checks to ensure they are qualified to work in the gambling industry.

Citation of Existing Rules Affected by this Order: Amending WAC 230-02-205.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 04-15-049 on July 13, 2004, with a published date of August 4, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 14, 2004.

Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 380, filed 2/16/00, effective 7/1/00)

WAC 230-02-205 Gambling service supplier defined.

A "gambling service supplier" is any person who provides gambling related services for compensation, whether directly or indirectly.

(1) Gambling related services include at least the following:

(a) Providing consulting or advisory services regarding gambling activities;

(b) Providing gambling related management services;

(c) Providing financing for purchases or leases of gambling equipment or for providing infrastructure that supports gambling operations for more than one licensee. For purposes of this section, financing by any bank, mutual savings bank, or credit union regulated by the department of financial institutions or any federally regulated commercial lending institution shall not be deemed as providing gambling related services;

(d) Providing any other service or activity where influence may be exerted over any gambling activity licensed by the commission;

(e) Providing assembly of components for gambling equipment under a contract with a licensed manufacturer; ((of))

(f) Providing installation, integration, maintenance, or any other service of digital surveillance systems that allows direct access to the operating system; or

(g) Training individuals to conduct authorized gambling activities.

(2) The term "gambling services supplier" does not include the following:

(a) Universities and colleges that are regulated by the Washington state board of community and technical colleges and the higher education coordinating board which train individuals to conduct authorized gambling activities;

(b) Licensed manufacturers or distributors who service and repair pull-tab dispensing devices, bingo equipment or any other authorized gambling equipment;

(c) Attorneys, accountants, and governmental affairs consultants whose primary business is providing professional services that are unrelated to the management or operation of gambling activities; and

(d) Persons that only provide nonmanagement related recordkeeping services for punch board and pull-tab operators, when the combined total gross billings from such services does not exceed twenty thousand dollars during any calendar year.

WSR 04-19-070

PERMANENT RULES

GAMBLING COMMISSION

[Order 435—Filed September 16, 2004, 8:59 a.m., effective October 17, 2004]

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

Purpose: In 2002, digital surveillance was first introduced for use in card rooms. At that time, digital surveillance technology was fairly new and staff worked with the industry to construct rules for the new technology. After two years of working with, and becoming more familiar with, digital recording devices, several requirements in both WAC 230-40-625 and 230-40-825 need to be updated to current digital industry standards.

Citation of Existing Rules Affected by this Order: Amending WAC 230-40-625 and 230-40-825.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 04-11-089 on May 18, 2004, with a published date of June 2, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: September 14, 2004.

Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 418, filed 4/16/03, effective 7/1/03)

WAC 230-40-625 Closed circuit television system—Class F card rooms. Critical activities related to the operation of a player-supported jackpot (PSJ) and assessment of fees based on amounts wagered (rake method) shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. If a licensee is conducting both Class F and house-banked activities, the licensee shall be required to meet the surveillance requirements set forth in WAC 230-40-825. Each Class F card room licensee shall install and maintain a CCTV system that meets the following requirements:

Camera coverage.

(1) The following areas are required to be viewed by the CCTV system:

(a) All gaming at each table including, but not limited to, the:

(i) Cards;

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- (ii) Wagers;
- (iii) Chip tray;
- (iv) Drop box openings; and
- (v) Players and dealers.

(b) All activity in the count room or count area including, but not limited to, the:

- (i) Count table;
- (ii) Floor;
- (iii) Drop boxes; and
- (iv) Drop box storage shelves/cabinets.

Camera requirements.

(2) The CCTV system shall consist of light sensitive cameras that have the ability to determine card and chip values at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. Installed cameras shall cover the areas required by this rule and shall include, at a minimum, the following:

(a) At least one fixed camera focused over each gaming table covering the entire layout;

(b) At least one fixed camera focused over the dealer area covering the chip rack, all drop box openings, and the community card area;

(c) At least one fixed or pan, tilt, and zoom (PTZ) camera permanently programmed for the purposes of monitoring players and dealers at each gaming table. This camera must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;

(d) A sufficient number of fixed and/or PTZ cameras in the cage only if the count process is conducted there;

(e) A sufficient number of fixed and/or PTZ cameras in the count area; and

(f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

(3) Video recording equipment shall meet the following requirements:

(a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:

(i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and

(ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a ~~((hard drive))~~ digital storage system, shall comply with the following requirements:

(i) All images shall be recorded on a hard drive;

(ii) Recording systems shall be locked ~~((by the manufacturer to disable))~~ so that access to the erase and reformat functions ((to prevent access to)), and system data files is restricted to persons authorized in the internal controls;

(iii) The system must provide uninterrupted recording of surveillance ~~((, this shall include))~~ during playback or copying: Provided, That motion-activated recording may be used;

(iv) Recording systems shall be capable of copying original images maintaining the original native format;

(v) Images shall be stored at a rate of not less than twenty-five images per second;

(vi) ~~((Resolution shall be))~~ Images shall be recorded at a minimum resolution of 320 x 240 and displayed during playback at a minimum resolution of 640 x 480 or higher;

(vii) Images shall be stored in a format that is readable by commission computer equipment;

(viii) Images shall be stored in a format that ~~((contains a method to verify the authenticity of the original recording and copies))~~ can be verified and authenticated by commission staff;

(ix) Recorded images shall include the accurate time and date the video was originally recorded;

(x) Previously recorded material may be overwritten after seven continuous days of gaming; and

(xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

~~((Use of))~~ Multiplexing and quad recording devices.

(4) Multiplexing ~~((/))~~ and quad recording devices may ((only)) not be used for ((external)) required surveillance ((, movement of drop boxes between tables and the count room, and on entrances and exits: Provided, That split screen devices may be utilized for areas not required to have surveillance coverage)).

(a) Multiplex recording means combining multiple video inputs into a single signal by quickly cycling through the separate video inputs (i.e., the view rotates among different cameras) in a predetermined order, recording each video input sequentially in the cycle. Multiplex recording does not provide continuous recording of each video input and the amount of time lapse is dependant upon the number of video inputs in the sequence.

(b) Quad recording means four separate video inputs which are continuously recorded and combined into a single signal displayed on one monitor with a view of each video input.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commission staff, pursuant to WAC 230-40-815 (3)(a)(v) through (vi). Additionally, licensees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

(6) Video signals from all cameras shall be recorded when:

- (a) Gaming tables are in operation;

- (b) Drop boxes or chip trays are stored on the gaming tables;
- (c) Drop boxes are being transported; or
- (d) Drop box contents are being counted.

Surveillance activity log.

(7) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:

- (a) Date and time of surveillance;
- (b) Person initiating surveillance;
- (c) Time of termination of surveillance;
- (d) Summary of the results of the surveillance; and
- (e) A record of any equipment or camera malfunctions.

~~(Employee sign-in log.~~

~~(8) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available for inspection at any time by commission staff or law enforcement personnel.~~

~~Labeling and storing video and audio recordings.~~

~~(9) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:~~

- ~~(a) Recordings shall be retained for a minimum of seven complete gaming days.~~
- ~~(b) Recordings of evidentiary value shall be maintained as requested by commission staff; and~~
- ~~(c) Tapes documenting jackpot payouts of five hundred dollars or more shall be retained for at least thirty days; and~~
- ~~(d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.~~

~~Dispute resolution.~~

~~(10) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player. Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred.))~~

AMENDATORY SECTION (Amending Order 422, filed 8/15/03, effective 9/15/03)

WAC 230-40-825 Closed circuit television system—House-banking. Critical activities related to the operation of house-banked card games shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. Each house-banked card room licensee shall install and maintain a CCTV system that meets the following requirements.

Camera coverage.

(1) The following areas are required to be viewed by the CCTV system:

(a) All gaming at each table including, but not limited to, the following:

- (i) Cards;
- (ii) Wagers;
- (iii) Chip tray;
- (iv) Drop box openings;
- (v) Card shoe;
- (vi) Shuffling devices; and
- (vii) Players and dealers.

(b) All activity in the pits.

(c) All activity in the cashier's cage including, but not limited to, the:

- (i) Outside entrance;
- (ii) Fill/credit dispenser;
- (iii) Customer transactions;
- (iv) Cash and chip drawers;
- (v) Vault/safe;
- (vi) Storage cabinets;
- (vii) Fill or credit transactions; and
- (viii) Floor.

(d) All activity in the count room including, but not limited to, the:

- (i) Count table;
- (ii) Floor;
- (iii) Counting devices;
- (iv) Trolley;
- (v) Drop boxes;
- (vi) Storage shelves/cabinets; and
- (vii) Entrance and exits.

(e) The movement of cash, gaming chips, and drop boxes.

(f) Entrances and exits to the card room.

Camera requirements.

(2) The CCTV system shall consist of light sensitive cameras including those with pan, tilt, and zoom (PTZ) capabilities having the ability to determine card and chip values and the configuration of wagers at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. PTZ cameras shall be placed behind a smoked dome, one-way mirror or similar materials that conceal the camera from view. Installed cameras shall cover the areas required by this rule and shall include at a minimum:

(a) At least one fixed camera focused over each gaming table covering the entire layout;

(b) A sufficient number of fixed and/or PTZ cameras permanently programmed for the purposes of monitoring players and dealers at each gaming table. The PTZ cameras must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;

(c) A sufficient number of PTZ cameras for the purpose of determining the configuration of wagers and card values at each gaming table. Any time a winning wager, including jackpot or bonus payouts in excess of five hundred dollars are

won, surveillance shall utilize this camera to verify the winning hand, the amount of the wager, and the player who won the prize. Each licensee shall have documented procedures in their internal controls stipulating the manner in which this will be carried out;

(d) A sufficient number of fixed and/or PTZ cameras in the cage(s);

(e) A sufficient number of fixed and/or PTZ cameras in the count room; and

(f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

(3) Video recording equipment shall meet the following requirements:

(a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:

(i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and

(ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a hard drive storage system, shall comply with the following requirements:

(i) All images shall be recorded on a hard drive;

(ii) Recording systems shall be locked (~~by the manufacturer to disable~~) so that access to the erase and reformat functions (~~to prevent access to~~), and system data files is restricted to persons authorized in the internal controls;

(iii) The system must provide uninterrupted recording of surveillance, (~~this shall include~~) during playback or copying: Provided, That motion-activated recording may be used;

(iv) Recording systems shall be capable of copying original images maintaining the original native format;

(v) Images shall be stored at a rate of not less than twenty-five images per second;

(vi) (~~Resolution shall be~~) Images shall be recorded at a minimum resolution of 320 x 240 and displayed during playback at a minimum resolution of 640 x 480 or higher;

(vii) Images shall be stored in a format that is readable by commission computer equipment;

(viii) Images shall be stored in a format that (~~contains a method to verify the authenticity of the original recording and copies~~) can be verified and authenticated by commission staff;

(ix) Recorded images shall include the accurate time and date the video was originally recorded;

(x) Previously recorded material may be overwritten after seven continuous days of gaming; and

(xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

~~(Use of)~~ Multiplexing and quad recording devices.

(4) ~~Multiplexing~~ and quad recording devices may (~~only~~) not be used for (~~external~~) required surveillance (~~movement of drop boxes between tables and the count room, and on entrances and exits. Provided, That split-screen~~

~~devices may be utilized for areas not required to have surveillance coverage~~) except under the following circumstances:

(a) Multiplexing or quad recording devices may be used on entrances and exits; and

(b) Quad recording devices may be used to record the movement of drop boxes between tables and the count room.

Multiplexing and quad recording devices defined.

(c) Multiplex recording means combining multiple video inputs into a single signal by quickly cycling through the separate video inputs (i.e., the view rotates among different cameras) in a predetermined order, recording each video input sequentially in the cycle. Multiplex recording does not provide continuous recording of each video input and the amount of time lapse is dependant upon the number of video inputs in the sequence.

(d) Quad recording means four separate video inputs are continuously recorded and combined into a single signal displayed on one monitor with a view of each video input.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commission staff, pursuant to WAC 230-40-815 (3)(a)(v) through (vi). Additionally, licensees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

(6) Video signals from all cameras shall be recorded when:

(a) Gaming tables are in operation;

(b) Drop boxes or chip trays are stored on the gaming tables;

(c) Drop boxes are being transported; or

(d) Drop box contents are being counted.

Video monitors.

(7) The CCTV system shall include a sufficient number of video monitors to simultaneously view multiple gaming tables, the cashier's cage, and count room activities.

Surveillance room.

(8) The licensee shall maintain one or more surveillance rooms with the following minimum requirements:

(a) The surveillance room shall have controlled access and be used solely by the employees of the surveillance department assigned to monitor activities: Provided, That this restriction does not apply to owners or approved supervisory or management personnel.

(b) Commission agents and law enforcement personnel shall be provided immediate access to the surveillance room upon request.

(c) Entrances to surveillance rooms shall not be readily observable from the gaming operation area.

(d) The licensee shall ensure a surveillance employee is present in the surveillance room and monitoring the activities

of the operation, via the surveillance room equipment, any time the card room is open to conduct gaming and during the count process: Provided, That the licensee may allow the surveillance room to operate without staff for a period not to exceed thirty minutes per shift for the purpose of routine breaks.

Surveillance activity log.

(9) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:

- (a) Date and time of surveillance;
- (b) Person initiating surveillance;
- (c) Time of termination of surveillance;
- (d) Summary of the results of the surveillance; and
- (e) A record of any equipment or camera malfunctions.

Employee sign-in log.

(10) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available for inspection at any time by commission staff or law enforcement personnel.

Labeling and storing video and audio recordings.

(11) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:

- (a) Recordings shall be retained for a minimum of seven complete gaming days;
- (b) Recordings of evidentiary value shall be maintained as requested by commission staff; and
- (c) Tapes documenting jackpot payouts over three thousand dollars shall be retained for at least thirty days; and
- (d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.

Dispute resolution.

(12) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player: Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred.

Purpose: Revises chapter 388-72A WAC, Comprehensive assessment reporting evaluation (CARE) tool, to include the CARE algorithm component in rule, incorporate CARE assessment criteria for children receiving state plan Medicaid personal care (MPC) services, and amend other sections as needed to update program rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-72A-0040 and 388-72A-0075; and amending WAC 388-72A-0010, 388-72A-0035, 388-72A-0055, 388-72A-0060, 388-72A-0065, 388-72A-0070, 388-72A-0080, 388-72A-0085, 388-72A-0090, and 388-72A-0095.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.520.

Other Authority: RCW 74.39A.090 and 74.39A.095.

Adopted under notice filed as WSR 04-14-099 on July 6, 2004.

Changes Other than Editing from Proposed to Adopted Version: Proposed WAC 388-72A-0042 has been withdrawn and filed under supplemental proposal WSR 04-18-071.

WAC 388-72A-0035, clarifies the definition of personal hygiene. Menses is a type of perineum care.

WAC 388-72A-0060(2), clarifies that only one of the criteria applies. The permanent rule also incorporates amendments adopted as WSR 04-16-029.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 15, Amended 10, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 15, Amended 10, Repealed 2.

Date Adopted: September 15, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 04-20 issue of the Register.

WSR 04-19-108

PERMANENT RULES

TRANSPORTATION IMPROVEMENT BOARD

[Filed September 21, 2004, 10:46 a.m., effective October 22, 2004]

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

Purpose: The Transportation Improvement Board (TIB) has proposed to simplify how funds are allocated to its urban programs. The proposal was developed in consultation with local agency representatives and does not significantly change the net distribution to the regions. The distribution

WSR 04-19-103 PERMANENT RULES DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed September 20, 2004, 3:58 p.m., effective October 21, 2004]

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

will be based on population and functionally classified lane miles within the urban area of the region. A third factor, the needs factor, will no longer be included in the calculation.

Citation of Existing Rules Affected by this Order: Amending 3 [WAC 479-12-130, 479-12-430, and 479-14-130].

Statutory Authority for Adoption: Chapter 47.26 RCW.

Adopted under notice filed as WSR 04-15-164 on July 21, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 3, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2004.

R. Struna

Chief Financial Officer

AMENDATORY SECTION (Amending WSR 99-24-038, filed 11/23/99, effective 12/24/99)

WAC 479-12-130 Apportionment of funds to arterial improvement program regions. (~~Beginning 1995, every four years, the board shall determine the distribution formula to apportion unobligated arterial trust account funds to each urban region. The distribution formula shall be defined in the following manner:~~

~~(1) One-third of the ratio shall be the population the urban areas of each region bears to the total population of all urban areas of the state as last determined by the office of financial management;~~

~~(2) One-third of the ratio shall be the vehicle to mile ratio traveled on the classified arterial system within the urban areas of each region, compared to the total vehicle to mile ratio traveled on all classified urban arterial systems;~~

~~(3) One-third of the ratio shall be an actual or historical indicator of needs within the region as determined by the board.~~

~~The distribution of funds within each region shall be administered so as to permit complete arterial improvement program projects in each arterial classification to be authorized and funded.)~~ Apportionment of funds to arterial improvement program regions shall be defined in the following manner:

(1) One-half of the ratio shall be the population of the urban areas of each region divided by the total population of all urban areas of the state as last determined by the office of financial management;

(2) One-half of the ratio shall be the amount of functionally classified lane miles of the arterial system within the urban areas of each region, divided by the total lane miles for the entire functionally classified urban arterial system;

(3) A region's allocation can be adjusted by up to five percent. Beginning 2004, regional allocations will be reviewed every five years to compensate for changes in project participation.

AMENDATORY SECTION (Amending WSR 03-16-077, filed 8/4/03, effective 9/4/03)

WAC 479-12-430 Apportionment of funds to pedestrian safety and mobility program regions. Of the funds obligated to pedestrian safety and mobility projects within urban areas, the amount apportioned to projects in a region ~~((will be within plus or minus five percent of the ratio which the population of urban areas in a region bears to the statewide population for urban areas as last determined by the office of financial management.))~~ shall be defined in the following manner:

(1) One-half of the ratio shall be the population of the urban areas of each region divided by the total population of all urban areas of the state as last determined by the office of financial management;

(2) One-half of the ratio shall be the amount of functionally classified lane miles of the arterial system within the urban areas of each region, divided by the total lane miles for the entire functionally classified urban arterial system;

(3) A region's allocation can be adjusted by up to five percent. Beginning 2004, regional allocations will be reviewed every five years to compensate for changes in project participation.

Of the funds obligated to pedestrian safety and mobility projects within small cities, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the statewide population for cities under five thousand as last determined by the office of financial management.

AMENDATORY SECTION (Amending WSR 00-22-001, filed 10/19/00, effective 11/19/00)

WAC 479-14-130 Apportionment of funds to transportation partnership program regions. Of the funds in the program, ~~((forty percent will be allocated to projects on a statewide basis and then, at least fifteen percent will be allocated to projects in the east region, at least fifteen percent to projects in the west region, and approximately thirty percent to projects in the Puget Sound region))~~ the amount apportioned to projects in a region shall be defined in the following manner:

(1) One-half of the ratio shall be the population of the urban areas of each region divided by the total population of all urban areas of the state as last determined by the office of financial management;

(2) One-half of the ratio shall be the amount of functionally classified lane miles of the arterial system within the urban areas of each region, divided by the total lane miles for the entire functionally classified urban arterial system;

(3) A region's allocation can be adjusted by up to five percent. Beginning 2004, regional allocations will be reviewed every five years to compensate for changes in project participation.

Regionally significant transportation projects submitted for funding by the TIB and approved by the legislature are exempt from the regional distribution formula.

WSR 04-19-113
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed September 21, 2004, 11:19 a.m., effective October 22, 2004]

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

Purpose: The rules clarify the conditions under which providers may participate in and receive a supplemental payment or increased payment for providing trauma services to medical assistance clients.

Citation of Existing Rules Affected by this Order: Amending WAC 388-550-2800 and 388-550-4800.

Statutory Authority for Adoption: RCW 74.08.090 and 74.09.500.

Adopted under notice filed as WSR 04-16-017 on July 23, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 2, Amended 2, Repealed 0.

Date Adopted: September 17, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-531-2000 Increased payments for physician-related services for qualified trauma cases. (1) The department's trauma care fund (TCF) is an amount that is legislatively appropriated to DSHS each biennium for the purpose of increasing the medical assistance administration's (MAA's) payment to eligible physicians and other clinical providers for providing qualified trauma services to Medicaid fee-for-service clients. Claims for trauma care provided to clients enrolled in MAA's managed care programs are not eligible for increased payments from the TCF.

(2) Beginning with services provided after June 30, 2003, MAA makes increased payments from the TCF to physicians and other clinical providers who provide trauma services to Medicaid clients, subject to the provisions in this section.

(3) MAA makes increased payments from the TCF to physicians and other clinical providers who:

(a) Are on the Designated Trauma Services Response Team of any department of health (DOH)-designated trauma service center;

(b) Meet the provider requirements in this section and other applicable WAC;

(c) Meet the billing requirements in this section and other applicable WAC; and

(d) Submit all information MAA requires to ensure trauma services are being provided.

(4) Except as described in subsection (5) of this section and subject to the limitations listed, MAA makes increased payments from the TCF to physicians and other eligible clinical providers:

(a) For only those trauma services that are designated by MAA as "qualified." These qualified services must be provided to eligible fee-for-service Medicaid clients. Qualified trauma services include care provided within six months of the date of injury for surgical procedures related to the injury if the surgical procedures were planned during the initial acute episode of injury.

(b) For hospital-based services only.

(c) Only for Medicaid trauma cases that meet the Injury Severity Score (ISS) (a summary rating system for traumatic anatomic injuries) of:

(i) Thirteen or greater for an adult trauma patient (a client age fifteen or older); or

(ii) Nine or greater for a pediatric trauma patient (a client younger than age fifteen).

(d) On a per-client basis in any DOH designated trauma service center.

(e) At a rate of two and one-half times the current MAA fee-for-service rate for qualified trauma services, subject to the following:

(i) MAA monitors the increased payments from the TCF during each state fiscal year (SFY) and makes necessary adjustments to the rate to ensure that total payments from the TCF for the biennium will not exceed the legislative appropriation for that biennium.

(ii) Laboratory and pathology charges are not eligible for increased payments from the TCF. (See subsection (6)(b) of this section.)

(5) When a trauma case is transferred from one hospital to another, MAA makes increased payments from the TCF to physicians and other eligible clinical providers, according to the ISS score as follows:

(a) If the transferred case meets or exceeds the appropriate ISS threshold described in subsection (4)(c) of this section, eligible providers who furnish qualified trauma services in both the transferring and receiving hospitals are eligible for increased payments from the TCF.

(b) If the transferred case is below the ISS threshold described in subsection (4)(c) of this section, only the eligible providers who furnish qualified trauma services in the receiving

ing hospital are eligible for increased payments from the TCF.

(6) MAA distributes increased payments from the TCF only:

(a) When eligible trauma claims are submitted with the appropriate trauma indicator within the timeframes specified by MAA; and

(b) On a per-claim basis. Each qualifying trauma service and/or procedure on the physician's claim or other clinical provider's claim is paid at MAA's current fee-for-service rate, multiplied by an increased TCF payment rate that is based on the appropriate rate described in subsection (4)(e) of this section. Charges for laboratory and pathology services and/or procedures are not eligible for increased payments from the TCF and are paid at MAA's current fee-for-service rate.

(7) For purposes of the increased payments from the TCF to physicians and other eligible clinical providers, all of the following apply:

(a) MAA may consider a request for a claim adjustment submitted by a provider only if the claim is received by MAA within one year from the date of the initial trauma service;

(b) MAA does not allow any carryover of liabilities for an increased payment from the TCF after a date specified by MAA as the last date to make adjustments to a trauma claim for an SFY;

(c) All claims and claim adjustments are subject to federal and state audit and review requirements; and

(d) The total amount of increased payments from the TCF disbursed to providers by MAA in a biennium cannot exceed the amount appropriated by the legislature for that biennium. MAA has the authority to take whatever actions are needed to ensure MAA stays within the current TCF appropriation (see subsection (4)(e)(i) of this section).

AMENDATORY SECTION (Amending WSR 02-21-019, filed 10/8/02, effective 11/8/02)

WAC 388-550-2800 Inpatient payment methods and limits. (1) The department reimburses hospitals for Medicaid inpatient hospital services using the rate setting methods identified in the department's approved state plan that includes:

Method	Used for
Diagnoses related group (DRG) negotiated conversion factor	Hospitals participating in the Medicaid hospital selective contracting program under waiver from the federal government
DRG cost-based conversion factor	Hospitals not participating in or exempt from the Medicaid hospital selective contracting program
Ratio of costs-to-charges (RCC)	Hospitals or services exempt from DRG payment methods
Fixed per diem rate	Acute physical medicine and rehabilitation (Acute PM&R) Level B facilities and long-term acute care (LTAC) hospitals

Method	Used for
Cost settlement	MAA-approved critical access hospitals (CAHS)

(2) The department's annual aggregate Medicaid payments to each hospital for inpatient hospital services provided to Medicaid clients will not exceed the hospital's usual and customary charges to the general public for the services (42 CFR § 447.271). The department recoups annual aggregate Medicaid payments that are in excess of the usual and customary charges.

(3) The department's annual aggregate payments for inpatient hospital services, including state-operated hospitals, will not exceed the estimated amounts that the department would have paid using Medicare payment principles.

(4) When hospital ownership changes, the department's payment to the hospital will not exceed the amount allowed under 42 U.S.C. Section 1395x (v)(1)(O).

(5) Hospitals participating in the medical assistance program must annually submit to the medical assistance administration:

(a) A copy of the hospital's HCFA 2552 Medicare Cost Report; and

(b) A disproportionate share hospital application.

(6) Reports referred to in subsection (5) of this section must be completed according to:

(a) Medicare's cost reporting requirements;

(b) The provisions of this chapter; and

(c) Instructions issued by MAA.

(7) The department requires hospitals to follow generally accepted accounting principles unless federally or state regulated.

(8) Participating hospitals must permit the department to conduct periodic audits of their financial and statistical records.

~~(9) ((Under WAC 246-976-935, MAA may:~~

~~(a) Enhance payments for trauma care provided to a client under a Title XIX Medicaid program when the trauma:~~

~~(i) Qualifies under the trauma program; and~~

~~(ii) Care is provided in a nongovernmental hospital designated by the department of health (DOH) as a trauma services center.~~

~~(b) Provide an annual grant for trauma services to:~~

~~(i) A governmental hospital certified by DOH as a trauma services center; and~~

~~(ii) An MAA approved critical access hospital (CAH).~~

~~(10))~~ The department reimburses hospitals for claims involving clients with third-party liability insurance:

(a) At the lesser of either the DRG:

(i) Billed amount minus the third-party payment amount; or

(ii) Allowed amount minus the third-party payment amount; or

(b) The RCC allowed payment minus the third-party payment amount.

PERMANENT

AMENDATORY SECTION (Amending WSR 02-21-019, filed 10/8/02, effective 11/8/02)

WAC 388-550-4800 Hospital payment methods—

State administered programs. (1) Except as provided in subsection (2) of this section, the medical assistance administration (MAA) uses the ratio of costs-to-charges (RCC) and diagnosis-related group (DRG) payment methods described in this section to reimburse hospitals at reduced rates for covered services provided to clients eligible under the following state-administered programs:

- (a) Medically indigent (MI) program;
- (b) General assistance unemployable (GAU) program;
- (c) Alcoholism and Drug Addiction Treatment and Support Act (ADATSA) program; and

(d) Involuntary Treatment Act (ITA)-Q program. (The ITA-Q program covers ITA services for non-Medicaid eligible clients.)

(2) MAA exempts the following services from the state-administered programs' payment methods and reduced rates:

(a) Detoxification services when the services are provided under an MAA-assigned provider number starting with "thirty-six." (MAA reimburses these services using the Title XIX Medicaid RCC payment method.)

(b) Program services provided by MAA-approved critical access hospitals (CAHs) to clients eligible under state-administered programs. (MAA reimburses these services through cost settlement as described in WAC 388-550-2598.)

(3) MAA determines:

(a) A state-administered program RCC payment by reducing a hospital's Title XIX Medicaid RCC rate using the hospital's ratable.

(b) A state-administered program DRG payment by reducing a hospital's Title XIX Medicaid DRG cost based conversion factor (CBCF) using the hospital's ratable and equivalency factor (EF).

(4) MAA determines:

(a) The RCC rate for the state-administered programs mathematically as follows:

State-administered programs' RCC rate = current Title XIX Medicaid RCC rate x (one minus the current hospital ratable)

(b) The DRG conversion factor (CF) for the state-administered programs mathematically as follows:

State-administered programs' DRG CF = current Title XIX Medicaid DRG CBCF x (one minus the current hospital ratable) x EF

(5) MAA determines payments to hospitals for covered services provided to clients eligible under the state-administered programs mathematically as follows:

(a) Under the RCC payment method:

State-administered programs' RCC payment = state-administered programs' RCC Rate x allowed charges

(b) Under the DRG payment method:

State-administered programs' DRG payment = state-administered programs' DRG CF x all patient DRG relative weight (to include any necessary high-cost outlier payment)

(6) To calculate a hospital's ratable that is applied to both the Title XIX Medicaid RCC rate and the Title XIX Medicaid DRG CBCF used to determine the respective state-administered program's reduced rates, MAA:

(a) Adds the hospital's Medicaid revenue (Medicaid revenue as reported by department of health (DOH) includes all Medicaid revenue and all other medical assistance revenue) and Medicare revenue to the value of the hospital's charity care and bad debts, all of which is taken from the most recent complete calendar year data available from DOH at the time of the ratable calculation; then

(b) Deducts the hospital's low-income disproportionate share hospital (LIDSH) revenue from the amount derived in (a) of this subsection to arrive at the hospital's community care dollars; then

(c) Subtracts the hospital-based physicians revenue that is reported in the hospital's most recent HCFA-2552 Medicare cost report received by MAA at the time of the ratable calculation, from the total hospital revenue reported by DOH from the same source as discussed in (a) of this subsection, to arrive at the net hospital revenue; then

(d) Divides the amount derived in (b) of this subsection by the amount derived in (c) of this subsection to obtain the ratio of community care dollars to net hospital revenue (also called the preliminary ratable factor); then

(e) Subtracts the amount derived in (d) of this subsection from 1.0 to obtain the hospital's preliminary ratable; then

(f) Determines a neutrality factor by:

(i) Multiplying hospital-specific Medicaid revenue that is reported by DOH from the same source as discussed in (a) of this subsection by the preliminary ratable factor; then

(ii) Multiplying that same hospital-specific Medicaid revenue by the prior year's final ratable factor; then

(iii) Summing all hospital Medicaid revenue from the hospital-specific calculations that used the preliminary ratable factor discussed in (f)(i) of this subsection; then

(iv) Summing all hospital revenue from the hospital-specific calculations that used the prior year's final ratable factor discussed in (f)(ii) of this subsection; then

(v) Comparing the two totals; and

(vi) Setting the neutrality factor at 1.0 if the total using the preliminary ratable factor is less than the total using the prior year's final ratable factor; or

(vii) Establishing a neutrality factor that is less than 1.0 that will reduce the total using the preliminary ratable factor to the level of the total using the prior year's final ratable factor, if the total using the preliminary ratable factor is greater than the total using the prior year's ratable factor; then

(g) Multiplies, for each specific hospital, the preliminary ratable by the neutrality factor to establish hospital-specific final ratables for the year; then

(h) Subtracts each hospital-specific final ratable from 1.0 to determine hospital-specific final ratable factors for the year; then

(i) Calculates an in-state-average ratable and an in-state-average ratable factor used for new hospitals with no prior year history.

(7) MAA updates each hospital's ratable annually on August 1.

(8) MAA:

(a) Uses the equivalency factor (EF) to hold the hospital specific state-administered programs' DRG CF at the same level prior to rebasing, adjusted for inflation; and

(b) Calculates a hospital's EF as follows:

EF = State-administered programs' prior DRG CF divided by current Title XIX Medicaid DRG CBCF x (one minus the prior ratable)

(9) Effective December 1, 1991, for hospital admissions of clients eligible under the state-administered MI program, MAA:

(a) Further reduces RCC and DRG payments to a hospital for covered services provided to clients eligible under the MI program by multiplying the respective payment referred to in subsection (5) of this section by ninety-seven percent; and

(b) Applies this payment reduction to the medically indigent disproportionate share hospital (MIDSH) payment methodology in accordance with section 3(b) of the "Medicaid Voluntary Contributions and Provider-Specific Tax Amendment of 1991."

~~((10) Under WAC 246-976-935, MAA may:~~

~~(a) Enhance payments for trauma care provided to a client eligible under the MI program or GAU program when the trauma:~~

~~(i) Qualifies under the trauma program; and
(ii) Care is provided in a nongovernmental hospital designated by DOH as a trauma services center.~~

~~(b) Provide an annual grant for trauma services to:~~

~~(i) A governmental hospital certified by DOH as a trauma services center; and
(ii) An MAA approved critical access hospital (CAH).)~~

NEW SECTION

WAC 388-550-5450 Supplemental distributions to approved trauma service centers. (1) The department's trauma care fund (TCF) is an amount legislatively appropriated to DSHS each biennium for the purpose of supplementing the medical assistance administration's (MAA's) payments to eligible trauma service centers for providing qualified trauma services to eligible Medicaid fee-for-service clients. Claims for trauma care provided to clients enrolled in MAA's managed care programs are not eligible for supplemental distributions from the TCF.

(2) Beginning with trauma services provided after June 30, 2003, MAA makes supplemental distributions from the TCF to qualified hospitals, subject to the provisions in this section.

(3) To qualify for supplemental distributions from the TCF, a hospital must:

(a) Be designated or recognized by the department of health (DOH) as an approved Level 1, Level 2, or Level 3 adult or pediatric trauma service center. No distinction is made between a governmental and nongovernmental hospital;

(b) Meet the provider requirements in this section and other applicable WAC;

(c) Meet the billing requirements in this section and other applicable WAC;

(d) Submit all information MAA requires to ensure services are being provided; and

(e) Comply with DOH's Trauma Registry reporting requirements.

(4) Supplemental distributions from the TCF are:

(a) Determined as a percentage of a fixed amount for each hospital based on all of the following:

(i) The relative amount paid by MAA for inpatient and outpatient trauma care the hospital provides to Medicaid clients per quarter in a state fiscal year (SFY). MAA determines the amount of care provided to Medicaid clients by date of service, not date of payment; and

(ii) The amount paid by MAA to hospitals that receive transferred trauma cases, regardless of the clients' Injury Severity Score (ISS) (a summary rating system for traumatic anatomic injuries).

(b) Paid only for a Medicaid trauma case that meets:

(i) The ISS of thirteen or greater for an adult trauma patient (a client age fifteen or older);

(ii) The ISS of nine or greater for a pediatric trauma patient (a client younger than age fifteen); or

(iii) The conditions of subsection (4)(c) of this section are met.

(c) Made to hospitals, as follows, for a trauma case that is transferred:

(i) The receiving hospital qualifies for payment regardless of the ISS; and

(ii) The transferring hospital qualifies for payment only if the requirements in (b)(i) or (b)(ii) of this subsection are met.

(d) Not funded by disproportionate share hospital (DSH) funds; and

(e) Not distributed by MAA to:

(i) Trauma service centers designated or recognized as Level 4 or Level 5; or

(ii) Critical access hospitals (CAHs).

(5) MAA makes supplemental distributions from the TCF to eligible hospitals as follows:

(a) Quarterly payments are made, subject to the following:

(i) The first quarterly supplemental distribution from the TCF is made six months after the SFY begins;

(ii) Each quarterly supplemental distribution from the TCF totals twenty percent of the amount designated by MAA for that SFY. If claims data for any quarter indicate an insufficient number of paid claims, MAA may adjust the percentage to allow for an equitable distribution from the TCF for that quarter. See (4)(a) of this subsection.

(b) A final supplemental distribution from the TCF is:

(i) Made one year after the end of the SFY; and

(ii) Based on the SFY that the TCF designated amount relates to.

(6) For purposes of the supplemental distributions from the TCF, all of the following apply:

(a) MAA may consider a request for a claim adjustment submitted by a provider only if the request is received by MAA within one year from the date of the initial trauma service;

(b) MAA does not allow any carryover of liabilities for a supplemental distribution from the TCF after a date specified by MAA as the last date to make adjustments to a trauma claim for an SFY;

(c) All claims and claim adjustments are subject to federal and state audit and review requirements; and

(d) The total amount of supplemental distributions from the TCF disbursed to eligible hospitals by MAA in any current biennium cannot exceed the amount appropriated by the legislature for that biennium. MAA has the authority to take whatever actions necessary to ensure MAA stays within the current TCF appropriation.

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 04-19-133
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 21, 2004, 4:17 p.m., effective October 22, 2004]

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

Purpose: Amend WAC 388-434-0010 How do I get Basic Food benefits after my certification period has ended?, to clarify the eligibility requirements surrounding verification requirements and procedures at recertification. Also, this filing will update program language to "Basic Food" for consistency, and incorporate changes necessary to support the implementation of simplified reporting.

Citation of Existing Rules Affected by this Order: Amending WAC 388-434-0010.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510.

Adopted under notice filed as WSR 04-16-104 on August 3, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 20, 2004.

Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-18-083, filed 8/30/02, effective 10/1/02)

WAC 388-434-0010 How do I get Basic Food ((~~ass~~istance)) benefits after my certification period has ended? To keep getting Basic Food ((~~ass~~istance)) benefits after your certification period in WAC 388-416-0005 has ended, we

must determine if you are still eligible for benefits. This is called recertification.

(1) To be recertified for Basic Food ((~~ass~~istance)), you must:

(a) Turn in and sign an application for benefits as required under WAC 388-406-0010. If you complete an electronic application, your signature is the password you use to complete the electronic application;

(b) Complete an interview if you are required to have an interview under WAC 388-452-0005; and

(c) Submit needed proof of your circumstances if we ask for it.

(2) If you reapply timely and get recertified before your certification period ends, we will keep depositing your benefits into your EBT (electronic benefit transfer) account on the same day of the month. To reapply timely, we must get your application by((:

~~(a))~~ the fifteenth day of the last month of your certification period((:

~~(b) The fifteenth day after you get your approval letter for food assistance when your certification period is two months or less).~~

(3) When we decide if you are eligible for benefits, we will send you a letter to tell you that your benefits have been approved or denied as required under chapter 388-458 WAC.

(4) If you reapply timely and complete the steps required in subsection (1) by the fifteenth day of the last month of your certification period, you get the approval or denial letter((:

~~(a))~~ by the end of your current certification period((if you completed the steps required in subsection (1) by the fifteenth day of the last month of your certification period; or

~~(b) By the thirtieth day after you got your last benefit amount if you were certified for one month.~~

~~(4))~~;

(5) If you do not turn in an application form by the end of your current certification period, you have not taken the action we require for you to get ongoing Basic Food ((~~ass~~istance)) benefits. Your Basic Food ((~~ass~~istance)) benefits stop at the end of your certification period.

~~((5))~~ (6) If you turn in your application before your certification period ends, we start your Basic Food ((~~ass~~istance)) from the first of the month of your new certification period after we determine if you are eligible((~~for food assistance~~)).

(a) If you do not reapply timely, your benefits for the first month of your new certification period may be delayed((:

~~(6))~~;

(b) You have until the end of the month following your certification period end date to complete an interview if required and provide any proof of your circumstances we requested.

(c) If you do not meet all requirements for verification by the end of the month following your certification end date, your recertification will not be approved.

(7) If you turn in your application after your certification period ends, we treat the application as a new application for benefits. We start your Basic Food ((~~ass~~istance)) from the date you turned in the application after we determine if you are eligible ((~~for food assistance~~)).

WSR 04-19-134
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed September 21, 2004, 4:18 p.m., effective October 1, 2004]

Effective Date of Rule: October 1, 2004.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: SB 6411 (chapter 54, Laws of 2004) requires the department to implement simplified reporting in October 2004. These rule changes are necessary to support the department's simplified reporting initiative.

Purpose: The department is amending WAC 388-416-0005 How long can I get Basic Food?, 388-418-0007 When do I have to report changes in my circumstances?, 388-418-0020 How does the department determine the date a change affects my benefits?, and 388-434-0005 The department reviews each client's eligibility for benefits on a regular basis, which are related to the department's eligibility review process for cash and medical programs, certification periods for Basic Food, effective dates for changes to benefits, and change reporting requirements for Basic Food, cash, and medical programs; and adopting new WAC 388-418-0011 What is a six-month report, and do I have to complete one in order to keep getting benefits? The amended and new rules are necessary to implement the department's simplified reporting initiative for cash, medical, and the Washington Basic Food program. SB 6411 requires the department to implement simplified reporting in October 2004.

Citation of Existing Rules Affected by this Order: Amending WAC 388-416-0005, 388-418-0007, 388-418-0020, and 388-434-0005.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, and 74.04.510.

Other Authority: SB 6411 (chapter 54, Laws of 2004).

Adopted under notice filed as WSR 04-15-052 on July 13, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 4, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 4, Repealed 0.

Date Adopted: September 15, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-22-039, filed 10/28/03, effective 12/1/03)

WAC 388-416-0005 How long can I get Basic Food?

(1) The length of time the department determines your assistance unit (AU) is eligible to get Basic Food is called a certification period. The department ((we)) may certify your AU for up to:

(a) Six months if your AU:

(i) Includes an able-bodied adult without dependents (ABAWD) who receives Basic Food in your AU and your AU does not live in an exempt area as described in WAC 388-444-0030;

(ii) Includes a person who receives ADATSA benefits as described in chapter 388-800 WAC;

(iii) Is considered homeless under WAC 388-408-0050;

or

(iv) Includes a migrant or seasonal farmworker as described under WAC 388-406-0021.

(b) Twenty-four months if everyone in your AU is elderly and no one in your AU has earned income or cash assistance.

~~((b) Twelve months if everyone in your AU is disabled or elderly and no one in your AU has earned income.~~

(e) Six months if your AU has:

(i) Cash assistance; or

(ii) Earned income; or

(iii) Income, household circumstances, and deductions that are not likely to change.

(d) Three months for all other AUs, including when your AU has:

(i) A migrant or seasonal farmworker;

(ii) ~~An able-bodied adult without dependents (ABAWD);~~

(iii) ~~No income or cash assistance;~~

(iv) ~~Expenses that are more than the income the AU gets;~~

(v) ~~Homeless individuals or AU members staying in an emergency or family violence shelter;~~

(vi) ~~A member who is staying in a non ADATSA drug and alcohol treatment center~~

~~(2) We may shorten or lengthen your certification period to match your cash or medical assistance end date unless you have already received the maximum certification allowable for your AU))~~

(c) Twelve months if your AU does not meet any of the conditions for six or twenty-four months.

(2) If your AU is homeless or includes an ABAWD when you live in a nonexempt area, we may shorten your certification period.

(3) We terminate your ~~((certification period))~~ Basic Food benefits when:

(a) We get proof of a change that makes your AU ineligible; or

(b) We get information that your AU is ineligible; and

(c) You do not provide needed information to verify your AU's circumstances.

AMENDATORY SECTION (Amending WSR 03-21-028, filed 10/7/03, effective 11/1/03)

WAC 388-418-0007 When do I have to report changes in my circumstances? (1) (If you are applying for cash and/or Basic Food and have had a change:

(a) After the date you applied but before your interview, you must report the change at the time of your interview; or

(b) After you have been interviewed, you must report the change within ten days of the date of your approval notice.

(2) If you get TANF/SFA, you must report within five calendar days from the day you learn that a child in the AU will be gone from your home longer than ninety days. If you do not report this within five days:

(a) You are not eligible for cash benefits for one month; and

(b) All of your countable income as described in WAC 388-450-0162 is budgeted against the cash benefits for the remaining AU members.

(3) If you receive cash or Basic Food, you must report changes described in WAC 388-418-0005 within ten days from the day you become aware of the change.

(4) If you receive medical assistance you must report the changes described in WAC 388-418-0005 within twenty days from the day you become aware of the change.

(5) If you report changes late, you may get the wrong amount or wrong type of benefits. If you get more benefits than you are eligible for, you may have to pay them back as described in chapter 388-410 WAC)) If your household has a change of circumstances you are not required to report under WAC 388-418-0005, you do not need to contact the department about this change. If you tell us about this change, we take action based on the new information. This includes:

(a) Requesting additional information we need to determine your eligibility and benefits under WAC 388-490-0005;

(b) Increasing your benefits when we have proof of a change that makes you eligible for more benefits; or

(c) Reducing or terminating your benefits based on the change.

(2) If you are applying for benefits and have had a change:

(a) After the date you applied but before your interview, you must report the change at the time of your interview; or

(b) After you have been interviewed, you must report changes required under WAC 388-418-0005 by the tenth day of the month following the month the change happened.

(3) If you receive cash assistance, medical, or Basic Food, you must report changes required under WAC 388-418-0005 by the tenth day of the month following the month the change happened.

(4) For a change in income, the date a change happened is the date you receive income based on this change. For example, the date of your first paycheck for a new job, or the date of a paycheck showing a change in your wage or salary.

(5) If we require you to complete a six-month report, you must complete the report to inform us of your circumstances as described under WAC 388-418-0010 in order to keep getting benefits.

(6) If you get TANF/SFA, and you learn that a child in your assistance unit (AU) will be gone from your home

longer than ninety days, you must report this information to us within five calendar days from the date you learn this information. If you do not report this within five days, the child's caretaker is not eligible for cash benefits for one month. We continue to budget the ineligible person's countable income as described in WAC 388-450-0162 while determining the benefits for the remaining people in the AU.

(7) If you report changes late, you may get the wrong amount or wrong type of benefits. If you get more benefits than you are eligible for, you may have to pay them back as described in chapter 388-410 WAC.

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WAC 388-418-0011 What is a six-month report, and do I have to complete one in order to keep getting benefits? (1) A six-month report is a form the department sends you to confirm your current circumstances. We use the information you provide us through this report to determine if you are still eligible for benefits and calculate your monthly benefits.

(2) If you receive benefits from any of the following programs, you must complete a six-month report:

(a) Cash Assistance unless you receive only Refugee Cash Assistance as described under WAC 388-400-0030;

(b) Family-related medical;

(c) Children's Medical; or

(d) Basic Food unless you meet one of the following conditions:

(i) Your assistance unit has a certification period of six months or less. If you have a certification period of six months or less, you must complete a recertification under WAC 388-434-0010 in order to keep getting Basic Food benefits; or

(ii) All adults in your assistance unit are elderly or disabled and have no earned income.

(3) If you must complete a six-month report, we send you the report with the most current information we have on your case. You can choose to complete the report in one of the following ways:

(a) Complete and return the form to the department. For us to consider your six-month report complete, you must take all of the steps below:

(i) Complete the report form, telling us about changes in your circumstances we ask about;

(ii) Sign and date the report;

(iii) Provide proof of any changes you report;

(iv) If you receive children's or family medical benefits, provide proof of your income even if it has not changed; and

(v) Mail or turn in the completed form and any required proof to us by the due date on the report. This is the tenth day of the sixth month of your review or certification period.

(b) Complete the six-month report over the phone. For us to consider your six-month report complete, you must take all of the steps below:

(i) Contact us at the phone number we provide on the report form, telling us about changes in your circumstances we ask about;

(ii) Provide proof of any changes you report. We may be able to verify some information over the phone;

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(iii) If you receive children's or family medical benefits, provide proof of your income even if it has not changed; and
 (iv) Mail or turn in any required proof to us by the due date on the report. This is the tenth day of the sixth month of your review or certification period.

(4) If your benefits change because of the information in your six-month report, we determine the date the change takes effect as described under WAC 388-418-0020.

AMENDATORY SECTION (Amending WSR 03-21-028, filed 10/7/03, effective 11/1/03)

WAC 388-418-0020 How does the department determine the date a change affects my benefits? (1) Unless otherwise specified, the rules in this chapter refer to cash, medical assistance, and Basic Food benefits.

(2) If you report a change that happened between the date you applied for benefits and the date we interview you under WAC 388-452-0005, we take this change into consideration when we process your application for benefits.

(3) If you report a change in your income that we expect to continue at least a month beyond the month when you reported the change, we recalculate the income we estimated under WAC 388-450-0215 based on this change.

(4) When a change causes an increase in benefits, you must provide proof of the change before we adjust your benefits.

(a) If you give us the proof within ten days from the date we requested it, we increase your benefits starting the month after the month you reported the change.

(b) If you give us the proof more than ten days after the date we requested it, we increase your benefits starting the month after the month we got the proof.

(c) If you are eligible for more benefits and we have already sent you benefits for that month, we provide you the additional benefits within ten days of the day we got the proof.

(5) When a change causes a decrease in benefits, we ~~((change))~~ reduce your benefit amount ~~((before we ask))~~ without asking for proof ~~((:)).~~

(a) If you report the change within the time limits in WAC 388-418-0007, we decrease your benefits starting the first month following the advance notice period. The advance notice period:

(i) Begins on the day we send you a letter about the change, and

(ii) Is determined according to the rules in WAC 388-458-0025.

(b) If you do not report ~~((the))~~ a change ~~((within the time limits in WAC 388-418-0007:~~

~~((i) We figure out the effective date as if you had reported it on time. This includes:~~

~~((A) Ten days for you to report the change, and~~

~~((B) Ten days for the advance notice period to begin, if required under WAC 388-458-0030.~~

~~((ii) If the effective date should have been a past month:~~

~~((A) We establish an overpayment claim according to the rules in chapter 388-410 WAC for all the appropriate months; and~~

~~((B) Decrease your benefits starting the following month.~~

~~((iii) We establish an overpayment claim and decrease your benefits starting the month after next when:~~

~~((A) The effective date should have been next month; and~~

~~((B) It is less than ten days away; and~~

~~((C) We must give you ten days notice under WAC 388-458-0030.~~

~~((iv) If the effective date should have been next month or the following month and we have time to give you ten days notice, we decrease your benefits starting that month.~~

~~((e) We have until your next recertification/eligibility review to ask for proof))~~ you must tell us about under WAC 388-418-0005, or you report a change later than we require under WAC 388-418-0007, we determine your eligibility as if you had reported this on time. If you received more benefits than you should, we set up an overpayment as described under chapter 388-410 WAC.

(6) If we are not sure how the change will affect your benefits, we send you a letter as described in WAC 388-458-0020 requesting information from you.

(a) We give you ten days to provide the information. If you need more time, you can ask for it.

(b) If you do not give us the information in time, we will stop your benefits after giving you advance notice, if required, as described in WAC 388-458-0030.

(7) Within ten days of the day we learn about a change, we~~((:~~

~~((a))~~ send advance notice according to the rules in chapter 388-458 WAC~~((:))~~ and

~~((b))~~ take necessary action to correct the benefit. ~~((We wait to take action on a change))~~ If you request a hearing about a proposed decrease in benefits before the effective date or within the ~~((advance))~~ notice period as described in WAC 388-458-0040, we wait to take action on the change.

(8) If you disagree with a decision we made to change your benefits, you may request a fair hearing under chapter 388-02 WAC. The fair hearing rules in chapter 388-02 WAC do not apply for a "mass change." A mass change is when we change the rules that impact all recipients and applicants.

(9) When you request a hearing and get continued benefits:

(a) We keep giving you the same benefits you got before the advance notice of reduction until the earliest of the following events occur:

(i) For Basic Food only, your certification period expires;

(ii) The end of the month the fair hearing decision is mailed;

(iii) You state in writing that you do not want continued benefits;

(iv) You withdraw your fair hearing request in writing; or

(v) You abandon your fair hearing request; or
 (vi) An administrative law judge issues a written order that ends continued benefits prior to the fair hearing.

(b) We establish an overpayment claim according to the rules in chapter 388-410 WAC when the hearing decision agrees with the action we took.

(10) Some changes have a specific effective date as follows:

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(a) When cash assistance benefits increase because a person is added to your assistance unit, we use the effective date rules for applications in WAC 388-406-0055.

(b) When cash assistance benefits increase because you start paying shelter costs, we use the date the change occurred.

(c) When a change in law or regulation changes the benefit amount, we use the date specified by the law or regulation.

(d) When institutional medical assistance participation changes, we calculate the new participation amount beginning with the month your income or allowable expense changes.

AMENDATORY SECTION (Amending WSR 04-03-019, filed 1/12/04, effective 2/12/04)

WAC 388-434-0005 How often does the department ~~((reviews each client's))~~ review my eligibility for benefits ~~((on a regular basis.))~~? (1) If you receive cash assistance, the department reviews your eligibility for assistance at least once every ~~((six))~~ twelve months.

(2) When it is time for your eligibility review, the department requires you to complete a review ~~((form))~~. We use the information you provide to determine your eligibility for all assistance programs.

(3) If you complete an interview for assistance with a department representative and sign the printed application for benefits (AFB) form, you do not have to complete a separate review form.

(4) For cash assistance, ~~((the))~~ an eligibility review form or the AFB must be dated and signed by both husband and wife, or both parents of a child in common when the parents live together.

(5) ~~((If you receive))~~ For medical assistance ~~((only, the eligibility review form or the AFB must be signed by at least one parent when the parents live together)),~~ a signature is not required to complete your review.

(6) We may ~~((move the date of your eligibility))~~ review your eligibility at any time if we decide your circumstances need to be reviewed sooner.

(7) At your review, we look at:

(a) All eligibility requirements under WAC 388-400-0005 through 388-400-0035, 388-503-0505 through 388-503-0515, and 388-505-0210 through 388-505-0220;

(b) Changes ~~((that happened))~~ since we last determined your eligibility; and

(c) Changes that are anticipated ~~((to happen during))~~ for the next review period.

(8) If you receive medical assistance ~~((only)),~~ we set your ~~((eligibility review date in advance under WAC 388-416-0005 through 388-416-0035. We will start the review process before your benefits end))~~ certification period according to WAC 388-416-0010, 388-416-0015, 388-416-0020, and 388-416-0035.

(9) Clients You are responsible for attending an interview if one is required under WAC 388-452-0005.

(10) If you do not complete the eligibility review for cash assistance, ~~((you are considered))~~ we consider you to be

withdrawing your request for continuing assistance~~((, there-fore))~~:

(a) Your cash assistance benefits will end; and

(b) Your medical assistance will continue for ~~((six))~~ twelve consecutive months from the ~~((last~~

~~((i) Application;~~

~~((ii) Eligibility review; or~~

~~((iii) Food assistance application or recertification.~~

~~((11) We must))~~ month we received your most recent application or eligibility review.

~~((11) We will send you written notice as described under ((WAC 388-458-0005, 388-458-0010, and 388-450-0015)) chapter 388-458 WAC before assistance ((can be)) is suspended, terminated, or a benefit error is established as a result of your eligibility review.~~

~~((12) If you are currently receiving cash or))~~

~~((12) If you currently receive Categorically Needy (CN) medical assistance, and you are found to no longer be eligible for benefits, we will determine if you are eligible for other medical programs. Until we decide if you are eligible for another program, your (CN) medical assistance will continue under WAC 388-418-0025.~~

~~((13) When ((a client is determined to)) you need ((necessary)) a supplemental accommodation ((NSA)) under WAC 388-472-0010, we will help ((the client)) you meet the requirements of this section.~~

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 04-19-135
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

[Filed September 21, 2004, 4:19 p.m., effective October 22, 2004]

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

Purpose: To amend WAC 388-400-0030 Refugee cash assistance—Summary of eligibility requirements, related to eligibility requirements for refugee cash assistance. This rule provides a summary of requirements for the refugee cash assistance program. The changes to this rule are necessary to add a reference to reporting requirements for cash programs.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-400-0030.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057.

Adopted under notice filed as WSR 04-15-054 on July 13, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 15, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-09-051, filed 4/12/02, effective 5/13/02)

WAC 388-400-0030 Who is eligible for refugee cash assistance~~((—Summary of eligibility requirements))~~ (1)

To be eligible for refugee cash assistance (RCA), you must:

(a) Provide the name of the voluntary agency (VOLAG) which resettled you;

(b) Meet the immigration status requirements of WAC 388-466-0005;

(c) Meet employment and training requirements of WAC 388-466-0150; ~~(and)~~

(d) Meet income and resource requirements of WAC 388-466-0140; and

(e) Report changes of circumstances as required under WAC 388-418-0005.

(2) You are not eligible to receive RCA if you:

(a) Are eligible for temporary assistance for needy families (TANF) or Supplemental Security Income;

(b) Have been denied TANF or have been terminated from TANF due to intentional noncompliance with TANF eligibility requirements; or

(c) Are a full-time student in an institution of higher education.

(3) We determine your eligibility and benefit level for RCA using the TANF payment standards under WAC 388-478-0020.

(4) If you are eligible for RCA you may also be eligible for additional requirements for emergent needs under WAC 388-436-0002.

(5) If you meet the requirements of this section you are eligible for refugee cash assistance only during the eight-month period beginning in the first month you entered the United States (WAC 388-466-0120).

WSR 04-19-136

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed September 21, 2004, 4:21 p.m., effective October 22, 2004]

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

Purpose: Amending, repealing and adding new sections in chapter 388-71 WAC related to adult protective services, to implement procedures for due process and update rules for clarity.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-71-0120, 388-71-0150, and 388-71-0155; and amending WAC 388-71-0100, 388-71-0105, 388-71-0110, and 388-71-0115.

Statutory Authority for Adoption: RCW 34.05.020, 74.08.090.

Other Authority: RCW 74.39A.050, chapter 74.34 RCW.

Adopted under notice filed as WSR 04-13-138 on June 22, 2004.

Changes Other than Editing from Proposed to Adopted Version: See Reviser's Note below.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 17, Amended 4, Repealed 3.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 17, Amended 4, Repealed 3.

Date Adopted: September 15, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 04-20 issue of the Register.

WSR 04-19-137

PERMANENT RULES

GAMBLING COMMISSION

[Order 435-A—Filed September 21, 2004, 4:36 p.m., effective October 22, 2004]

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

Purpose: **CORRECTION** - This filing is to correct an inadvertent error of filing the incorrect WAC text for WAC 230-40-625 and 230-40-825 under WSR 04-19-070. The language filed under WSR 04-19-070 was not the amended language adopted by the commission at the September commission meeting. Shown below is the correct amended language adopted by the commission relating to digital surveillance requirements. These changes update WAC 230-40-625 and 230-40-825 to match current industry standards.

Citation of Existing Rules Affected by this Order: Amending WAC 230-40-625 and 230-40-825.

Statutory Authority for Adoption: RCW 9.46.070.

Adopted under notice filed as WSR 04-11-089 on May 18, 2004, with a published date of June 2, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 0.

Date Adopted: September 21, 2004.

Susan Arland
Rules Coordinator

AMENDATORY SECTION (Amending Order 418, filed 4/16/03, effective 7/1/03)

WAC 230-40-625 Closed circuit television system—Class F card rooms. Critical activities related to the operation of a player-supported jackpot (PSJ) and assessment of fees based on amounts wagered (rake method) shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. If a licensee is conducting both Class F and house-banked activities, the licensee shall be required to meet the surveillance requirements set forth in WAC 230-40-825. Each Class F card room licensee shall install and maintain a CCTV system that meets the following requirements:

Camera coverage.

(1) The following areas are required to be viewed by the CCTV system:

(a) All gaming at each table including, but not limited to, the:

- (i) Cards;
- (ii) Wagers;
- (iii) Chip tray;
- (iv) Drop box openings; and
- (v) Players and dealers.

(b) All activity in the count room or count area including, but not limited to, the:

- (i) Count table;
- (ii) Floor;
- (iii) Drop boxes; and
- (iv) Drop box storage shelves/cabinets.

Camera requirements.

(2) The CCTV system shall consist of light sensitive cameras that have the ability to determine card and chip values at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. Installed cameras shall cover the areas required by this rule and shall include, at a minimum, the following:

(a) At least one fixed camera focused over each gaming table covering the entire layout;

(b) At least one fixed camera focused over the dealer area covering the chip rack, all drop box openings, and the community card area;

(c) At least one fixed or pan, tilt, and zoom (PTZ) camera permanently programmed for the purposes of monitoring players and dealers at each gaming table. This camera must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;

(d) A sufficient number of fixed and/or PTZ cameras in the cage only if the count process is conducted there;

(e) A sufficient number of fixed and/or PTZ cameras in the count area; and

(f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

(3) Video recording equipment shall meet the following requirements:

(a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:

(i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and

(ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a ((~~hard drive~~)) **digital** storage system, shall comply with the following requirements:

(i) All images shall be recorded on a hard drive;

(ii) Recording systems shall be locked ((~~by the manufacturer to disable~~)) so that access to the erase and reformat functions ((~~to prevent access to~~)), and system data files is restricted to persons authorized in the internal controls;

(iii) The system must provide uninterrupted recording of surveillance((~~, this shall include~~)) during playback or copying: Provided, That motion-activated recording may be used;

(iv) Recording systems shall be capable of copying original images maintaining the original native format;

(v) Images shall be stored at a rate of not less than twenty-five images per second;

(vi) ((~~Resolution shall be~~)) Images shall be recorded at a minimum resolution of 320 x 240 and displayed during playback at a minimum resolution of 640 x 480 ((~~or higher~~));

(vii) Images shall be stored in a format that is readable by commission computer equipment;

(viii) Images shall be stored in a format that ((~~contains a method to verify the authenticity of the original recording and copies~~)) can be verified and authenticated by commission staff;

(ix) Recorded images shall include the accurate time and date the video was originally recorded;

(x) Previously recorded material may be overwritten after seven continuous days of gaming; and

(xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

~~(Use of)~~ Multiplexing and quad recording devices.

(4) Multiplexing~~(f)~~ and quad recording devices may ~~(only)~~ not be used for ~~(external)~~ required surveillance~~(; movement of drop boxes between tables and the count room, and on entrances and exits: Provided, That split screen devices may be utilized for areas not required to have surveillance coverage)~~.

(a) Multiplex recording means combining multiple video inputs into a single signal by quickly cycling through the separate video inputs (i.e., the view rotates among different cameras) in a predetermined order, recording each video input sequentially in the cycle. Multiplex recording does not provide continuous recording of each video input and the amount of time lapse is dependant upon the number of video inputs in the sequence.

(b) Quad recording means four separate video inputs which are continuously recorded and combined into a single signal displayed on one monitor with a view of each video input.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commission staff, pursuant to WAC 230-40-815 (3)(a)(v) through (vi). Additionally, licensees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

(6) Video signals from all cameras shall be recorded when:

- (a) Gaming tables are in operation;
- (b) Drop boxes or chip trays are stored on the gaming tables;
- (c) Drop boxes are being transported; or
- (d) Drop box contents are being counted.

Surveillance activity log.

(7) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:

- (a) Date and time of surveillance;
- (b) Person initiating surveillance;
- (c) Time of termination of surveillance;
- (d) Summary of the results of the surveillance; and
- (e) A record of any equipment or camera malfunctions.

Employee sign-in log.

(8) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available for inspection at any time by commission staff or law enforcement personnel.

Labeling and storing video and audio recordings.

(9) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:

(a) Recordings shall be retained for a minimum of seven complete gaming days.

(b) Recordings of evidentiary value shall be maintained as requested by commission staff; and

(c) Tapes documenting jackpot payouts of five hundred dollars or more shall be retained for at least thirty days; and

(d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.

Dispute resolution.

(10) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player: Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred.

AMENDATORY SECTION (Amending Order 422, filed 8/15/03, effective 9/15/03)

WAC 230-40-825 Closed circuit television system—House-banking. Critical activities related to the operation of house-banked card games shall be closely monitored by the use of a closed circuit television (CCTV) system and recorded using analog and/or digital recording equipment. Each house-banked card room licensee shall install and maintain a CCTV system that meets the following requirements.

Camera coverage.

(1) The following areas are required to be viewed by the CCTV system:

(a) All gaming at each table including, but not limited to, the following:

- (i) Cards;
- (ii) Wagers;
- (iii) Chip tray;
- (iv) Drop box openings;
- (v) Card shoe;
- (vi) Shuffling devices; and
- (vii) Players and dealers.

(b) All activity in the pits.

(c) All activity in the cashier's cage including, but not limited to, the:

- (i) Outside entrance;
- (ii) Fill/credit dispenser;
- (iii) Customer transactions;
- (iv) Cash and chip drawers;
- (v) Vault/safe;
- (vi) Storage cabinets;
- (vii) Fill or credit transactions; and
- (viii) Floor.

(d) All activity in the count room including, but not limited to, the:

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- (i) Count table;
 - (ii) Floor;
 - (iii) Counting devices;
 - (iv) Trolley;
 - (v) Drop boxes;
 - (vi) Storage shelves/cabinets; and
 - (vii) Entrance and exits.
- (e) The movement of cash, gaming chips, and drop boxes.
- (f) Entrances and exits to the card room.

Camera requirements.

(2) The CCTV system shall consist of light sensitive cameras including those with pan, tilt, and zoom (PTZ) capabilities having the ability to determine card and chip values and the configuration of wagers at each gaming table. Each video camera shall be capable of having its images displayed on a video monitor and recorded. Cameras shall be installed in a manner that will prevent them from being readily obstructed, tampered with, or disabled by patrons or employees. PTZ cameras shall be placed behind a smoked dome, one-way mirror or similar materials that conceal the camera from view. Installed cameras shall cover the areas required by this rule and shall include at a minimum:

- (a) At least one fixed camera focused over each gaming table covering the entire layout;
- (b) A sufficient number of fixed and/or PTZ cameras permanently programmed for the purposes of monitoring players and dealers at each gaming table. The PTZ cameras must be capable of viewing each patron and dealer at each gaming position at least once every five minutes;
- (c) A sufficient number of PTZ cameras for the purpose of determining the configuration of wagers and card values at each gaming table. Any time a winning wager, including jackpot or bonus payouts in excess of five hundred dollars are won, surveillance shall utilize this camera to verify the winning hand, the amount of the wager, and the player who won the prize. Each licensee shall have documented procedures in their internal controls stipulating the manner in which this will be carried out;
- (d) A sufficient number of fixed and/or PTZ cameras in the cage(s);
- (e) A sufficient number of fixed and/or PTZ cameras in the count room; and
- (f) Any other location as deemed necessary by commission staff.

Video recording equipment requirements.

(3) Video recording equipment shall meet the following requirements:

- (a) **Analog recording**, including audio recording where required, using a video cassette recorder, shall comply with the following requirements:
 - (i) Images shall be recorded at a rate of not less than twenty frames per second on standard VHS format; and
 - (ii) Recorded images shall accurately reflect the time and date of the video recording. If multiple time and date generators are used, they shall be synchronized to the same time and date; or

(b) **Digital recording**, including audio recording where required, using a (~~hard drive~~) digital storage system, shall comply with the following requirements:

- (i) All images shall be recorded on a hard drive;
- (ii) Recording systems shall be locked (~~by the manufacturer to disable~~) so that access to the erase and reformat functions ((to prevent access to)), and system data files is restricted to persons authorized in the internal controls;
- (iii) The system must provide uninterrupted recording of surveillance, (~~this shall include~~) during playback or copying: Provided, That motion-activated recording may be used;
- (iv) Recording systems shall be capable of copying original images maintaining the original native format;
- (v) Images shall be stored at a rate of not less than twenty-five images per second;
- (vi) (~~Resolution shall be~~) Images shall be recorded at a minimum resolution of 320 x 240 and displayed during playback at a minimum resolution of 640 x 480 ((or higher));
- (vii) Images shall be stored in a format that is readable by commission computer equipment;
- (viii) Images shall be stored in a format that (~~contains a method to verify the authenticity of the original recording and copies~~) can be verified and authenticated by commission staff;
- (ix) Recorded images shall include the accurate time and date the video was originally recorded;
- (x) Previously recorded material may be overwritten after seven continuous days of gaming; and
- (xi) Recording systems shall be equipped with an uninterruptible power source to allow a proper system shutdown.

((Use of) Multiplexing and quad recording devices.

(4) Multiplexing(~~f~~) and quad recording devices may ((only) not be used for ((external) required surveillance((; movement of drop boxes between tables and the count room, and on entrances and exits: Provided, That split screen devices may be utilized for areas not required to have surveillance coverage)) except under the following circumstances:

- (a) Multiplexing or quad recording devices may be used on entrances and exits; and
- (b) Quad recording devices may be used to record the movement of drop boxes between tables and the count room.

Multiplexing and quad recording devices defined.

(c) **Multiplex recording** means combining multiple video inputs into a single signal by quickly cycling through the separate video inputs (i.e., the view rotates among different cameras) in a predetermined order, recording each video input sequentially in the cycle. Multiplex recording does not provide continuous recording of each video input and the amount of time lapse is dependant upon the number of video inputs in the sequence.

(d) **Quad recording** means four separate video inputs are continuously recorded and combined into a single signal displayed on one monitor with a view of each video input.

Recording of illegal or suspicious activities.

(5) Illegal or suspicious activities within the monitored portion of the licensed premises shall be reported to commission staff, pursuant to WAC 230-40-815 (3)(a)(v) through

(vi). Additionally, licensees shall ensure two copies of the entire recorded image sequence are made reflecting the questioned activity. One copy shall be provided to commission staff or other law enforcement representatives upon demand and the other copy maintained by the licensee for a period of thirty days.

Activities to be recorded.

(6) Video signals from all cameras shall be recorded when:

- (a) Gaming tables are in operation;
- (b) Drop boxes or chip trays are stored on the gaming tables;
- (c) Drop boxes are being transported; or
- (d) Drop box contents are being counted.

Video monitors.

(7) The CCTV system shall include a sufficient number of video monitors to simultaneously view multiple gaming tables, the cashier's cage, and count room activities.

Surveillance room.

(8) The licensee shall maintain one or more surveillance rooms with the following minimum requirements:

(a) The surveillance room shall have controlled access and be used solely by the employees of the surveillance department assigned to monitor activities: Provided, That this restriction does not apply to owners or approved supervisory or management personnel.

(b) Commission agents and law enforcement personnel shall be provided immediate access to the surveillance room upon request.

(c) Entrances to surveillance rooms shall not be readily observable from the gaming operation area.

(d) The licensee shall ensure a surveillance employee is present in the surveillance room and monitoring the activities of the operation, via the surveillance room equipment, any time the card room is open to conduct gaming and during the count process: Provided, That the licensee may allow the surveillance room to operate without staff for a period not to exceed thirty minutes per shift for the purpose of routine breaks.

Surveillance activity log.

(9) The licensee shall maintain a record of all surveillance activities in the surveillance room. A surveillance log shall be maintained by surveillance personnel and shall include, at a minimum, the following:

- (a) Date and time of surveillance;
- (b) Person initiating surveillance;
- (c) Time of termination of surveillance;
- (d) Summary of the results of the surveillance; and
- (e) A record of any equipment or camera malfunctions.

Employee sign-in log.

(10) A surveillance room sign-in log shall be maintained to document the time each surveillance employee monitors the card room. The surveillance sign-in log shall be available for inspection at any time by commission staff or law enforcement personnel.

Labeling and storing video and audio recordings.

(11) Video and audio recordings shall be marked to denote the activity recorded and retained for a period necessary to afford commission staff or law enforcement personnel reasonable access. The following minimum retention periods apply to recordings:

(a) Recordings shall be retained for a minimum of seven complete gaming days;

(b) Recordings of evidentiary value shall be maintained as requested by commission staff; and

(c) Tapes documenting jackpot payouts over three thousand dollars shall be retained for at least thirty days; and

(d) Commission staff may increase any of the retention requirements noted in this section by notifying the licensee.

Dispute resolution.

(12) In the event there is not sufficient clarity due to violations of the above requirements, the burden will be on the licensee to prove any action taken was warranted. Otherwise, all disputes shall be resolved in favor of the player: Provided, That a review by commission staff may be requested if the licensee feels circumstances warrant, for example, cheating has occurred.

WSR 04-19-140

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed September 22, 2004, 9:11 a.m., effective October 23, 2004]

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

Purpose: WAC 246-323-990, residential treatment facilities for psychiatrically impaired children and youth (PICY), fees are increased to cover the cost of program operations as required RCW 43.70.250. The fee increase is 50%, to bring the fees on line with other categories of residential care facilities.

Citation of Existing Rules Affected by this Order: Amending WAC 246-323-990 Residential treatment facilities for psychiatrically impaired children and youth.

Statutory Authority for Adoption: RCW 43.70.250.

Other Authority: RCW 71.12.470.

Adopted under notice filed as WSR 04-14-066 on July 2, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 17, 2004.

Mary C. Selecky

AMENDATORY SECTION (Amending WSR 03-14-147, filed 7/2/03, effective 8/1/03)

WAC 246-323-990 Fees. Residential treatment facilities for psychiatrically impaired children and youth (RTF-CY) licensed under chapter 71.12 RCW shall:

(1) Submit an annual fee of (~~eighty-eight~~) one hundred thirty-six dollars and ten cents for each bed space within the licensed bed capacity of the RTF-CY;

(2) Include all bed spaces and rooms complying with physical plant and movable equipment requirements of this chapter; and

(3) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

WSR 04-19-141

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed September 22, 2004, 9:14 a.m., effective October 23, 2004]

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

Purpose: Fee increases for the following rule sections:

WAC 246-320-990 Acute care hospital (1.01%), 246-322-990 Psychiatric and alcoholism hospitals (0.98%), 246-324-990 Alcoholism and chemical dependency hospitals (0.98%), 246-325-990 Adult residential rehabilitation centers (3.03%), 246-326-990 Alcoholism treatment facilities (3.03%), 246-329-990 Childbirth centers (3.03%), and 246-360-990 Transient accommodations (3.03%). These fee increases, within I-601 limitations, are necessary in order to fully cover the costs of running the licensing programs, will enable the programs to operate and conduct inspections in a timely manner and ensure public health and safety in these facilities. Sufficient revenue is necessary to fulfill the department's public health obligations.

Citation of Existing Rules Affected by this Order: Amending WAC 246-320-990, 246-322-990, 246-324-990, 246-325-990, 246-326-990, 246-329-990, and 246-360-990.

Statutory Authority for Adoption: RCW 43.70.250.

Other Authority: RCW 18.46.030, 43.70.110, 71.12.470.

Adopted under notice filed as WSR 04-13-161 on June 23, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 7, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2004.

Mary C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-320-990 Fees. Hospitals licensed under chapter 70.41 RCW shall:

(1) Submit an annual license fee of (~~eighty-six~~) eighty-seven dollars and eighty cents for each bed space within the licensed bed capacity of the hospital to the department;

(2) Include all bed spaces in rooms complying with physical plant and movable equipment requirements of this chapter for twenty-four-hour assigned patient rooms;

(3) Include neonatal intensive care bassinet spaces;

(4) Include bed spaces assigned for less than twenty-four-hour patient use as part of the licensed bed capacity when:

(a) Physical plant requirements of this chapter are met without movable equipment; and

(b) The hospital currently possesses the required movable equipment and certifies this fact to the department;

(5) Exclude all normal infant bassinets;

(6) Limit licensed bed spaces as required under chapter 70.38 RCW;

(7) Submit an application for bed additions to the department for review and approval under chapter 70.38 RCW subsequent to department establishment of the hospital licensed bed capacity; and

(8) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-322-990 Private psychiatric hospital fees. Private psychiatric hospitals licensed under chapter 71.12 RCW shall:

(1) Submit an annual fee of (~~fifty-three~~) fifty-four dollars and forty cents for each bed space within the licensed bed capacity of the hospital to the department;

(2) Include all bed spaces and rooms complying with physical plant and movable equipment requirements of this chapter for twenty-four-hour assigned patient rooms;

(3) Include bed spaces assigned for less than twenty-four-hour patient use as part of the licensed bed capacity when:

(a) Physical plant requirements of this chapter are met without movable equipment; and

(b) The private psychiatric hospital currently possesses the required movable equipment and certifies this fact to the department;

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(4) Limit licensed bed spaces as required under chapter 70.38 RCW;

(5) Submit applications for bed additions to the department for review and approval under chapter 70.38 RCW subsequent to department establishment of the private psychiatric hospital's licensed bed capacity; and

(6) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-324-990 Fees. The licensee shall submit:

(1) An initial fee of ~~((fifty-three))~~ fifty-four dollars and forty cents for each bed space within the proposed licensed bed capacity; and

(2) An annual renewal fee of ~~((fifty-three))~~ fifty-four dollars and forty cents for each licensed bed space.

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-325-990 Fees. Adult residential rehabilitation centers (ARRC) licensed under chapter 71.12 RCW shall:

(1) Submit an annual fee of one hundred ~~((thirty-two))~~ thirty-six dollars and ten cents for each bed space within the licensed bed capacity of the ARRC;

(2) Include all bed spaces in rooms complying with physical plant and movable equipment requirements in this chapter for client sleeping rooms; and

(3) Set up twenty-four-hour assigned client beds only within the licensed bed capacity approved by the department.

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-326-990 Fees. Alcoholism treatment facilities licensed under chapter 71.12 RCW shall:

(1) Submit an annual fee of one hundred ~~((thirty-two))~~ thirty-six dollars and ten cents for each bed space within the licensed bed capacity of the alcoholism treatment facility to the department;

(2) Include all bed spaces in rooms complying with physical plant and movable equipment requirements for twenty-four-hour assigned patient rooms; and

(3) Set up twenty-four-hour assigned patient beds only within the licensed bed capacity approved by the department.

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-329-990 Fees. Childbirth centers licensed under chapter 18.46 RCW shall submit an annual fee of five hundred ~~((forty-seven))~~ sixty-four dollars and ~~((eighty))~~ forty cents to the department unless a center is a charitable, non-profit, or government-operated institution under RCW 18.46.030.

AMENDATORY SECTION (Amending WSR 02-18-115, filed 9/4/02, effective 10/5/02)

WAC 246-360-990 Fees. (1) The licensee or applicant must submit:

(a) An annual fee according to the following schedule:

NUMBER OF LODGING UNITS	FEE
3 - 10	\$ ((150.00)) <u>154.50</u>
11 - 49	\$ ((300.00)) <u>307.10</u>
50 - over	\$ ((600.00)) <u>618.20</u>

(b) A late fee of ~~((fifty))~~ fifty-one dollars and fifty cents, in addition to the full license renewal fee, if the full license renewal fee is not delivered or mailed to the department at least thirty days prior to the license expiration date;

(c) An additional fee of ~~((fifty))~~ fifty-one dollars and fifty cents for an amended license due to changing the number of lodging units or the name of the transient accommodation.

(2) The department shall refund fees only when all the following conditions are met:

(a) A prospective new owner applies for initial licensure prior to taking ownership as required by WAC 246-360-020 (4)(b);

(b) Transfer of ownership is not finalized;

(c) The applicant requests a refund in writing; and

(d) The department receives the fee and the request for refund in the same biennium.

WSR 04-19-142

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed September 22, 2004, 9:15 a.m., effective October 23, 2004]

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

Purpose: WAC 246-335-990 In-home services fees, increases fees by 27% in order to fully cover the costs of running the program. The increase will enable the program to operate and conduct inspections in a timely manner, ensuring public health and safety in these facilities. Sufficient revenue is necessary to fulfill the department's public health obligations.

Citation of Existing Rules Affected by this Order: Amending WAC 246-335-990 In-home services fees.

Statutory Authority for Adoption: RCW 43.70.250.

Other Authority: RCW 70.127.090.

Adopted under notice filed as WSR 04-13-160 on June 23, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2004.

M. C. Selecky
Secretary

AMENDATORY SECTION (Amending WSR 03-22-020, filed 10/27/03, effective 11/27/03)

WAC 246-335-990 Fees. (1) A licensee or applicant shall submit to the department:

(a) An initial twelve-month license fee of one thousand ~~((five))~~ nine hundred ~~((forty-eight))~~ sixty-six dollars for each service category for new persons not currently licensed in that category to provide in-home services in Washington state, or currently licensed businesses which have had statement of charges filed against them;

(b) A twenty-four month renewal fee based on the number of full-time equivalents (FTEs), which is a measurement based on a forty-hour week and is applicable to paid agency personnel or contractors, or the number of beds, as follows:

(c) For single service category licenses:

# of FTEs	Home Health	Hospice	Home Care	# of Beds	Hospice Care Center
5 or less	\$(1,548.00) <u>1,966.00</u>	\$(774.00) <u>983.00</u>	\$(464.40) <u>590.00</u>	5 or less	\$(516.00) <u>655.00</u>
6 to 15	\$(2,177.50) <u>2,765.00</u>	\$(815.30) <u>1,035.00</u>	\$(841.10) <u>1,068.00</u>	6 to 10	\$(1,032.00) <u>1,311.00</u>
16 to 50	\$(2,476.80) <u>3,146.00</u>	\$(1,212.60) <u>1,540.00</u>	\$(903.00) <u>1,147.00</u>	11 to 15	\$(1,548.00) <u>1,966.00</u>
51 to 100	\$(3,121.80) <u>3,965.00</u>	\$(1,942.50) <u>2,467.00</u>	\$(1,057.80) <u>1,343.00</u>	16 to 20	\$(2,064.00) <u>2,621.00</u>
101 or more	\$(3,214.70) <u>4,083.00</u>	\$(2,043.40) <u>2,595.00</u>	\$(1,135.20) <u>1,442.00</u>		

(d) For multiple service category licenses:

(i) One hundred percent of the home health category fee and seventy-five percent of the appropriate service category fee for each additional service category (hospice, home care, hospice care center); or

(ii) One hundred percent of the hospice category fee and seventy-five percent of the appropriate service category fee for each additional service category (home care, hospice care center); and

(e) A change of ownership fee of one hundred ~~((fifty-four))~~ ninety-seven dollars ~~((and eighty cents))~~ for each licensed service category. A new license will be issued and valid for the remainder of the current license period.

(2) The department may charge and collect from a licensee a fee of ~~((seven))~~ nine hundred ~~((seventy-four))~~ eighty-three dollars for:

(a) A second on-site visit resulting from failure of the licensee to adequately respond to a statement of deficiencies:

(b) A complete on-site survey resulting from a substantiated complaint; or

(c) A follow-up compliance survey.

(3) A licensee with deemed status shall pay fees according to this section.

(4) A licensee shall submit an additional late fee in the amount of ~~((twenty-five))~~ thirty-three dollars ~~((and eighty cents))~~ per day, not to exceed five hundred dollars, from the renewal date (which is thirty days before the current license expiration date) until the date of mailing the fee, as evidenced by the postmark.

WSR 04-19-144

PERMANENT RULES

STATE TOXICOLOGIST

[Filed September 22, 2004, 9:24 a.m., effective October 23, 2004]

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

Purpose: Adoption of streamlined rules for administration of breath alcohol test. Chapter 68, Laws of 2004 (SHB 3055), effective June 10, 2004, amended RCW 46.61.506 to place requirements for admissibility of breath test results in statute. Chapter 448-13 WAC which previously addressed these issues is being repealed and replaced with chapter 448-16 WAC. Chapter 448-16 WAC follows the direction of the statute to approve methods, equipment and personnel for breath alcohol testing. While many of the sections do not change substantively from those contained in chapter 448-13 WAC, renumbering is intended to simplify the rules and make them easier to read.

Citation of Existing Rules Affected by this Order: Repealing chapter 448-13 WAC.

Statutory Authority for Adoption: RCW 46.61.506.

Adopted under notice filed as WSR 04-16-062 on July 30, 2004.

Changes Other than Editing from Proposed to Adopted Version: No substantive changes.

The proposed WAC has been amended for clarification as follows: "If the subject declines to remove the jewelry or ornamentation, they will be deemed to have a physical limitation rendering them incapable of providing a valid breath sample..." This is not a substantive change.

PERMANENT

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 16, Amended 0, Repealed 27.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 16, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 16, Amended 0, Repealed 27; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 22, 2004.

September 21, 2004

Barry K. Logan PhD

State Toxicologist

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 448-13 WAC Administration of breath test program.

Chapter 448-16 WAC ADMINISTRATION OF BREATH TEST PROGRAM

NEW SECTION

WAC 448-16-010 Basis for rules governing breath testing. In RCW 46.61.506(4), the legislature establishes criteria for the admissibility of breath alcohol test evidence. RCW 46.61.506(3) authorizes and directs the state toxicologist to approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits to those individuals. These rules are intended to implement the direction of the statute by 1) approving instruments and associated equipment capable of performing a reliable breath alcohol test, 2) identifying classifications of individuals who are to be examined for their competence to conduct such tests, and operate or maintain that equipment, and 3) identifying certain aspects of the operation of that equipment, necessary for reliable testing.

NEW SECTION

WAC 448-16-020 Approval of breath test equipment. (1) Pursuant to RCW 46.61.506, the following instruments are approved for the quantitative measurement of alcohol in a person's breath:

- a) The DataMaster.
- b) The DataMaster CDM.

(2) Pursuant to RCW 46.61.506, the following thermometers are approved:

a) Mercury in glass thermometers with a scale graduated in tenths of a degree measuring a range between 33.5 and 34.5 degrees centigrade.

b) Digital thermometer system contained within the Guth 2100 wet bath simulator.

NEW SECTION

WAC 448-16-030 Definitions. (1) "Accuracy" means the proximity of a measured value to a reference value.

(2) "Alcohol" means the unique chemical compound ethyl alcohol.

(3) "Blank test" means the testing of an instrument to ensure that no alcohol from a previous test can interfere with a person's breath test.

(4) "Concentration" means the weight amount of alcohol, expressed in grams, contained in two hundred ten liters of breath or alcohol/water vapor.

(5) "Data entry" means the process of providing information through a keyboard to the instrument for the purposes of (a) identifying a breath test document to an individual and (b) statistical analysis.

(6) "Interference" means a test result whose infrared absorbance properties are not consistent with ethanol.

(7) "End expiratory air" means the last portion of breath to be delivered to the instrument once the appropriate sample acceptance criteria have been met.

(8) "External standard test" means the use of a simulator containing a certified simulator solution, to provide a known alcohol vapor concentration to test the accuracy and proper working order of the instrument. This test of the function of the instrument is performed with every breath test. The external standard test does not calibrate the instrument.

(9) "Internal standard test" means the use of a quartz filter to provide a check that the instrument has maintained calibration since the last time calibration was performed and is in proper working order at the time of the test.

(10) "Precision" means the ability of a technique to perform a measurement in a reproducible manner.

(11) "Simulator" means a device which when filled with a certified simulator solution, maintained at a known temperature, provides a vapor sample of known alcohol concentration.

(12) "Valid breath sample" means a sample of a person's breath provided in such a manner to be accepted for analysis by the instrument.

NEW SECTION

WAC 448-16-040 Foreign substances, interference, and invalid samples. (1) A determination as to whether a subject has a foreign substance in his or her mouth shall be made by either an examination of the mouth or a denial by the person that he or she has any foreign substances in their mouth. A test mouthpiece is not considered a foreign substance for purposes of RCW 46.61.506.

(2) If a subject is wearing jewelry or ornamentation pierced through their tongue, lips, cheek, or other soft tissues in the oral cavity, they will be required to remove this prior to conducting the breath test. If the subject declines to remove the jewelry or ornamentation, they will be deemed to have a

physical limitation rendering them incapable of providing a valid breath sample and will be required to provide a blood sample under the implied consent statute, RCW 46.20.308.

(3) If during a breath test, interference is detected, this will invalidate the test. The subject will be required to repeat the test. A subject whose breath registers the presence of interference on two or more successive breaths shall be deemed to have a physical limitation rendering them incapable of providing a valid breath sample and will be required to provide a blood sample under the implied consent statute, RCW 46.20.308.

(4) In the event that the instrument records an "invalid sample" result at any point during the subject's test, that subject's test should be readministered, after again determining that the subject has no foreign substance in their mouth as outlined in WAC 448-16-040(1), and repeating the fifteen minute observation period.

Reviser's note: The unnecessary underscoring 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 448-16-050 Test defined. A test of a person's breath for alcohol concentration shall consist of the person insufflating end-expiratory air samples at least twice into the instrument, sufficient to allow two separate measurements. There will be sufficient time between the provision of each sample to permit the instrument to measure each sample individually. Two valid breath samples, provided consecutively, will constitute one test.

The instrument will perform this test according to the following protocol when being employed to quantitatively measure an individual's breath alcohol concentration. Successful compliance with each step of this protocol is determined from an inspection of the printout of results. These steps are necessary to ensure accuracy, precision, and confidence in each test.

Step 1. Data entry.

Step 2. Blank test with a result of .000.

Step 3. Internal standard verified.

Step 4. First breath sample provided by subject.

Step 5. Blank test with a result of .000.

Step 6. External standard simulator solution test. The result of this test must be between .072 and .088 inclusive.

Step 7. Blank test with a result of .000.

Step 8. Second breath sample provided by subject.

Step 9. Blank test with a result of .000.

Step 10. Printout of results.

NEW SECTION

WAC 448-16-060 Determining agreement of duplicate breath samples. Pursuant to RCW 46.61.506 the following method is approved for determining whether two breath samples agree to within plus or minus ten percent of their mean.

(1) The breath test results shall be reported, truncated to three decimal places.

(2) The mean of the two breath test results shall be calculated and rounded to four decimal places.

(3) The lower acceptable limit shall be determined by multiplying the above mean by 0.9, and truncating to three decimal places.

(4) The upper acceptable limit shall be determined by multiplying the mean by 1.1 and truncating to three decimal places.

(5) If the results fall within and inclusive of the upper and lower acceptable limits, the two breath samples are valid.

NEW SECTION

WAC 448-16-070 Review, approval, and authorization of protocols of procedures and methods by the state toxicologist. The state toxicologist shall review, approve, and authorize such protocols of procedures and methods (of the toxicologist's own promulgation or submitted by outside agencies or individuals for consideration) required in the administration of the breath test program. Such review, approval, and authorization will be so signified by a signed statement attached to each protocol, and kept on file by the Washington State Patrol. These protocols will be updated as necessary to maintain the quality of the breath test program.

NEW SECTION

WAC 448-16-080 Instructors. The state toxicologist shall certify persons found to be competent and qualified, as "instructors." Instructors are authorized to administer breath tests for alcohol concentration using approved instruments and are further authorized to train and certify as operators, according to outlines approved by the state toxicologist, those persons the instructor finds qualified to administer the breath test utilizing approved instruments. Instructors who are also certified as PBT technicians may instruct other individuals as PBT technicians according to the approved outlines. Details of persons certified as instructors shall be maintained by the state toxicologist and available upon request.

If an instructor fails or refuses to demonstrate to the state toxicologist or to his representative, that they have the ability to adequately perform their responsibilities as an instructor, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-16-090 Operators. The state toxicologist, or certified instructors shall certify as "operators" persons found by them to be competent and qualified to administer breath tests for alcohol concentration using approved breath testing instruments. Persons who have attended courses in the operation of approved breath testing instruments taught by an instructor qualified by the state toxicologist, upon certification of attendance and qualification, shall be designated as "operators." Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If an operator fails or refuses to demonstrate to the state toxicologist or to a certified instructor, that he or she has the ability to adequately perform his or her responsibilities as an operator, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-16-100 Solution changers. The state toxicologist, or certified instructors, shall certify as "solution changers" operators found by them to be competent and qualified. In addition to being qualified as "operators" these persons must receive approved instruction covering the changing of simulator external standard solutions for approved breath test instruments, taught by an instructor qualified by the state toxicologist. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

If a solution changer fails or refuses to demonstrate to the state toxicologist or to a certified instructor, that he or she has the ability to adequately perform his or her responsibilities as a solution changer, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-16-110 Technicians. The state toxicologist shall certify as "technicians" such persons found to be competent and qualified to maintain the proper working order of breath test instruments through adjustment, repair, and regular service. Details of persons so certified shall be maintained by the state toxicologist and available upon request.

Technicians are authorized to perform maintenance, calibration and instruction in the use of the portable breath test devices. Technicians are also authorized to instruct persons otherwise qualified as "technicians," "instructors," "operators," and "solution changers" according to training outlines approved by the state toxicologist. Certified technicians are themselves authorized to perform the duties of "instructors," "operators," and "solution changers."

If a technician fails or refuses to demonstrate to the state toxicologist or his representative, that he or she has the ability to adequately perform his or her responsibilities as a technician, then the state toxicologist will suspend their permit.

NEW SECTION

WAC 448-16-120 Permit cards. Pursuant to RCW 46.61.506, the state toxicologist shall authorize the issuance to persons deemed qualified as "instructors," "operators," "solution changers" or "technicians," a wallet-sized card bearing his or her name and designation. Permit cards shall bear the signature or facsimile signature of the state toxicologist. Such permit cards shall expire three years after the date on the card, unless renewed for a like three-year period. Operators whose authorization expires may take recertification training within ninety days following expiration of their prior certification, but are not certified to perform any evidential breath tests during that period. Once ninety days have elapsed after the expiration of authorization, the operator must repeat the basic certification training.

NEW SECTION

WAC 448-16-130 Review, approval, and authorization by the state toxicologist of training courses and outlines. The state toxicologist shall approve and authorize such

courses and course outlines (of his own promulgation or submitted for consideration by outside agencies or individuals) required in the training of breath test program personnel. Such review, approval, and authorization will be so signified by a signed statement attached to each course outline. These course outlines may be reviewed and updated as necessary to maintain the quality of the breath test program. Instructors are directed to use only approved outlines in conducting the training of operators. Information concerning currently approved course outlines can be obtained on application to the office of the state toxicologist.

NEW SECTION

WAC 448-16-140 Information concerning technical aspects of the breath test program. Documents used by the state toxicologist and personnel involved in breath testing for the state of Washington, which are available on request include: The simulator solution preparation protocol, alcohol analysis protocol, certification document for simulator solution, affidavit from analyst of simulator solution, data base, quality assurance protocol, quality assurance procedure report, operator course outline, operator refresher course outline, and operator training record. A fee may be charged to cover the cost of providing these copies. Copies of most of these records are available at no charge on a Web site maintained by the Washington State Patrol at <http://breath-test.wsp.wa.gov/welcome.htm>.

Reviser's note: The unnecessary underscoring 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 448-16-150 Address for correspondence. Information regarding instrument records, or the certification of operators, instructors, solution changers, and technicians should be obtained from the Washington State Patrol, Breath Test Section, 811 E. Roanoke, Seattle, WA 98102.

Persons seeking information regarding other aspects of the breath alcohol testing program shall direct their request initially to the State Toxicologist, Washington State Toxicology Laboratory, Forensic Laboratory Services Bureau, Washington State Patrol, 2203 Airport Way S., Seattle, WA 98134.

NEW SECTION

WAC 448-16-160 Severability. If any part or provision of these rules or regulations or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of these rules which can be given effect without the invalid provision or application, and to this end any section, paragraph or sentence, is declared to be severable.

WSR 04-19-155
PERMANENT RULES
LIQUOR CONTROL BOARD

[Filed September 22, 2004, 10:49 a.m., effective October 23, 2004]

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

Purpose: Following changes to implement SB 6737 passed during the 2004 legislative session, to eliminate redundancy with state law, and to simplify language for clarity: Amending WAC 314-20-100 Beer distributor price posting and 314-24-190 Wine distributor price posting; and repealing WAC 314-20-105 Beer suppliers' price filings contracts and memoranda and 314-24-200 Wine suppliers' price filings, contracts and memoranda.

Citation of Existing Rules Affected by this Order: Repealing WAC 314-20-105 and 314-24-200; and amending WAC 314-20-100 and 314-24-190.

Statutory Authority for Adoption: RCW 66.08.030, 66.28.180.

Other Authority: Chapter 160, Laws of 2004.

Adopted under notice filed as WSR 04-11-113 on May 19, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 2, Repealed 2.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 2, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 2.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 2, Repealed 2.

Date Adopted: August 18, 2004.

Merritt D. Long
Chairman

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

WAC 314-20-100 Beer supplier and distributor price postings. ((1) Every beer distributor shall file with the board at its office in Olympia a price posting showing the distributor prices at which any and all brands of beer sold by such beer distributor shall be sold to retailers within the state.) RCW 66.28.180 requires beer distributors and suppliers to file price postings with the board.

(1) Definitions—For the purposes of this chapter:

(a) A "beer price posting" or "price posting" means a declaration of the price of beer sold from a supplier to a distributor or from a distributor to a retailer, in effect as filed with the liquor control board either electronically or hard-copy, under the provisions of RCW 66.28.180 and Title 314 WAC.

(b) A "beer supplier" means a microbrewery, domestic brewery, certificate of approval holder, beer importer, or a distributor selling beer to another distributor.

(2) Filing deadlines.

Table with 2 columns: (a) Beer supplier filing deadlines, (b) Beer distributor filing deadlines. Contains detailed text about filing deadlines and exceptions.

(c) The board will allow up to an additional five days for revisions of filings to correct errors and omissions filed during the current price posting period. The board may in individual cases, for good cause shown, extend the filing date.

(d) When ((any)) a price posting ((to be filed with the board under the provisions of this rule)) has been deposited in the United States mail addressed to the board, it ((shall)) will be ((deemed)) considered filed or received on the date shown by the United States post office cancellation mark on the envelope, ((containing it)) or on the date it was mailed if ((proof satisfactory)) it is established to the satisfaction of the board ((establishes)) that the actual mailing occurred on an earlier date.

(3) Filing date exceptions—Whenever ((the tenth day of the month)) a filing deadline falls on Saturday, Sunday, or a legal holiday, ((an original)) a price posting may be filed not later than ((the close of business)) midnight the next business day.

(4) No changes from previous month—((In the event that)) If a beer supplier or distributor ((determines to)) makes no changes in any items or prices listed in the last filed and approved ((schedule)) price posting, ((such)) the prices

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~~((listed in the schedule previously filed and in effect, shall)) will remain in effect for each succeeding posting period until a revised ((or amended schedule)) price posting is filed and approved ((, as provided herein)).~~

~~(5) ((Provision for filing of t)) Temporary price reductions—((In the event)) If a beer supplier or distributor ((elects to)) files price postings that list((ing)) selected items on which prices are temporarily reduced for one posting period only, ((such filing shall be made on special forms provided for such purpose and)) these price postings must clearly reflect all items, the selling price ((thereof)), and the posting period for which the price reductions will be in effect. At the expiration of the posting period during which ((such)) the reductions were in effect((ive)), the special ((filing)) price posting will become void and the last regularly filed and effective price ((schedule shall)) posting will again become effective ((until subsequently amended pursuant to regular filing dates)).~~

~~((5)) Each price posting shall be made on a form prepared and furnished by the board or a reasonable facsimile thereof, and shall set forth:~~

~~(a) All brands, types, packages and containers of beer offered for sale by such beer distributor.~~

~~(b) The wholesale prices thereof to retail licensees, including allowances, if any, for returned empty containers.~~

~~(6) No beer distributor shall sell or offer to sell any package or container of beer to any retail licensee at a price differing from the price for such package or container as shown in the price posting filed by the beer distributor and then in effect.~~

~~(7) Quantity discounts are prohibited. No price shall be posted which is below acquisition cost plus ten percent of acquisition cost.~~

~~(8) Wholesale prices on a "close out" item shall be accepted by the board if the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the distributor who posts such a close out price shall not restock the item for a period of one year following the first effective date of such close out price.~~

~~(9) If an existing written contract or memorandum of oral agreement between a licensed brewer, certificate of approval holder, beer importer or beer distributor and a beer distributor, on file in accordance with WAC 314-20-105, is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another beer distributor in the affected trade area, the board, after receiving such new contract or memorandum of oral agreement and a corresponding wholesale price posting from the newly designated beer distributor, may put such filings into effect immediately. Provided, That prices and other conditions of such filings which are in effect at the time of such termination shall not be changed until subsequent filings are submitted to the board and become effective under regulatory procedures set forth in other subsections of this regulation and WAC 314-20-105.~~

~~(10) The board may reject any price posting which it deems to be in violation of this or any other regulation or portion thereof which would tend to disrupt the orderly sale and distribution of beer. Whenever the board shall reject any~~

~~posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that said posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of beer. Thereupon if said posting is accepted it shall become effective at the time fixed by the board. If said posting is rejected, the last effective posting shall remain in effect until such time as an amended posting is filed and approved, in accordance with the provisions of this regulation.~~

~~(11) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not within any sense be considered confidential.~~

~~(12) Any beer distributor or employee authorized by his distributor employer may sell beer at the distributor's posted prices to any authorized retail licensee upon presentation to such distributor or employee at the time of purchase of a special permit issued by the board to such licensee.~~

~~(a) Every Class authorized retail licensee upon purchasing any beer from a distributor, shall immediately cause such beer to be delivered to his licensed premises, and he shall not thereafter permit such beer to be disposed of in any manner except as authorized by his license.~~

~~(b) Beer sold as provided herein shall be delivered by such distributor or his authorized employee either to such retailer's licensed premises or directly to such retailer at the distributor's licensed premises. Provided, however, That a distributor's prices to retail licensees shall be the same at both such places of delivery.)~~

~~(6) Distributor changes—(a) The following guidelines apply when a beer supplier makes a distributor change outside of the regular distributor appointment timelines outlined in subsection (2) of this rule:~~

~~(i) The supplier must notify the board in writing that he/she wishes to change his/her current distributor and appoint a new distributor to be effective immediately.~~

~~(ii) The new distributor must agree to take the currently posted prices of the old distributor until the new distributor is able to post his/her own prices during the next regular posting period.~~

~~(iii) If a beer supplier has a territory or brand agreement with a distributor and wants to change a distributor appointed to a certain brand(s) or territory(ies), the board may allow the new distributor to assume the prior distributor's price postings for the brand and/or territory in order to avoid disruption of the market.~~

~~(b) A beer supplier must notify the board if any of the contracts or agreements listed in this rule are revised or terminated by either party. The board may immediately authorize a price posting if a beer distributor assumes the wholesale price postings from the previously appointed distributor.~~

~~(c) Prices and other conditions of price postings in effect at the time of the distributor change may not be changed until subsequent filings are submitted to the board and become effective.~~

~~((13)) (7) Price postings for new distributors—When the board issues a new beer distributor('s)) license ((is issued by the board)), the ((holder thereof)) licensee may file an initial price ((schedule)) posting and request that ((such)) the price posting be placed into effect immediately. The board~~

may grant ~~((such))~~ this immediate approval ~~((, providing that such))~~ if the price posting is in compliance with this rule and with all other applicable ~~((regulatory requirements, and that contracts and memoranda are on file, in accordance with WAC 314-20-105))~~ laws and rules.

(8) Accommodation sales—The provisions of this rule do not apply, and filings are not required, when a beer distributor makes an accommodation sale to another beer distributor and this sale is made at a selling price that does not exceed the laid-in cost of the beer being sold. Accommodation sales may only be made when the distributor purchasing the beer is an appointed distributor of the supplier, when the distributor is an authorized purchaser of the brand and product being sold, and when the supplying distributor is appointed by the supplier.

AMENDATORY SECTION (Amending WSR 98-18-097, filed 9/2/98, effective 10/3/98)

WAC 314-24-190 Wine supplier and distributor price postings. ~~((1) Every wine distributor shall file with the board at its office in Olympia a wine price posting, showing the wholesale prices at which any and all brands of wine offered for sale by such wine distributor shall be sold to retailers within the state.))~~ RCW 66.28.180 requires wine distributors and suppliers to file price postings with the board.

(1) Definitions—For the purposes of this chapter:

(a) A "wine price posting" or "price posting" means a declaration of the price of wine sold from a supplier to a distributor or from a distributor to a retailer, in effect as filed with the liquor control board either electronically or hard-copy, under the provisions of RCW 66.28.180 and Title 314 WAC.

(b) A "wine supplier" means a domestic winery, certificate of approval holder, wine importer, or a distributor selling wine to another distributor.

(2) Filing deadlines.

(a) Wine supplier filing deadlines	(b) Wine distributor filing deadlines
<u>All price postings, distributor appointments, written contracts, and memoranda of oral agreements must be received by the board not later than the twenty-fifth day of the month, and if approved will become effective on the first day of the second calendar month following the date of filing.</u>	<u>((2)) All price postings must be received by the board not later than the tenth day of the month, and if approved will become effective on the first day of the calendar month following the date of ((such)) filing. ((An additional period, not to exceed five days will be allowed for revision of such posting to correct errors, omissions, or to meet competitive prices filed during</u>

	<u>the current posting period, but a revised posting must be on file at the board office by not later than the fifteenth day of the month in order to become effective on the first day of the next calendar month. Provided, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.)</u>
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(c) The board will allow up to an additional five days for revisions of filings to correct errors and omissions filed during the current posting period. The board may in individual cases, for good cause shown, extend the filing date.

(d) When ~~((any))~~ a price posting ~~((to be filed with the board under the provisions of this rule))~~ has been deposited in the United States mail addressed to the board, it ~~((shall))~~ will be ~~((deemed))~~ considered filed or received on the date shown by the United States post office cancellation mark on the envelope ~~((containing it)),~~ or on the date it was mailed if ~~((proof satisfactory))~~ it is established to the satisfaction of the board ~~((establishes))~~ that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever ~~((the tenth day of any month))~~ a filing deadline falls on Saturday, Sunday, or a legal holiday, ~~((an original))~~ a price posting may be filed not later than the close of business the next business day.

(4) No changes from previous month—~~((In the event that a))~~ If a wine supplier or distributor ~~((determines to))~~ makes no changes in any items or prices listed in the last filed and approved ~~((schedule))~~ price posting, ~~((such))~~ the prices ~~((listed in the schedule previously filed and in effect, shall))~~ will remain in effect for each succeeding ~~((calendar month))~~ posting period until a revised ~~((or amended schedule))~~ price posting is filed and approved ~~((, as provided herein)).~~

(5) ~~((Provision for filing of t))~~ Temporary price reductions—~~((In the event))~~ If a wine supplier or distributor ~~((elects to))~~ files price postings that list ~~((ing))~~ selected items on which prices are temporarily reduced for ~~((a period of))~~ one ~~((calendar month))~~ posting period only, ~~((such filing shall be made on special forms provided for such purpose and))~~ these price postings must clearly reflect all items, the selling price ~~((thereof)),~~ and the ~~((month))~~ posting period for which the price reductions will be in effect. At the expiration of the ~~((month))~~ posting period during which ~~((such))~~ the reductions were in effect ~~((ive)),~~ the special ~~((filing))~~ price posting will become void and the last regularly filed and effective price ~~((schedule shall))~~ posting will again become effective ~~((until subsequently amended pursuant to regular filing dates)).~~

~~((5))~~ Postings shall be submitted upon forms prescribed and furnished by the board, or a reasonable facsimile thereof, and shall set forth:

PERMANENT

~~(a) All brands, types and sizes of packages or containers of wine offered for sale in this state by such wine distributor, which packages or containers shall be limited to the sizes permitted in WAC 314 24 080.~~

~~(b) The wholesale prices thereof within the state, which prices shall include the state wine tax plus surcharge of \$0.2192 cents per liter imposed under RCW 66.24.210 and 82.02.030.~~

~~(6) No wine distributor shall sell or offer for sale any package or container of wine at a price differing from the price of such item as shown in the price posting then in effect.~~

~~(7) Quantity discounts are prohibited. No price shall be posted which is below acquisition cost plus ten percent of acquisition cost.~~

~~(8) Wholesale prices on a "close out" item shall be accepted by the board when the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the distributor who posts such a "close out" price shall not restock the item for a period of one year following the first effective date of such "close out" price.~~

~~(9) If an existing written contract or memorandum of oral agreement between a domestic winery, certificate of approval holder, wine importer, or wine distributor and a distributor, as filed in accordance with WAC 314 24 200, is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another wine distributor in the affected trade area, the board, after receiving such new written contract or memorandum of oral agreement, and a corresponding wholesale price posting from the newly designated wine distributor, may put such filings into effect immediately. Provided, That prices and other conditions of any such filings which are in effect at the time of such termination shall not be changed prior to the next applicable filing period.))~~

(6) Distributor changes—

(a) The following guidelines apply when a wine supplier makes a distributor change outside of the regular distributor appointment timelines outlined in subsection (2) of this rule:

(i) The supplier must notify the board in writing that he/she wishes to change his/her current distributor and appoint a new distributor to be effective immediately.

(ii) The new distributor must agree to take the currently posted prices of the old distributor until the new distributor is able to post his/her own prices during the next regular posting period.

(iii) If a wine supplier has a territory or brand agreement with a distributor and wants to change a distributor appointed to a certain brand(s) or territory(ies), the board may allow the new distributor to assume the prior distributor's price postings for the brand and/or territory in order to avoid disruption of the market.

(b) A wine supplier must notify the board if any of the contracts or agreements listed in this rule are revised or terminated by either party. The board may immediately authorize a price posting if a wine distributor assumes the wholesale price postings from the previously appointed distributor.

(c) Prices and other conditions of price postings in effect at the time of the distributor change may not be changed until

subsequent filing are submitted to the board and become effective.

~~((10)) (7) **Price postings for new distributors—**When the board issues a new wine distributor((s)) license ((is issued for the first time by the board)), the ((holder thereof)) licensee may file an initial price ((schedule)) posting and request that ((such)) the price posting be placed into effect immediately. The board may grant ((such)) this immediate approval((, providing that such)) if the price posting is in compliance with this rule and with all other applicable ((regulatory requirements, and that contracts and memoranda are on file, in accordance with WAC 314 24 200)) laws and rules.~~

~~((11) The board may reject any price posting or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that the posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said posting is accepted it shall become effective at a time fixed by the board. If said posting or portion thereof is rejected the last effective posting shall remain in effect until such time as an amended posting is filed and approved in accordance with the provisions of this regulation.~~

~~(12) Any wine distributor or employee authorized by his/her distributor employer may sell wine at the distributor's posted prices to any authorized licensee upon presentation to such distributor or employee at the time of purchase of a special permit issued by the board to such licensee.~~

~~(a) Every authorized retail licensee, upon purchasing any wine from a distributor, shall immediately cause such wine to be delivered to his licensed premises, and he shall not thereafter permit such wine to be disposed of in any manner except as authorized by his license.~~

~~(b) Wine sold as provided herein shall be delivered by such distributor or his authorized employee either to such retailer's licensed premises or directly to such retailer at the distributor's licensed premises. Provided, however, That a distributor's prices to retail licensees shall be the same at both places of delivery.~~

~~(13) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.))~~

(8) **Accommodation sales—**The provisions of this rule do not apply, and filings are not required, when a wine distributor makes an accommodation sale to another wine distributor and this sale is made at a selling price that does not exceed the laid-in cost of the wine being sold. Accommodation sales may only be made when the distributor purchasing the wine is an appointed distributor of the supplier, when the distributor is an authorized purchaser of the brand and product being sold, and when the supplying distributor is appointed by the supplier.

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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 314-20-105	Beer suppliers' price filings, contracts and memoranda.
WAC 314-24-200	Wine suppliers' price filings, contracts and memoranda.

WSR 04-19-156
PERMANENT RULES
LIQUOR CONTROL BOARD

[Filed September 22, 2004, 10:51 a.m., effective October 23, 2004]

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

Purpose: This rule making is at the request of a petition for rule making. The petitioner would like the Liquor Control Board to amend WAC 314-02-105(4), which states that specialty shops can only offer samples if their gross retail sales of beer and/or wine are over 50% of their total gross sales. The petitioner would like the agency to amend the rule to allow beer/wine specialty shop licensees who offer bona fide cooking courses to be able to sample beer and/or wine during these classes.

Citation of Existing Rules Affected by this Order: Amending WAC 314-02-105.

Statutory Authority for Adoption: RCW 66.08.030, 66.24.371.

Adopted under notice filed as WSR 04-13-127 on June 11 [22], 2003 [2004].

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 1, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: August 4, 2004.

Merritt D. Long
Chairman

AMENDATORY SECTION (Amending WSR 04-07-020, filed 3/8/04, effective 4/8/04)

WAC 314-02-105 What is a beer and/or wine specialty store license? (1) Per RCW 66.24.371, a beer and/or wine specialty store license allows a licensee to sell beer and/or wine for off-premises consumption.

(2) The annual fee for this license is one hundred dollars.

(3) Qualifications for license—To obtain and maintain a beer and/or wine specialty store license, the premises must be stocked with an inventory of beer and/or wine in excess of three thousand dollars wholesale value. This inventory must be:

(a) Stocked within the confines of the licensed premises; and

(b) Maintained on the premises at all times the premises is licensed, with the exception of beginning and closing inventory for seasonal operations or when the inventory is being sold out immediately prior to discontinuing or selling the business.

(4) Qualifications to sample—A beer and/or wine specialty store licensee may allow customers to sample beer and wine for the purpose of sales promotion, if the primary business is the sale of beer and/or wine at retail(??), and the licensee meets the requirements outlined in either subsection (a) or subsection (b) of this rule:

(a) A licensee's gross retail sales of beer and/or wine ~~((must))~~ exceeds fifty percent of all gross sales for the entire business(??); or

(b) The licensed premises is a beer and/or wine specialty store that conducts bona fide cooking classes for the purpose of pairing beer and/or wine with food, under the following conditions:

(i) The licensee must establish to the satisfaction of the board that the classes are bona fide cooking courses. The licensee must charge participants a fee for the course(s).

(ii) The sampling must be limited to a clearly defined area of the premises.

(iii) The licensee must receive prior approval from the board's licensing and regulation division before conducting sampling with cooking classes.

(iv) Once approved for sampling, the licensee must provide the board's enforcement and education division a list of all scheduled cooking classes during which beer and/or wine samples will be served. The licensee must notify the board at least forty-eight hours in advance if classes are added.

~~((5))~~ (6) Licensees who qualify for sampling under subsection (4) of this rule may sample under the following conditions:

(a) No more than a total of eight ounces of alcohol may be provided to a customer during any one visit to the premises;

(b) Each sample must be two ounces or less; and

(c) No more than one sample of any single brand and type of beer or wine may be provided to a customer during any one visit to the premises.

~~((5))~~ (6) A beer and/or wine specialty store licensee may sell beer in kegs or other containers holding at least four gallons and less than five and one-half gallons of beer. See WAC 314-02-115 regarding keg registration requirements.



WSR 04-19-006
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-241—Filed September 2, 2004, 2:46 p.m., effective September 7, 2004, 12:01 a.m.]

Effective Date of Rule: September 7, 2004, 12:01 a.m.

Purpose: Personal use fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 232-28-61900H; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The preseason chinook allocation at Buoy 10 will be achieved by this date. The fishery will continue through December for adipose fin-clipped coho. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 2, 2004.

J. P. Koenings
 Director
 by Larry Peck

NEW SECTION

WAC 232-28-61900M Exceptions to statewide rules—Columbia and Okanogan rivers. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. September 7, 2004 until further notice, it is unlawful to violate the following provisions:

(1) Columbia River

From a true north and south line (magnetic 338 degrees N) through Buoy 10 upstream to Rocky Point/Tongue Point line (Buoy 10) -

(a) Open until further notice. Effective September 7, through September 30, daily limit of 2 coho salmon. Coho minimum size is 16 inches in length. Release chinook, sockeye, chum and wild coho.

(b) Effective October 1 until further notice. Daily limit of 6 coho, but no more than 2 adults. Minimum size is 16

inches in length. Release chinook, sockeye, chum and wild coho.

From Rocky Point/Tongue Point line upstream to Bonneville Dam -

(b) Open until further notice. Daily limit of 6 salmon. No more than 2 adults of which no more than 1 may be an adult chinook. Minimum size 12 inches in length. Release chum and wild coho. Sockeye may be kept through September 30.

From Bonneville Dam to Hwy. 395 Bridge at Pasco -

(c) Open until further notice. Daily limit of 6 salmon, of which no more than 2 may be adults. Sockeye may be retained as part of the salmon daily limit through September 30. Minimum size is 12 inches in length.

From Hwy 395 Bridge at Pasco to Priest Rapids Dam -

(d) Open until further notice. Daily limit 6 salmon, of which no more than two may be adults. Minimum size 12 inches in length.

From Priest Rapids Dam to Wells Dam -

(d) Open through October 15. Daily limit of 6 salmon, no more than 2 adults. Release coho. Minimum size 12 inches in length.

From Wells Dam to Chief Joseph Dam -

(e) Open through October 15, from Highway 173 bridge at Brewster to Highway 17 bridge at Bridgeport. Daily limit of 6 salmon, no more than 2 adults. Release coho. Minimum size 12 inches in length.

(2) **Okanogan River (Okanogan Co.)** from mouth to highway 97 bridge immediately upstream of mouth -

(a) Open through October 15. Daily limit of 6 salmon, no more than 2 adults. Release coho. Minimum size 12 inches in length.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 7, 2004:

[WAC 232-28-61900H Exceptions to statewide rules—2004 North of Falcon. (04-190)]

Reviser's note: The repealed section, WAC 232-28-61900H, was mentioned on the CR-103 form, but was omitted from the repealer text above. For ease of reading, the proper text was added by the Code Reviser's Office in brackets.

WSR 04-19-011
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-240—Filed September 2, 2004, 3:45 p.m., effective September 2, 2004]

Effective Date of Rule: Immediately.

Purpose: Amend wildlife rules.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-291.

EMERGENCY

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The mailing date of the notice of special hunting season permits did not give adequate time for purchase of the permits. This rule is needed to provide opportunity to harvest the deer available under the permits. There is inadequate time to promulgate permanent rules for the 2004 season.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 3 [2], 2004.

J. P. Koenings
Director

NEW SECTION

WAC 232-28-29100B Special hunting season permits. Notwithstanding the provisions of WAC 232-28-291 and WAC 232-28-351, the deadline for purchasing an antlerless deer "B" tag for the 2004 special hunting season permits is October 1, 2004.

**WSR 04-19-013
EMERGENCY RULES
DEPARTMENT OF**

LABOR AND INDUSTRIES

[Filed September 3, 2004, 9:23 a.m., effective September 3, 2004]

Effective Date of Rule: Immediately.

Purpose: Ground personnel, this rule is a continuation of the rule adopted as WSR 04-10-107 and filed on May 5, 2004. The continuation of this rule will allow the department to proceed with permanent rule making on this subject. There are no changes from the initial emergency rule. After the department adopted rules protecting flaggers in construction sites in January 2001, WISHA received requests from stakeholders to review the rules regulating protection of construction workers on the construction sites. There have been six fatalities since 1999 that could have been prevented with

rules that are more protective of construction workers. The rule is intended to reduce or eliminate the number of serious injuries and fatalities by increasing worker protection from vehicular traffic on construction sites.

Citation of Existing Rules Affected by this Order: Amending WAC 296-155-610 Motor vehicles.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

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

Reasons for this Finding: There have been six fatalities over the past five years that could have been prevented with this rule. The rule is intended to reduce or eliminate the number of serious injuries and fatalities while the department is conducting rule making on a permanent rule to protect workers from vehicular traffic on construction sites. An emergency rule is necessary to ensure protection of workers during the months of March through October, when construction work is being conducted with greater frequency.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 3, 2004.

Paul Trause
Director

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-610 Motor vehicles. (1) Coverage. Motor vehicles as covered by this part include any vehicles that operate on a construction site. The requirements of this section do not apply to equipment for which rules are prescribed in WAC 296-155-615.

(2) General requirements.

(a) All vehicles shall have a service brake system, an emergency brake system, and a parking brake system. These systems may use common components, and shall be maintained in operable condition.

(b) Before leaving a motor vehicle unattended:

(i) The motor shall be stopped.

(ii) Parking brake engaged and wheels turned into curb or berm when parked on an incline.

(iii) When parking on an incline and there is no curb or berm, the wheels shall be chocked or otherwise secured.

(c)(i) Whenever visibility conditions warrant additional light, all vehicles, or combinations of vehicles, in use shall be equipped with at least two headlights and two taillights in operable condition.

(ii) All vehicles, or combination of vehicles, shall have brake lights in operable condition regardless of light conditions.

(d) All vehicles shall be equipped with an adequate audible warning device at the operator's station and in an operable condition.

(e) ~~(No employer shall allow the use of any motor vehicle equipment having an obstructed view to the rear unless:~~

~~(i) Vehicles other than passenger cars and pickups shall have an automatic reverse signal alarm audible above the surrounding noise level no less than fifteen feet from the rear of the vehicle or:~~

~~(ii) The vehicle is backed up only when an observer signals that it is safe to do so.~~

~~(f)) Operating vehicles other than passenger cars and pickups, with an obstructed view to the rear.~~

Employers must prohibit the use of any motor vehicle equipment that has an obstructed view to the rear unless the vehicle meets one of the following:

• Has an operable automatic reverse signal alarm audible above the surrounding noise level and audible no less than fifteen feet from the rear of the vehicle;

OR

• Is backed up when an observer signals that it is safe to do so.

Reference: For requirements on operating dump trucks in reverse, see subsection (2)(f) of this section, Operating dump trucks in reverse.

Note: • If the surrounding noise level is so loud that reverse signal alarms are not effective, then an observer must be used.

• An observer can be any individual at the construction site, except a person performing the duties of a flagger.

• The observer must:

- Be in direct line-of-sight or able to communicate with the driver.

- Be able to see the entire backing zone.

- Continue to provide direction to the driver until:

■ The driver reaches the destination and stops;

OR

■ There are no longer employees in the backing zone and it is reasonable to expect that no employee(s) will enter the backing zone.

(f) Operating dump trucks in reverse.

Before backing a dump truck the driver must determine that no one is currently in the backing zone and it is reasonable to expect that no employee(s) will enter the backing zone while operating the dump truck in reverse.

If employee(s) are in the backing zone or it is reasonable to expect that an employee(s) will enter the backing zone, you must make sure the truck is backed up only when:

(i) The vehicle has an operable automatic reverse signal alarm:

• Audible above the surrounding noise level;

AND

• Audible no less than fifteen feet from the rear of the vehicle;

AND

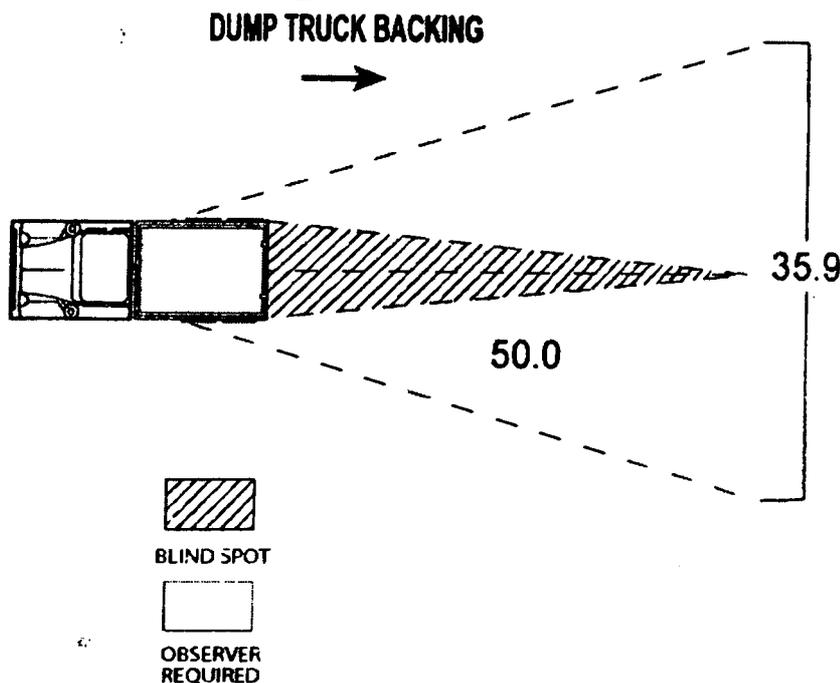
(ii) You must make sure that:

• An observer signals that it is safe to back;

OR

• An operable mechanical device that provides the driver a full view behind the dump truck.

Note: The following diagram defines the backing zone. Distances are reported in feet.



EMERGENCY

- Exemption:** •Employees are considered protected when they are on the opposite side of a fixed barrier such as:
 – A jersey barrier;
 – Heavy equipment (such as a paving machine);
 OR
 – A six-inch concrete curb.

Note: The term "dump trucks" includes both belly and rear dump trucks with a minimum pay load of four yards.

(g) All vehicles with cabs shall be equipped with windshields, powered wipers, and rear view mirrors. Cracked and broken glass shall be replaced. Vehicles operating in areas or under conditions that cause fogging or frosting of the windshields shall be equipped with operable defogging or defrosting devices.

((g)) (h) All haulage vehicles, whose pay load is loaded by means of cranes, power shovels, loaders, or similar equipment, shall have a cab shield and/or canopy adequate to protect the operator from shifting or falling materials.

((h)) (i) Tools and material shall be secured to prevent movement when transported in the same compartment with employees.

((i)) (j) Vehicles used to transport employees shall have seats firmly secured and adequate for the number of employees to be carried.

((j)) (k) Seat belts and anchorages meeting the requirements of 49 CFR Part 571 (Department of Transportation, Federal Motor Vehicle Safety Standards) shall be installed in all motor vehicles.

((k)) (l) Trucks with dump bodies or raiseable platforms, beds, or boxes shall be equipped with positive means of support, permanently attached, and capable of being locked in position to prevent accidental lowering of the body while maintenance or inspection work is being done.

((l)) (m) Operating levers, controlling hoisting or dumping devices on haulage bodies, shall be equipped with a latch or other device which will prevent accidental starting or tripping of the mechanism.

((m)) (n) Trip handles for tailgates of dump trucks shall be so arranged that, in dumping, the operator will be in the clear.

((n)) (o) All rubber-tired motor vehicle equipment manufactured on or after May 1, 1972, shall be equipped with fenders. All rubber-tired motor vehicle equipment manufactured before May 1, 1972, shall be equipped with fenders not later than October 1, 1974. Mud flaps may be used in lieu of fenders whenever motor vehicle equipment is not designed for fenders.

((o)) (p) All vehicles in use shall be checked at the beginning of each shift to assure that the following parts, equipment, and accessories are in safe operating condition and free of apparent damage that could cause failure while in use: Service brakes, including trailer brake connections; parking system (hand brake); emergency stopping system (brakes); tires; horn; steering mechanism; coupling devices; seat belts; operating controls; and safety devices. All defects shall be corrected before the vehicle is placed in service. These requirements also apply to equipment such as lights, reflectors, windshield wipers, defrosters, fire extinguishers, steps and handholds for vehicle access, etc., where such equipment is necessary.

WSR 04-19-014
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-243—Filed September 3, 2004, 2:18 p.m., effective September 6, 2004, 11:59 p.m.]

Effective Date of Rule: September 6, 2004, 11:59 p.m.

Purpose: Personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-62000U and 232-28-62000V; and amending WAC 232-28-620.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The coho quota for Westport (Area 2) will have been met by Monday night September 6, 2004. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 3, 2004.

J. P. Koenings
 Director
 by Larry Peck

NEW SECTION

WAC 232-28-62000V Coastal salmon seasons. Notwithstanding the provisions of WAC 232-28-620 and WAC 220-56-180, effective 11:59 p.m. September 6, 2004, until further notice, it is unlawful to fish for salmon in coastal waters during 2004 except as provided in this section, provided that unless otherwise amended all permanent rules remain in effect:

(1) **Area 1** - Open until further notice - Daily limit 2 salmon, except release wild coho.

Minimum size for chinook salmon is 24 inches in length and 16 inches in length for coho.

(2) **Areas 2, 2-1, and 2-2:**

(a) **Area 2** - Closed until further notice.

(b) **Area 2-1** - Open immediately until further notice, daily limit 6 salmon, not more than two of which may be adult salmon.

(c) **Area 2-2** - west of the Buoy 13 line - Closed until further notice.

(3) **Area 3** - Open until further notice - Daily limit 2 salmon, except release wild coho. Minimum size for chinook salmon is 24 inches in length and 16 inches in length for coho.

(4) **Area 4**: Closed until further notice.

(5) It is unlawful to land or possess any unmarked coho in Marine Areas 1 and 3. Unmarked coho are those coho with intact adipose fins.

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 11:59 p.m. September 6, 2004:

WAC 232-28-62000U Coastal salmon seasons. (04-233)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 20, 2004:

WAC 232-28-62000V Coastal salmon seasons.

**WSR 04-19-016
EMERGENCY RULES**

EMPLOYMENT SECURITY DEPARTMENT

[Filed September 3, 2004, 4:31 p.m., effective September 3, 2004]

Effective Date of Rule: Immediately.

Purpose: To implement changes to the unemployment insurance program adopted by 2ESB 6097, passed by the 2003 legislature. The rules clarify issues related to job separations, job search requirements, penalties for failure to meet reporting requirements, the filing by employers of wage and tax reports, penalties for filing late or incomplete reports, penalties to employers for willfully misrepresenting their payroll, benefit charging and conditions for relief of benefit charges.

Citation of Existing Rules Affected by this Order: [No information supplied by agency.]

Statutory Authority for Adoption: RCW 50.12.010, 50.12.040, 50.12.042.

Other Authority: RCW 50.20.010.

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

Reasons for this Finding: 2ESB 6097 was signed by the governor on June 20, 2003. Most of the provisions related to the payment of unemployment insurance benefits, and a number of the provisions related to unemployment insurance

taxes, took effect on January 4, 2004. The department has filed notices of proposed rule making and conducted hearings pursuant to those notices. It is anticipated the permanent rules will be adopted within the next thirty days. In the interim, emergency rules are necessary to provide guidance to employers, unemployment insurance claimants, and the general public of the department's interpretation of the changes to the statute.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 1, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 42, Amended 23, Repealed 26.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 42, Amended 23, Repealed 26.

Date Adopted: September 1, 2004.

September 1, 2004
Dr. Sylvia P. Mundy
Commissioner

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 04-20 issue of the Register.

**WSR 04-19-020
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-239—Filed September 7, 2004, 10:53 a.m.]

Effective Date of Rule: Immediately.

Purpose: Amend wildlife rules.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-266.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The current level of antlerless-only landowner damage access permits will not adequately reduce damage from elk migrating off the Hanford Reservation into Benton County, where both bull and cow elk are causing significant damage. This rule is needed to reduce damage claims. There is inadequate time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 7, 2004.

J. P. Koenings
Director

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 7, 2004.

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 232-28-26600A Landowner damage hunts. Notwithstanding the provisions of WAC 232-28-266, the statewide number of landowner damage access permits for 2004 is increased to 300, and the additional permits are limited to 20 antlered or antlerless elk permits, 20 spike only or antlerless elk permits, and 60 antlerless only elk permits issued to landowners in GMU 372.

**WSR 04-19-023
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-245—Filed September 7, 2004, 4:46 p.m., effective September 7, 2004]

Effective Date of Rule: Immediately.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-24-04000S and 220-24-04000T; and amending WAC 220-24-040.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: A harvestable surplus of salmon is available for the troll fleet in Catch Reporting Areas 3 and 4 and the coho quota in Areas 1 and 2 has been caught. These rules are adopted at the recommendation of the Pacific Fisheries Management Council, in accordance with preseason fishing plans. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

NEW SECTION

WAC 220-24-04000T All-citizen commercial salmon troll. Notwithstanding the provisions of WAC 220-24-040, effective immediately until further notice, it is unlawful to fish for salmon with troll gear or to land salmon taken with troll gear into a Washington port except during the seasons provided for in this section:

(1) Salmon Management and Catch Reporting Areas 3 and that portion of Area 4 west of 125°05'00" W longitude and south of 48°23'00" N latitude open:

September 8 through September 15, 2004;

(2) The Cape Flattery and Columbia River Control Zones are closed.

(3) Landing and possession limit of 125 chinook per boat per entire open period in Salmon Management and Catch Reporting Areas 3 and 4.

(4) Salmon Management and Catch Reporting Areas 3 and 4: Minimum size for chinook salmon is 28 inches in length. Minimum size for coho is 16 inches in length and all coho must have a healed adipose fin clip. No minimum size for pink, sockeye or chum salmon. Release chum salmon in Area 4.

(5) Lawful troll gear is restricted to all legal troll gear with single point, single shank barbless hooks.

(6) Fishers must land and deliver their catch within 24 hours of any closure of a fishery provided for in this section, and must land and deliver within the Salmon Management and Catch Reporting Areas 1, 2, 3 or 4.

(10) The Cape Flattery Control Zone is defined as the area from Cape Flattery (48°23'00" N latitude) to the northern boundary of the U.S. EEZ: and the area from Cape Flattery south to Cape Alava, 48°10'00" N latitude and west of 125°05'00" W longitude.

(11) It is unlawful to fish in Salmon Management and Catch Reporting Areas 1, 2, 3 or 4 with fish on board taken south of Cape Falcon, Oregon, and all fish taken from Salmon Management and Catch Reporting Areas 1, 2, 3, and 4 must be landed before fishing south of Cape Falcon, Oregon.

(13) It is unlawful for wholesale dealers and trollers retailing their fish to fail to report their landing by 10:00 a.m. the day following landing. Ticket information can be telephoned in by calling 1-866-791-1279 or faxing the informa-

tion to (360) 902-2949 or E-mailing to trollfishticks@dfw.wa.gov. Report the dealer name, the purchasing location, the date of purchase, the fish ticket numbers, the gear used, the catch area, the species. The total number for each species and the total weight for each species including halibut.

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

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-04000S All-citizen commercial salmon troll. (04-228)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 16, 2004:

WAC 220-24-04000T All-citizen commercial salmon troll.

**WSR 04-19-025
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-247—Filed September 8, 2004, 4:54 p.m., effective September 8, 2004]

Effective Date of Rule: Immediately.

Purpose: Amend wildlife rules.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-337.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The advanced hunter education hunt in Area 3911, currently underway, is a damage control hunt. The hunt area needs to be expanded to control the elk population. Permanent rule making is underway to establish the new boundary, but the rule needs to be in place immediately to prevent further elk damage. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 8, 2004.

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 232-28-33700B Elk Area 3911 description. Notwithstanding the provisions of WAC 232-28-337, effective immediately until further notice the boundary for elk area 3911 Fairview (Kittitas County) is as follows:

Beginning with BPA Powerlines in T20N, R14E, Section 36; E along power lines through Cle Elum to Teanaway Rd; N on Teanaway Rd to Ballard Hill Rd; E on Ballard Hill Rd and Swauk Prairie Rd to Hwy 970; N on Hwy 970 to Hwy 97; S on Hwy 97 to powerlines in T20N, R17E, Section 34; E on power lines to Nanum Crk; S on Naneum Crk approximately 1/2 mile to power lines in T19N, R19E, Section 20; E along BPA power lines to Colockum Pass Rd in T19N, R20E, Section 16; S on Colockum Pass Rd to BPA power lines in T18N, R20E, Section 6; E & S along power lines to Parke Crk Rd; N on Parke Crk Rd to Whiskey Jim Rd; E on Whiskey Jim Rd to Beacon Ridge Rd; S on Beacon Ridge Rd to Vantage Hwy; E along Vantage Hwy to I-90; W along I-90 to Yakima Training Center bndry; S & W along Yakima Training Center bndry to I-82; N on I-82 to Thrall Rd; W on Thrall Rd to Wilson Crk; S on Wilson Crk to Yakima Rvr; N on Yakima Rvr to gas pipeline crossing in T17N, R18E, Section 25; S & W on gas pipeline to Umtanum Crk; W on Umtanum Crk to Durr Rd; N on Durr Rd to Umtaneum Rd; N on Umtaneum Rd to S Branch Canal; W on S Branch Canal to Bradshaw Rd; W on Bradshaw to elk fence; N & W along elk fence to powerline crossing in T19N, R16E, Section 10; W along powerline (S branch) to Cabin Crk Rd; E & N on Cabin Crk Rd to Eon & I-90; E on I-90 to point of beginning.

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.

WSR 04-19-030

EMERGENCY RULES

HORSE RACING COMMISSION

[Filed September 9, 2004, 11:51 a.m., effective September 9, 2004]

Effective Date of Rule: Immediately.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 67.16.270 Advance deposit wagering and 67.16.160 Rules implementing conflict of interest laws—Wagers by commissioner.

EMERGENCY

Purpose: To adopt emergency rules to allow the commission to comply with RCW 67.16.270 and 67.16.160 which became effective on April 1, 2004.

Citation of Existing Rules Affected by this Order: Amending WAC 260-14-040 Wagering and 260-48-700 Interjurisdictional common pool wagering.

Statutory Authority for Adoption: RCW 67.16.020.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: ESSB 6481 took effect April 1, 2004: (1) Authorized advance deposit wagering in Washington; (2) allowed full card simulcast to satellite locations; (3) removed the day and hour limitation for simulcast wagering for the class 1 racing association and satellite locations; and (4) prohibited the commissioners from wagering on horse races under their jurisdiction.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 9, Amended 2, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: August 13, 2004.

R. M. Leichner
Executive Secretary

AMENDATORY SECTION (Amending Order 73.3, filed 6/28/73)

WAC 260-14-040 Wagering. (1) No commission employee shall make any wager at a facility under the jurisdiction of the commission.

(2) No ((regulatory)) commission employee shall make any wager on the outcome of any horse race ((at a meeting at which he is employed)) under the jurisdiction of the commission. Commission employee means both regulator employee and employee as defined in WAC 260-14-010.

(3) No commissioner ((or employee)) shall make any wager ((except through authorized parimutuel betting)) on the outcome of any horse race at a meeting under the jurisdiction of the commission.

AMENDATORY SECTION (Amending WSR 99-06-026, filed 2/23/99, effective 3/26/99)

WAC 260-48-700 ((Interjurisdictional)) Multi-jurisdictional common pool wagering. (1) ((definitions)) Definitions.

(a) The host association is the association conducting a licensed parimutuel meeting from which authorized contests or entire performances are simulcast.

(b) The guest association is the association that offers licensed parimutuel wagering on contests conducted by the host association.

(2)(a) Except as otherwise authorized by the commission, a request for simulcasting must be filed on a form provided by the commission not later than 7 business days before the first simulcast race covered by the request. The executive secretary may approve a request for simulcasting, subject to rescission of the approval by the commission at its next regular meeting.

(b) The application must include at a minimum:

(i) The simulcast agreement between the host and guest association;

(ii) The approval by the horsemen's association represented at the host and guest site;

(iii) The alternate jurisdiction approval;

(iv) When acting as the host site, approval also requires a list of all locations that will be receiving and/or wagering on the races under the guest site; and

(v) The executive secretary may require the association to submit additional information if the executive secretary determines the additional information is necessary to effectively evaluate the request.

(3) A class 1 racing association shall not be allowed to simulcast until the following are filed with the commission.

(a) A written agreement with the local horsemen's group.

(b) A description of how simulcast purse monies are to be maintained.

(c) A description of how breeder awards are to be maintained.

(d) A monthly statement showing amounts contributed to and balance in the purse fund and the breeders awards fund. This statement shall be filed with the commission no later than ten days after the end of each month.

(4) The approval of any particular simulcasting or wagering on particular simulcast races or programs is not binding on the commission for other requests for approval of simulcasting or wagering on simulcast races or programs.

(5) In determining whether to approve ~~((an interjurisdiction))~~ a multi-jurisdictional common pool which does not include the host track or which includes contests from more than one association, the commission shall consider and may approve use of a bet type which is not utilized at the host track, application of a takeout rate not in effect at the host track, or other factors which are presented to the commission.

(6) No class 1 racing association shall enter a contractual agreement that is in violation of, or may be construed as waiving any provision of chapter 67.16 RCW, Title 260 WAC and any federal, state or local law.

(7) The mutuel manager or the mutuel manager's designee shall be present on association grounds at all times that the class 1 racing association is accepting wagers on simulcast races. He/she shall be responsible for communicating all errors or omissions regarding simulcast wagering to the ~~((board of stewards or the commissions on duty mutuel inspector))~~ executive secretary.

(8) There shall be a facsimile machine located in each mutuel area or tote room and a direct, private telephone line to be located in the tote room. Phone access to the tote room shall not require routing through the switchboard.

(9) Every class 1 racing association shall file with the commission an annual report of its simulcast operations including financial data as specified by the commission.

(10) Not less than 30 minutes prior to the commencement of transmission of the performance of parimutuel contests for each day or night, the guest association shall initiate a test program of its transmitter, encryption and decoding, and data communication to assure proper operation of the system.

~~(11) ((The audio or the video signals must be present at the start of a wagering event in order for wagering to begin and shall continue to be displayed to the public during the entire wagering card.~~

~~(12) In the event of the loss of both the audio and video signals the class 1 association mutuel manager shall ensure that wagering and racing information is provided through the public address system or totalisator information screens.~~

~~(13) If a guest association is unable to establish or to maintain the audio or video signal from the host association, the guest association may continue to accept wagers while attempting to establish the signal provided:~~

~~(a) An announcement is made to the public informing them of the technical difficulties;~~

~~(b) The totalisator system licensee transmits the odds on the affected race to the video department to be displayed to the patrons; and~~

~~(c) The totalisator system licensee locks all wagering on the affected race at zero minutes to post to ensure the integrity and transfer of the wagering pools.~~

~~(14) Wagering may not take place without the presence of both the audio and the video signals on a performance day following a performance day in which either the audio or the video was missing.~~

~~(15) If the host association loses the ability to transmit the audio or video signal, the host association:~~

~~(a) Shall notify all receiving locations of the technical difficulties being experienced;~~

~~(b) May continue to accept wagers from the receiving location on that days races; and~~

~~(c) May not accept wagers from the receiving locations for subsequent race days until the technical difficulties have been corrected.~~

~~(16) The content and format of the visual display of racing and wagering information at facilities in other jurisdictions where wagering is permitted in the interjurisdiction common pool need not be identical to the similar information permitted or required to be displayed under these rules.~~

~~(17)) Washington intratrack breakage and minus pools shall be prorated based on amounts wagered.~~

~~((18)) (12) The commission may permit adjustment of the takeout from the parimutuel pool so that the takeout rate in this jurisdiction is identical to that at the host jurisdiction, or identical to that of other jurisdictions participating in a merged pool.~~

~~((19)) (13) Any surcharges or withholdings in addition to the takeout shall only be applied in the jurisdiction otherwise imposing such surcharges or withholdings.~~

~~((20)) (14) Where takeout rates in the merged pool are not identical, the net price calculation may be the method by which the differing takeout rates are applied.~~

~~((21)) (15) Parimutuel pools may be combined for computing odds and calculating payouts but will be held separate for auditing and all other purposes.~~

Chapter 260-49 WAC

ADVANCE DEPOSIT WAGERING

NEW SECTION

WAC 260-49-010 Definitions. For the purposes of this chapter, unless otherwise indicated by the context in which the term is used, the following terms shall have the meaning set forth herein:

(1) "Account" shall mean an account for advance deposit wagering with a complete record of credits, wagers and debts established by an account holder and managed by an authorized advance deposit wagering facility.

(2) "Account holder" shall mean a natural person, at least twenty-one years of age for whom an authorized advance deposit wagering facility has opened an account.

(3) "Advance deposit wagering" means a form of parimutuel wagering in which an individual deposits money in an account with an entity authorized by the commission to conduct advance deposit wagering and then the account funds are used to pay for parimutuel wagers made in person, by telephone, or through communication by other electronic means.

(4) "Authorized advance deposit wagering facility" means an entity licensed by the commission, pursuant to this chapter, to conduct advance deposit wagering including such entity's facility location, equipment and staff involved in the management, servicing and operation of advance deposit wagering.

(5) "Applicant" is a natural person, at least twenty-one years of age, who has submitted an application to establish an account with an advance deposit wagering facility.

(6) "Application" shall mean the form or forms and other required submissions received from an applicant for the purpose of opening an account.

(7) "Class 1 racing association" shall mean any person or entity holding a current and valid license under RCW 67.16.200 to engage in horse racing.

(8) "Commission" means the Washington horse racing commission.

(9) "Communications by other electronic means" includes communications by any electronic communication device or combination of devices including, but not limited to, the following: Personal computers, the internet, private networks, interactive televisions and wireless communication technologies or other technologies approved by the commission.

(10) "Confidential information" shall include the following:

(a) The amount of money credited to, debited from, withdrawn from, or present in any particular account holder's account;

(b) The amount of money wagered by a particular account holder on any race or series of races;

(c) The account number and secure personal identification code of a particular account holder;

(d) The identities of particular entries on which the account holder is wagering or has wagered; and

(e) Unless otherwise authorized by the account holder, the name, address, and other information in the possession of an authorized advance deposit wagering facility that would identify the account holder to anyone other than the commission, the authorized advance deposit wagering facility, the regulatory authority in the state that regulates the authorized advance deposit wagering facility or as otherwise required by state or federal law.

(11) "Credits" shall mean all deposits of money into an account.

(12) "Debits" shall mean all withdrawals of money from an account.

(13) "Deposit" shall mean a payment of money by cash, check, money order, credit card, debit card, or electronic funds transfer made by an account holder to the account holder's account.

(14) "Foreign jurisdiction" shall mean a jurisdiction of a foreign country or political subdivision thereof.

(15) "Natural person" shall mean any person, at least twenty-one years of age, but does not include any corporation, partnership, limited liability company, trust, or estate.

(16) "Principal residence address" shall mean that place where the natural person submitting an application for an account resides at least fifty percent of the time during the calendar year.

(17) "Proper identification" shall mean a form of identification sufficient to ensure that the person making a transaction is an account holder.

(18) "Qualified subscriber based service" and "closed-loop subscriber based system" shall mean any information service or system that uses:

(a) A device or combination of devices:

(i) Authorized by the commission and operated exclusively for placing, receiving, or otherwise making a parimutuel horse racing wager; and

(ii) By which a person must subscribe to in order to be able to place, receive or otherwise make a parimutuel horse racing wager;

(b) An effective system to verify an applicant's identification, residence and age; and

(c) Appropriate data security standards to prevent unauthorized access by any person who has not subscribed or who is less than twenty-one years of age.

(19) "Secure personal identification code" shall mean an alpha and/or numeric character code chosen by an account holder as a means by which the authorized advance deposit wagering facility may verify a wager or account transaction as authorized by the account holder.

(20) "Source market fee" shall mean the part of a wager made on any race by a person whose principal residence

address is in Washington that is returned to the class 1 racing association.

(21) "Source market fee area" means the state of Washington.

(22) "Withdrawal" shall mean a payment of money from an account by an authorized advance deposit wagering facility to the account holder.

NEW SECTION

WAC 260-49-020 Requirements to conduct authorized advance deposit wagering. (1) The advance deposit wagering rules set forth in this chapter shall apply to the establishment and operation of accounts by an authorized advance deposit wagering facility for applicants whose principal residence address is in the state of Washington.

(2) Advance deposit wagering for applicants whose principal residence address is in the state of Washington may only be conducted by an authorized advance deposit wagering facility licensed by the commission pursuant to WAC 260-49-030 or 260-49-040.

(3) A class 1 racing association must obtain commission approval of its contract with an authorized advance deposit wagering facility.

(4) An authorized advance deposit wagering facility must be licensed by the commission prior to accepting accounts for individuals whose primary residence is in Washington.

(5) The commission may suspend or revoke a license to operate an authorized advance deposit wagering facility, withdraw approval of a contract between a class 1 racing association and an advance deposit wagering facility and/or impose fines, if the authorized advance deposit wagering facility, its officers, directors, or employees violate chapter 67.16 RCW or Title 260 WAC.

(6) An authorized advance deposit wagering facility located within Washington shall not establish and/or operate advance deposit wagering accounts for people whose principal residence is outside of the state of Washington, including residents of foreign jurisdictions unless:

(a) Wagering on that same type of live racing is lawful in the jurisdiction which is the natural person's principal residence; and

(b) The authorized advance deposit wagering facility complies with the provisions of the Interstate Horseracing Act, 15 U.S.C. §§ 3001 to 3007, and the laws of the applicant's jurisdiction.

(7) The authorized advance deposit wagering facility shall provide a bond or irrevocable letter of credit in an amount set by the commission for the purpose of ensuring that payments to the commission and to the Washington account holders are made. In the alternative, a facility may provide other means of assurance of such payment including, but not limited to, evidence of bond(s), irrevocable letter(s) of credit or other forms of financial guarantees posted and in good standing with regulatory authorities in other jurisdictions, which shall be subject to the approval of the commission. Any bond, or any other form of credit acceptable to the commission provided by the facility shall run to the Washington horse racing commission as obligee, and shall be for

the benefit of the commission and any account holder who suffers a loss by reason of the facility's violation of chapter 67.16 RCW or these rules. The bond, or any other form of credit acceptable to the commission shall be conditioned on the obligor as licensee faithfully complying with chapter 67.16 RCW and these rules. The bond shall be continuous and may be canceled by the surety only upon the surety giving written notice to the executive secretary of its intent to cancel the bond. The notice of cancellation shall not be effective until thirty days after the notice is received by the executive secretary. In the event of cancellation of the bond, or any other form of credit acceptable to the commission the facility shall file a new bond, or any other form of credit acceptable to the commission by the effective date of the cancellation notice.

(8) Persons whose primary residence is within Washington shall not participate in advance deposit wagering unless such activity is conducted through an authorized advance deposit wagering facility.

(9) The content and frequency of reports from an authorized advance deposit wagering facility shall be at the discretion of the commission.

(10) No class 1 racing association shall enter into a written agreement under this section that is in violation of, or may be construed as waiving any provision of chapter 67.16 RCW, Title 260 WAC or any applicable federal, state or local law.

(11) Every class 1 racing association approved under this section shall file with the commission a monthly statement showing amounts contributed to and balances in the purse fund and the breeders awards fund. This statement shall be filed with the commission no later than ten days after the end of each month.

(12) In determining whether to approve an application under this section, the commission shall consider the following factors:

(a) The impacts on all entities conducting business as part of the Washington horse racing industry;

(b) Whether the commission deems the state compliance and monitoring efforts of the state where the authorized advance deposit wagering facility is located are sufficient for compliance with applicable laws and for the protection of the public and to ensure the integrity of all operations and financial transactions under the agreement between the class 1 racing association and the authorized advance deposit wagering facility; and

(c) Any other factor the commission identifies on the record as relevant to its approval.

NEW SECTION

WAC 260-49-030 Authorized advance deposit wagering facility license for a class 1 racing association.

(1) A class 1 racing association licensed under chapter 67.16 RCW and chapter 260-13 WAC may apply for a license from the commission to operate an advance deposit wagering facility in accordance with chapter 67.16 RCW and these rules.

(2) An application to operate an authorized advance deposit wagering facility must be filed on a form provided by the commission.

(3) As part of the application, the class 1 racing association shall submit a detailed plan of how its proposed advance deposit wagering facility would operate. At a minimum, the operating plan shall address the following issues:

(a) The manner in which the proposed simulcasting and advance deposit wagering facility will operate;

(b) Programs for responsible wagering;

(c) A plan for verification of an applicant's identity, age and residence when establishing an account;

(d) Establish a dispute resolution process for account holders who file a claim against the authorized advance deposit wagering facility;

(e) The requirements for accounts established and operated for persons whose principal residence is outside of the state of Washington;

(f) The process for an account holder to make withdrawals from the account holder's account;

(g) The process for handling wagers when wagering pools cannot be merged with the wagering pools of the race track where the race is being run live; and

(h) Any additional information required by the commission.

(4) The commission may require changes in a proposed plan of operations as a condition of granting a license.

(5) The commission may conduct investigations or inspections or request additional information from the class 1 racing association, as it deems appropriate in determining whether to license the class 1 racing association to operate an authorized advance deposit wagering facility.

(6) A license authorizes only the class 1 racing association to establish and manage an advance deposit wagering facility. The class 1 racing association shall not subcontract operation of the authorized advance deposit wagering facility to another person or entity.

(7) No subsequent changes in the advance deposit wagering facility's plan of operations may occur unless ordered by the commission or until written approval is obtained from the commission.

(8) The commission, or its staff, will be given access to review and audit all records and financial information of a class 1 racing association related to the conduct of advance deposit wagering, including resident and nonresident accounts. This information shall be made available to the commission or its staff by the class 1 racing association at its location at reasonable hours. The commission may require the class 1 racing association to annually submit to the commission audited financial statements of the advance deposit wagering facility.

NEW SECTION

WAC 260-49-040 Authorized advance deposit wagering facility license for nonclass 1 racing associations.

(1) Prior to accepting applications from Washington residents for advance deposit wagering accounts, the operator of an advance deposit wagering facility must have:

(a) An agreement with a class 1 racing association, which has been approved by the commission; and

(b) A license from the commission to conduct authorized advance deposit wagering.

(2) If the advance deposit wagering facility is located within the state of Washington, the operator of the advance deposit wagering facility shall not establish any advance deposit wagering accounts nor conduct advance deposit wagering until licensed by the commission.

(3) The operator of an advance deposit wagering facility applying for a license to conduct advance deposit wagering must provide the following information as part of the application:

(a) The applicant's legal name;

(b) If the applicant is a corporation, the date and place of incorporation, and the names, addresses, and dates of birth of its shareholders, directors and officers; if a shareholder is a corporation, the date of incorporation, the place of incorporation, and the names, addresses, and dates of birth of its shareholders, directors and officers must be provided. If the applicant is a corporation ultimately owned by a not-for-profit entity without any shareholders, or is a publicly traded corporation, the information required in this subsection shall be required from the directors of the membership organization, or the directors and officers of the publicly traded corporation, in lieu of the shareholders;

(c) If the applicant is a general or limited partnership, the names and addresses, and dates of birth of the partners; if a partner is a corporation, the date of incorporation, the place of incorporation and the names, addresses and dates of birth of its directors and officers must be provided;

(d) The commission reserves the right to request fingerprints as part of the license application process;

(e) Information from the applicant that demonstrates whether the applicant has the financial resources to operate the advance deposit wagering facility;

(f) A copy of the written agreement between the class 1 association and the advance deposit wagering facility and an assurance that the commission will be notified of any other agreements between the association and the facility pertaining to this section, whether written or oral;

(g) Written approval to conduct advance deposit wagering from the appropriate regulatory authority in the state where the advance deposit wagering facility is located;

(h) A description of how the state where the facility is located regulates and monitors the account wagering facility for compliance with applicable law and protection of the public; and

(i) Any other information required by the commission.

(4) The written agreement between the class 1 racing association and the advance deposit wagering facility must contain substantially the following terms:

(a) A description of the fee structure and fees to be paid to the class 1 racing association under the agreement;

(b) A provision requiring the facility to agree it shall not accept any wager that violates Washington law or rule.

(5) Approval of an agreement under this section shall be in effect for a period of twelve months from the date of approval, unless rescinded by the commission.

(6) The commission's approval of a specific agreement under this section is not binding on the commission as to any other agreement.

(7) As part of the application for licensure as an operator of an advance deposit wagering facility, the applicant shall

submit a detailed plan of operations in a format and containing such information as required by the commission. At a minimum, the operating plan shall address the following issues:

(a) The manner in which the proposed simulcasting and wagering system will operate and the regular hours of operation;

(b) The process for handling wagers when wagering pools cannot be merged with the wagering pools of the race track where the race is being run live;

(c) Programs for responsible wagering;

(d) A dispute resolution process for account holders who file a claim against the authorized advance deposit wagering facility;

(e) The process for an account holder to make withdrawals from the account holder's account;

(f) Washington operators of advance deposit wagering facilities must include the requirements for accounts established and operated for persons whose principal residence is outside of the state of Washington; and

(g) Any other issues as required by the commission.

(8) The commission may require changes to an advance deposit wagering facility's proposed plan of operations as a condition of granting a license. No subsequent material changes in the plan of operations may occur unless ordered by the commission or until written approval is obtained from the commission.

(9) The operator of an advance deposit wagering facility applying for a license shall provide to the commission the number of Washington accounts on file with its business as of 1:00 p.m. PST April 1, 2004, and the total wagering activity since that time until the date of the application for license in Washington. Any operator of an advance deposit wagering facility authorized by the commission to conduct advance deposit wagering shall pay the source market fee on all advance deposit wagers for all accounts since 1:00 p.m. PST April 1, 2004, that have Washington as the principal resident address.

(10) The commission may conduct investigations or inspections or request additional information from the applicant for a license under this section as it deems appropriate in determining whether to approve the license application.

(11) The operator of an advance deposit wagering facility accepting a license from the commission recognizes and accepts the jurisdiction of the state of Washington as provided in RCW 4.28.185. The commission, or its staff, will be given access to review and audit all records and financial information of the operator of an advance deposit wagering facility, including all Washington account information. If the operator of the advance deposit wagering facility is located in Washington, the commission, or its staff, shall have access to all accounts (resident and nonresident) maintained in Washington. This information shall be made available to the commission or its staff by the operator of the advance deposit wagering facility at the operator's location upon notice from the commission or commission staff at all reasonable times. The commission may require the operator annually submit to the commission audited financial statements of the advance deposit wagering facility.

NEW SECTION

WAC 260-49-050 Establishing an account. (1) An established account is necessary to place advance deposit wagers. An account may only be established at an authorized advance deposit wagering facility.

(a) To establish an account, an application form must be signed or otherwise authorized in a manner acceptable to the commission and include:

- (i) The applicant's full legal name;
- (ii) Principal residence address;
- (iii) Telephone number;
- (iv) Proper identification or certification demonstrating that the applicant is at least twenty-one years of age; and
- (v) Any additional information required by the commission.

(b) Each application submitted shall be verified with respect to name, principal residence address, and date of birth by either an independent service provider or another means which meets or exceeds the reliability, security, accuracy, privacy and timeliness provided by an independent service provider. If there is a discrepancy between the application submitted and the information provided by the verification described above or if no information on the applicant is available from such verification process, another individual reference service may be accessed or another technology meeting the requirements described above may be used to verify the information provided. If the applicant's information cannot be verified, the authorized advance deposit wagering facility shall not establish an account.

(2) Each account shall have a unique identifying account number. The identifying account number may be changed at any time by the operator of the advance deposit wagering facility provided the operator informs the account holder in writing prior to the change.

(3) The applicant shall supply a secure personal identification code when the account holder is placing an advance deposit wager. The account holder has the right to change this code at any time.

(4) The holder of the account shall receive at the time the account is approved:

- (a) Unique account identification number;
- (b) Copy of the advance deposit wagering rules and such other information and material that is pertinent to the operation of the account;
- (c) Notice that the account holder must be at least twenty-one years of age, and that individuals under the age of twenty-one may not have access to the account;
- (d) Such other information as the authorized advance deposit wagering facility or the commission may deem appropriate.

(5) Accounts shall only be accepted in the name of a natural person.

(6) The account is nontransferable between natural persons.

(7) The authorized advance deposit wagering facility may close or refuse to open an account for what it deems good and sufficient reason, and shall order an account closed if it is determined that information that was used to open an account was false, or that the account has been used in violation of these rules.

(8) Any disputes between an account holder and an authorized advance deposit wagering facility shall follow the dispute resolution procedures contained in the authorized advance deposit wagering facility's plan of operations as approved by the commission. If the authorized advance deposit wagering facility fails to resolve the dispute, the commission may take appropriate action including claims against the bond or other form of financial security.

(9) The authorized advance deposit wagering facility shall state in all advertising in the state of Washington that residents under the age of twenty-one are not permitted to open, own or have access to an advance deposit wagering account.

(10) If the authorized advance deposit wagering facility is located in Washington, no account shall be established for any natural person under the age of twenty-one.

NEW SECTION

WAC 260-49-060 Operation of an account. (1) The authorized advance deposit wagering facility may refuse deposits to an account for what it deems good and sufficient reason.

(2) The authorized advance deposit wagering facility may suspend any account or close any account at any time provided that when an account is closed, they shall, within seven calendar days, return to the account holder all moneys then on deposit by sending a check to the last known principal residence address.

(3) Credits to an account after the initial establishment of the account may be made as follows:

(a) Deposits to an account by an account holder may be made in the following forms:

(i) Cash, which may be deposited at financial or retail outlets designated by the authorized advance deposit wagering facility;

(ii) Check, money order or negotiable order of withdrawal given or sent to an authorized advance deposit wagering facility;

(iii) Charges made to an account holder's credit card or debit card upon the direct and personal instruction of the account holder, if the use of the card has been approved by the authorized advance deposit wagering facility;

(iv) Transfer by means of an electronic funds transfer from a monetary account controlled by an account holder to his/her account, said account holder to be liable for any charges imposed by the transmitting or receiving entity with such charges to be deducted from the account; or

(v) Funds so deposited will be made available for wagering use in accordance with financial institution funds availability schedules.

(b) Credit for winnings from wagers placed with funds in an account and credit for account wagers on entries that are scratched shall be posted to the account by the authorized advance deposit wagering facility.

(4) Debits to an account shall be made as follows:

(a) Upon receipt by the authorized advance deposit wagering facility of an advance deposit wager, the authorized advance deposit wagering facility shall debit the account in the amount of the wager;

(b) For fees for service or other transaction-related charges by the authorized advance deposit wagering facility;

(c) The authorized advance deposit wagering facility may close accounts in which there has been no activity for at least six months, returning funds remaining therein to the account holder at his/her last known principal residence address; or

(d) In the event an account holder is deceased, funds accrued in the account shall be released to the decedent's legal representative upon receipt of a copy of a valid death certificate, tax releases or waivers, probate court authorizations or other documents required by applicable laws.

(5) Account holders may communicate instructions concerning advance deposit wagers to the advance deposit wagering facility in person, by mail, telephone, or other electronic means.

(6) The authorized advance deposit wagering facility shall not accept wagers from an account holder in an amount in excess of the account balance.

(7) Moneys deposited with the authorized advance deposit wagering facility for the purpose of advance deposit wagering shall not bear any interest to the account holder.

(8) Notwithstanding any other rules, the authorized advance deposit wagering facility may at any time declare the advance deposit wagering closed for receiving wagers on any parimutuel pool, race, group of races, or closed for all wagering. Any time advance deposit wagering is closed other than coincident with the start of a race, a written report must be filed with the commission within forty-eight hours. Any time the authorized advance deposit wagering facility is closed during its normal hours of operation a written report must be filed with the commission within forty-eight hours.

(9) The authorized advance deposit wagering facility has the right at any time and for what it deems good and sufficient reason to refuse to accept all or part of any wager.

(10) Accounts are for the personal use of the account holder. The account holder is responsible for maintaining the secrecy of the account number and his/her personal identification code.

(11) Payment on winning parimutuel wagers and credits for advance deposit wagers on entries which are scratched shall be posted to the credit of the account holder as soon as practicable after the race is declared official.

(12) The authorized advance deposit wagering facility shall provide written or electronic statements of an individual's account activity at any time upon the request of the account holder.

(13) No employee or agent of the authorized advance deposit wagering facility shall divulge any confidential information related to the placing of any wager or any confidential information related to the operation of the authorized advance deposit wagering facility, except to the account holder as required by these rules, the commission, and as otherwise required by state or federal law, or Title 260 WAC.

NEW SECTION

WAC 260-49-070 Distribution of source market fee.

(1) A source market fee shall be paid monthly for the source

market fee area on all accounts that have Washington as the principal residence address.

(2) The authorized advance deposit wagering facility shall, at least monthly, distribute ninety percent of the source market fee directly to the class 1 racing association and the remaining ten percent directly to the commission. The class 1 racing association shall distribute two and one-half percent of the total source market fee to the breeders' award fund. The commission shall distribute two and one-half percent of the total source market fee to the Washington bred owners' bonus and one-half of one percent of the total source market fee to the class C purse fund.

(3) The commission shall annually review the distribution of the source market fee. Any changes to the distribution shall be adopted by rule. The class 1 racing association and the recognized horsemen's organization shall negotiate a separate agreement for contributions to the purse account from the source market fee and submit the agreement for review and approval by the commission.

NEW SECTION

WAC 260-49-080 Reserved. *(For future use - multi-class 1 racing association source market fee distribution.)*

NEW SECTION

WAC 260-49-090 Licensing fees to operate advance deposit wagering. (1) Application fees.

(a) A nonrefundable application fee of five thousand dollars must be submitted with all license applications to conduct authorized advance deposit wagering.

(b) The applicant will be billed and shall be responsible for any costs involved in the background checks, investigation, and review of the application in excess of five thousand dollars.

(2) An annual license fee of one thousand dollars shall be payable to the commission on issuance of the original license. Thereafter, the annual renewal license fee shall be one thousand dollars due on or before January 1 of each year. The licensee will be billed and shall be responsible for any costs in excess of one thousand dollars associated with the review and investigation of the annual renewal application.

NEW SECTION

WAC 260-49-100 Enforcement and penalties. (1) Any enforcement of this chapter shall be referred to the commission, who shall have sole authority for its enforcement. The commission shall have authority to ensure compliance with these rules, conduct hearings on violations, and determine penalties for violations.

(2) The commission may suspend or revoke a license to operate an advance deposit wagering facility, withdraw approval of a contract between a class 1 racing association and an advance deposit wagering facility and/or impose fines, if the licensee:

(a) Violates any of the requirements of chapter 67.16 RCW or these rules;

(b) Fails to provide a bond or letter of credit or evidence thereof in another jurisdiction to the satisfaction of the commission;

(c) Fails to make payments in a timely manner as required by these rules;

(d) Fails to comply with any conditions on the license imposed by the commission;

(e) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level. This includes, but is not limited to, failure to make required payments to other state regulatory agencies;

(f) Poses a threat to the effective regulation of wagering or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of wagering activities, as demonstrated through the person's prior activities, criminal record, reputation, habits, or associations;

(g) Fails to provide at the office of the commission any information required under the commission's rules within the time required therefor by applicable rule, or if no maximum time has been established respecting the particular kind of information by other rule, then within thirty days after receiving a written request therefor from the commission or its staff;

(h) Commits, or has committed, any other act that the commission determines constitutes a sufficient reason in the public interest for denying, suspending, or revoking licenses or approval of agreements.

(3) The commission shall afford a licensee the opportunity for an adjudicative proceeding prior to suspending or revoking a license or imposing fines, and shall provide a class 1 racing association and/or an authorized advance deposit wagering facility a hearing on refusal of approval or withdrawal of approval of the agreement between the association and the facility.

(4) The commission shall have authority to ensure compliance with these regulations, including, but not limited to, injunctive relief and the imposition of fines, suspensions and revocation of license and repayment of outstanding source market fees.

WSR 04-19-035
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-249—Filed September 9, 2004, 4:07 p.m., effective September 10, 2004, 12:01 a.m.]

Effective Date of Rule: September 10, 2004, 12:01 a.m.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-62000V and 232-28-62000W; and amending WAC 232-28-620.

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of

notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: There is enough coho remaining on the Neah Bay (Area 4) quota to fish through the end of the season, September 19, 2004. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 9, 2004.

Jim Lux
for Jeff Koenings
Director

NEW SECTION

WAC 232-28-62000W Coastal salmon seasons. Notwithstanding the provisions of WAC 232-28-620 and WAC 220-56-180, effective 12:01 a.m. September 10, 2004, until further notice, it is unlawful to fish for salmon in coastal waters during 2004 except as provided in this section, provided that unless otherwise amended all permanent rules remain in effect:

(1) **Area 1** - Open until further notice - Daily limit 2 salmon, except release wild coho.

Minimum size for chinook salmon is 24 inches in length and 16 inches in length for coho.

(2) **Areas 2, 2-1, and 2-2:**

(a) **Area 2** - Closed until further notice.

(b) **Area 2-1** - Open immediately until further notice, daily limit 6 salmon, not more than two of which may be adult salmon.

(c) **Area 2-2** - west of the Buoy 13 line - Closed until further notice.

(d) **Area 2-2** - east of the Buoy 13 line - Open September 16 until further notice.

Daily limit 6 salmon, no more than 2 adults may be retained, but only 1 may be a chinook. Minimum size 12 inches in length.

(3) **Area 3** - Open until further notice - Daily limit 2 salmon, except release wild coho. Minimum size for chinook salmon is 24 inches in length and 16 inches in length for coho.

(4) **Area 4:** Open until further notice - Daily limit 2 salmon not more than one of which may be a chinook, except release chum and wild coho. Release chinook east of the

Bonilla-Tatoosh Line. Minimum size for chinook salmon is 26 inches in length and 16 inches in length for coho.

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 10, 2004:

WAC 232-28-62000V Coastal salmon seasons. (04-243)

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 20, 2004:

WAC 232-28-62000W Coastal salmon seasons.

WSR 04-19-038 EMERGENCY RULES

DEPARTMENT OF LICENSING

[Filed September 13, 2004, 10:37 a.m., effective September 13, 2004]

Effective Date of Rule: Immediately.

Purpose: To revise WAC 308-14-085, which will change these rules back to their original language before the adoption of the rules filed under WSR 04-17-072.

Citation of Existing Rules Affected by this Order: Amending WAC 308-14-085.

Statutory Authority for Adoption: RCW 18.145.050, 43.24.023.

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

Reasons for this Finding: The department believes that individuals impacted by the latest revisions to WAC 308-14-085, as adopted under WSR 04-17-072, may not have been considered or understood prior to the adoption of these rules. Therefore, in the interest of the general welfare and professional impact to these individuals an emergency rule is necessary. This will allow the department the needed time to gather information through stakeholder input to determine the need for further rule revision.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 13, 2004.

Trudie Touchette
Administrator

AMENDATORY SECTION (Amending WSR 04-17-072, filed 8/13/04, effective 9/13/04)

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

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

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

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

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

(d) Be offered at least twice a year;

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

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

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

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

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

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

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

WSR 04-19-058
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-244—Filed September 14, 2004, 8:08 a.m., effective September 14, 2004]

Effective Date of Rule: Immediately.

Purpose: Amend wildlife rules.

Citation of Existing Rules Affected by this Order:
 Amending WAC 232-12-068.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: Nontoxic shot types are needed to give waterfowl hunters additional options for hunting, and encourage greater compliance with nontoxic shot requirements. There is inadequate time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 8, 2004.

J. P. Koenings
 Director

NEW SECTION

WAC 232-12-06800B Nontoxic shot requirements. Notwithstanding the provisions of WAC 232-12-068, effective immediately until further notice it is lawful to use the following shot types in areas under nontoxic shot restrictions:

(1) 22 parts tungsten: 78 parts iron with <1 percent residual lead.

(2) 51.1 parts tungsten: 44.4 parts copper: 3.9 parts tin with <1 percent residual lead

(3) 49-71 parts tungsten: 29-51 parts tin: 0.5-6.5 parts bismuth with <1 percent residual lead.

WSR 04-19-059
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-246—Filed September 14, 2004, 8:09 a.m., effective September 14, 2004]

Effective Date of Rule: Immediately.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-40-02700E; and amending WAC 220-40-027.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: After reassessing runsize forecasts and escapement needs, WDFW reviewed the fall gillnet season with commercial and recreational fishers and determined that additional selective harvest opportunities for coho and chum stocks in Willapa Bay could be provided. This harvest opportunity is consistent with preseason planning goals established prior to the 2004 North of Falcon season setting process.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 13, 2004.

J. P. Koenings
 Director

NEW SECTION

WAC 220-40-02700E Salmon—Willapa Bay fall fishery. Notwithstanding the provisions of WAC 220-40-027, effective immediately through December 31, 2004, 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 periods

Gill net gear may be used to fish for salmon:

Time	Area
6:00 p.m. September 17 through 6:00 p.m. September 30,	Areas 2G east of a line projected true south from the most waterward exposed end of the rock jetty located near Washaway Beach, 2H west of Willapa Channel Marker 40, 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2), and 2M.
6:00 p.m. September 21 through 6:00 p.m. September 22, 6:00 p.m. September 28 through 6:00 p.m. September 29,	Area 2K.
6:00 a.m. - 6 p.m. October 1, 6:00 a.m. - 6 p.m. October 2, 6:00 a.m. - 6 p.m. October 3, and 6:00 a.m. - 6 p.m. October 4.	Areas 2G east of a line projected true south from the most waterward exposed end of the rock jetty located near Washaway Beach, 2H west of Willapa Channel Marker 40.
6:00 a.m. - 6 p.m. October 10, 6:00 a.m. - 6 p.m. October 11, 6:00 a.m. - 6 p.m. October 12, and 6:00 a.m. - 6 p.m. October 13.	Areas 2G east of a line drawn true south from the most waterward exposed end of the rock jetty located near Washaway Beach, 2H, 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2), and 2M.
6:00 p.m. October 15 through 6:00 p.m. October 20 and 6:00 p.m. October 24 through 6:00 p.m. October 26,	Areas 2G west of a line drawn true north-south through Willapa Channel Marker 10 and east of a line projected true south from the most waterward exposed end of the rock jetty located near Washaway Beach but excluding that portion of area 2G lying southerly and easterly of a line from Island Sands Light to Ramsey Point, 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta Boat Basin (RF #2), and 2M.
Noon, November 6 through noon November 30, 2004	Areas 2G, 2H, 2J and 2M

The Tokeland Boat basin is closed to commercial fishing during the openings in SMCRA 2G described in 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 the Tokeland Channel Marker "3" (flashing green, 4-second) to Tokeland Channel Marker "4" to the tip of the seawall.

Gear

Gill net gear restrictions - All areas:

- o Drift gill net gear only. It is unlawful to use set net gear.
- o September 1 through September 30, 2004 - 6-inch maximum mesh, no more than 55 meshes deep. Net must hang straight from top to bottom. Strings may only be used to secure break-away panels.
- o October 1 through October 4, 2004 - 4-1/4 inch mesh tangle net gear.
- o October 5 through October 31, 2004 - 6-1/2 inch maximum mesh.

- o November 1 through November 30, 2004 - 9-inch minimum mesh.

Other

Quick Reporting Requirement

- All wholesale dealers and fishers retailing their fish will be required to report their landing by 10:00 a.m. the day following landing. Ticket information can be telephoned in by calling 1-866-791-1280 or faxing the information to 360-664-4689 or e-mailing to harborfishtickets@dfw.wa.gov. Report the dealer name, the purchasing location, the date of purchase, the fish ticket numbers, the gear used, the catch area, the species. The total number for each and the total weight for each species.

Tangle Net Add-on (October 1, 2, 3, and 4, 2004) requirements

- Soak time shall not exceed 45 minutes. Soak time, defined as the time elapsed from when the first of the gill net web is deployed into the water until the gill net web is fully retrieved from the water, must not exceed 45 minutes.
- Each boat will be required to have two operable recovery boxes or one box with two chambers, on board. Each box shall be operating during any time that the net is being retrieved or picked. The flow in the recover box will be a minimum of 16 gallons per minute in each chamber of the box, not to exceed 20 gallons per minute. Each chamber of the recovery box must meet the following dimensions as measured from within the box; the inside length measurement must be at or within 39 1/2 inches to 48 inches, the inside width measurements must be at or within 8 to 10 inches, and the inside height measurement must be at or within 14 to 16 inches. Each chamber of the recover box must include a water inlet hole between 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of chamber and 1 3/4 inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole opposite the inflow that is at least 1 1/2 inches in diameter. The center of the outlet hole must be located a minimum of 12 inches above the floor of the box or chamber. The fisher must demonstrate to department employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering the proper volume of fresh river/bay water into each chamber.
- All chinook, non-legal sturgeon, and steelhead must be handled with care to minimize injury to fish and released immediately to the river/bay or to an operating recovery box.
- Any fish that is bleeding or lethargic must be placed in the recovery box prior to being released to the river/bay.
- All fish placed in recovery boxes must be released to the river/bay prior to landing or docking.
- Gear: 4 1/4 in maximum mesh. Mesh size is determined by placing three consecutive meshes under

hand tension and the measurement is taken from the inside of one vertical knot to the outside vertical knot of the center mesh. Hand tension means sufficient linear tension to draw opposing knots into contact. Monofilament gill nets are not allowed for the 4 1/4 inch mesh. There are no restrictions on the use of slacker and stringers to slacken the net vertically. The hang ratio is used to horizontally add slack to the net. The hang ration is determined by the length of web per length of corkline. Net length not to exceed 150 fathoms, except under the following exemptions: An optional use of a steelhead excluder panel of mesh may be hung between corkline and the 4 1/4 in minimum mesh size tangle net. The excluder panel web must be a minimum mesh size of 12 inches when stretched taut under hand tension. Monofilament mesh is allowed for the excluder panel. The excluder panel must be a minimum of 5 feet in depth and not exceed 10 feet in depth as measured from the corkline to the upper margin of the tangle net mesh as the net hangs naturally on a taut corkline. Weedlines or droppers (bobber type) may be used in place of the steelhead excluder panel. A weedline-type excluder means the net is suspended below the corkline by lines no less than five (5) feet in length between the corkline and the upper margin of the tangle net. A dropper type excluder means the entire net is suspended below the surface of the water by lines of no less than five (5) feet in length extending from individual surface floats to a submersed corkline. The corkline cannot be capable of floating the net in its entirety (including the leadline) independent of the attached floats. Weedline or droppers must extend a minimum of five (5) feet above the 4 1/4 inch minimum mesh tangle net. Tangle nets constructed with a steelhead excluder panel, weedlines, or droppers, may not exceed 175 fathoms in length. Tangle nets constructed with a steelhead excluder panel, weedlines, or droppers must have two (2) red corks at each end of the net, as well as the red corks required under miscellaneous regulations. All 4 1/4 inch minimum mesh tangle nets, those with or without a steelhead excluder panel, weedlines, or droppers, are required to have red corks at 25 fathom intervals and red corks must be in contrast to the corks used in the remainder of the net.

- No fisher may participate without providing Notice of Intent to Participate to Willapa Bay Quick Reporting phone, fax or email, WAC 220-69-240 prior to 10:00 a.m. September 24, 2004.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. January 1, 2005:

WAC 220-40-02700E Willapa Bay fall fishery.

WSR 04-19-063 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 04-248—Filed September 15, 2004, 4:24 p.m., effective September 15, 2004]

Effective Date of Rule: Immediately.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: These lakes are scheduled for rehabilitation in October utilizing rotenone. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 14, 2004.

J. P. Koenings
Director

NEW SECTION

WAC 232-28-61900N Exceptions to statewide rules—Ellen Lake, Fish Lake, Silvernail Lake, Rat Lake, Cattail Lake, Gadwall Lake, Hampton Lake Lower, Hampton Lake Upper, Hen Lake, Hourglass Lake, Lemna Lake, Pillar Lake, Poacher Lake, Sago Lake, Shoveler Lake, Snipe Lake, Widgeon Lake, North Pot-holes Reserve Ponds and Rocky Lake. Notwithstanding the provisions of WAC 232-28-619:

(1) Ellen Lake (Ferry Co.) Effective immediately through October 4, 2004, size and daily limit for game fish: none. Effective October 5, 2004 through October 31, 2004 - Closed to fishing.

(2) Fish Lake (Okanogan Co.) Effective immediately through October 4, 2004, size and daily limit for game fish: none. Effective October 5 through October 31, 2004 - Closed to fishing.

(3) Silvernail Lake (Okanogan Co.) Effective immediately through October 17, 2004, open to all anglers. Size and

daily limit for game fish: none. Effective October 18 through December 31, 2004 - Closed to fishing.

(4) Rat Lake (Okanogan Co.) Effective immediately until further notice, size and daily limit for game fish: none. Effective through November 30, 2004 selective gear rules do not apply.

(5) Cattail Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(6) Gadwall Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(7) Hampton Lake, Lower (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(8) Hampton Lake, Upper (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(9) Hen Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(10) Hourglass Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(11) Lemna Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(12) Pillar Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(13) Poacher Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(14) Sago Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(15) Shoever Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(16) Snipe Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(17) Widgeon Lake (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none.

(18) North Potholes Reserve Ponds (Grant Co.) Effective immediately through September 30, 2004, size and daily limit for game fish: none. Effective October 1 through October 15, 2004 - Closed to fishing.

(19) Rocky Lake (Stevens Co.) Effective immediately through October 4, 2004, size and daily limits for game fish: none. Catch and release and selective gear rules do not apply. Effective October 5 through October 31, 2004 - Closed to fishing.

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 04-19-065
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-251—Filed September 15, 2004, 4:54 p.m., effective September 22, 2004, 7:00 p.m.]

Effective Date of Rule: September 22, 2004, 7:00 p.m.
Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-56-33000M; and amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The recreational crab fishery closure in Marine Area 7 is necessary to meet allocation requirements. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 15, 2004.

J. P. Koenings
Director

NEW SECTION

WAC 220-56-33000N Crab—Areas and seasons. Notwithstanding the provisions of WAC 220-56-330, effective 7:00 p.m. September 22, 2004, it is unlawful to fish for crab or possess crab taken for personal use in those waters of Marine Areas 6, 7, 8-1, 8-2, 9, 10, 11, and 12.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:00 p.m. September 22, 2004:

WAC 220-56-33000M Crab—Areas and seasons.
(04-235)

WSR 04-19-066
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-253—Filed September 15, 2004, 4:55 p.m., effective September 15, 2004, 7:01 p.m.]

Effective Date of Rule: September 15, 2004, 7:01 p.m.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 220-47-606.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: This regulation implements a one day early opening in Area 6D, Dungeness Bay, which constitutes an amendment to the Summer Chum Salmon Conservation Initiative and has been approved in writing by the National Marine Fisheries Service. This earlier opening addresses the possibility that fish may move upriver earlier than in previous years due to wet conditions. In 2003 the fishery opened one week later and much of the run had already passed resulting in poor catches and excess escapement at the hatchery. This fishery is not expected to exceed chinook or summer chum by-catch levels modeled during the preseason process. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 15, 2004.

J. P. Koenings
 Director

NEW SECTION

WAC 220-47-607 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the open periods, mesh size, areas, species restrictions, notification, and landing requirements set forth in this section,

provided that unless otherwise amended, all permanent rules remain in effect:

Lawful gill net gear:

Lawful gill net gear in Puget Sound Areas 7, and 7A, shall not contain meshes of a size less than 5 inches nor greater than 5 1/2 inches. It is unlawful to fish for salmon with gill net gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department-issued certification card.

Lawful purse seine gear:

1) It is unlawful to fish for salmon with purse seine gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department-issued certification card.

2) If fishers are enrolled in the "Rolling Wedge" evaluation program they may use the rolling wedge in lieu of brailing provided they comply with the following conditions:

(a) Have enrolled by contacting the Department at 902-2717 prior to June 1, 2004

(b) Pay the funding fee of \$100 per day of the opening

(c) Allow WDFW observer on board for all fishing activities

(d) No more than 125 fish may be on deck at any one time.

(e) Place all lethargic or injured fish in the operating recovery box until they appear recovered or they are dead

Dimensions and capacities of required recovery boxes:

(i) Recovery boxes must have two chambers, if one box, or it may be two boxes with one chamber in each box.

(ii) Each recovery box chamber must have an inside length measurement of 48 inches, an inside width measurement of 10 inches, and an inside height measurement of 16 inches.

(iii) Each chamber of the recovery box must have an inlet hole measuring between 3/4 inch and 1 inch in diameter, and the inlet hole must be centered horizontally across the door or wall of the chamber and the bottom of the hole must be located 1 3/4 inches above the floor of the chamber.

(iv) Each chamber of the recovery box must include a water outlet hole on the opposite wall from the inlet hole, and the outlet hole must be at least 1 1/2 inches in diameter with the bottom of the outlet hole located 12 inches above the floor of the chamber.

(v) Flow of water through each chamber of the recovery boxes must be not less than 16 gallons per minute nor more than 20 gallons per minute.

(f) Each box and chamber must be operating during any time that the net is being retrieved or picked.

(g) The vessel operator must demonstrate to department employees, upon request, that the pumping system is delivering the proper volume of fresh seawater into each chamber.

All salmon not to be retained must be released immediately with care and the least possible injury to the fish, or placed into the operating recovery box.

Area 6D:

Skiff Gill Nets - (a) Open to skiff gill nets using 5-inch minimum and 5 1/2-inch maximum mesh from 7:00 a.m. to 7:00 p.m. on the following dates: 9/20, 9/21, 9/22, 9/23, 9/24,

9/27, 9/28, 9/29, 9/30, 10/1, 10/4, 10/5, 10/6, 10/7, 10/8, 10/11, 10/12, 10/13, 10/14, 10/15, 10/18, 10/19, 10/20, 10/21, 10/22, 10/25, 10/26, 10/27, 10/28, 10/29.

(b) It is unlawful to retain chinook or pink salmon taken in Area 6D at any time, or any chum salmon taken in Area 6D prior to October 16. Any chinook, chum or pink salmon required to be released, must be removed from the net by cutting the meshes ensnaring the fish.

Areas 7 and 7A:

Reef Nets - Open to reef net gear according to the times, dates, and conditions as prescribed and listed here:

<u>TIME</u>	<u>DATES</u>
7:00 a.m. to 7:00 p.m. Daily	Immediately through November 13

It is unlawful to retain chinook salmon at all times, and it is unlawful to retain chum or wild coho salmon prior to October 1. It is unlawful to fish for salmon with reef net gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department-issued certification card.

Areas 7B:

Purse Seines - Open in Area 7B to purse seines using the 5-inch strip during the following hours and dates.

7:00 a.m. September 19 to 4 p.m. October 23

Gill Nets - Open to gill nets as follows:

<u>Areas</u>	<u>Mesh Size</u>	<u>Hours</u>	<u>Dates</u>
7B	5" minimum	6:00 p.m. September 16 to 8:00 a.m. September 17. 7:00 p.m. September 19 through 8:00 p.m. October 23	

Gill Nets - Open to gill nets using 5-inch minimum mesh as follows:

<u>Hours</u>	<u>Dates</u>
6:00 p.m. September 19 to 8:00 a.m. September 20	
6:00 p.m. September 21 to 8:00 a.m. September 22	
6:00 p.m. September 23 to 8:00 a.m. September 24	
6:00 p.m. September 26 to 8:00 a.m. September 27	
6:00 p.m. September 28 to 8:00 a.m. September 29	
6:00 p.m. September 30 to 8:00 a.m. October 1	

Area 9A:

Gill Nets - Open to gill nets using 5-inch minimum mesh as follows:

<u>Hours</u>	<u>Dates</u>
Immediately through 8:00 p.m.	October 30

It is unlawful to retain chum salmon in Area 9A prior to October 1 and unlawful to retain chinook salmon at any time. Any salmon not to be retained must be released from the net by cutting the meshes ensnaring the fish.

Area 12A:

Beach Seines - (a) Open to holders of beach seine permits from 7:00 a.m. to 7:00 p.m. on the following dates: 9/16, 9/17, 9/20, 9/21, 9/22, 9/23, 9/24, 9/27, 9/28, 9/29, 9/30, 10/1.

(b) Open in those waters of Area 12A lying northerly of a line extending from Whitney Point to the flashing light off Fishermans Point then to Fishermans Point on the Bolton Peninsula.

All Other Saltwater and Freshwater Areas: Closed.

"Quick Reporting" Fisheries:

All fisheries opened under this section, and any fishery openings under authority of the Fraser Panel for sockeye or pink salmon in Areas 7 and 7A are designated as "Quick Reporting Required" fisheries.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:01 p.m. September 15, 2004:

WAC 220-47-606	Puget Sound all-citizen commercial salmon fishery. (04-237)
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**WSR 04-19-082
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-252—Filed September 17, 2004, 3:18 p.m., effective October 1, 2004, 8:00 a.m.]

Effective Date of Rule: October 1, 2004, 8:00 a.m.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-040 and 220-52-046.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The state may not authorize commercial shellfish harvests absent agreed planning or compliance with a process. The provisions of this rule are in conformity with agreed plans with applicable tribes which have been entered as required by court order. The pot limit for the commercial crab fishery in the Puget Sound licensing district is to maintain commercial harvest allocation plans. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

EMERGENCY

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 16, 2004.

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-52-0400C Commercial crab fishery—Lawful and unlawful gear, methods, and other unlawful acts. Notwithstanding the provisions of WAC 220-52-040:

(1) Dungeness crab pots may be deployed between 8:00 a.m. October 1, 2004 and 7:59 a.m. October 3, 2004 in Puget Sound waters from a vessel not designated on a persons Puget Sound crab license provided that the primary or alternate operator designated on the license is on board the non-designated vessel ("barge" vessel), and provided prior notice has been given as indicated below.

(2) The license holder must leave a telephone message at the La Conner office, (360) 466-4345, extension 245, with the following information:

- a) Name and license number of license owner.
- b) Name of designated primary operator if different from license owner.
- c) Name of alternate operator if used to deploy pots from a non-designated vessel.
- d) Buoy brand number and number of pots to be deployed from a non-designated vessel.
- e) Name and identification numbers (WN and/or Coast Guard) of the non-designated vessel.

(3) Effective 8:00 a.m. October 1, 2004 until further notice, it is unlawful for any person to fish for crabs for commercial purposes with more than 75 pots per license, per buoy tag number in Marine Fish Shellfish Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 23D, 25A, 25E, 24A, 24B, 24C, 24D, and 26A-E. The remaining 25 buoy tags per license must be onboard the designated vessel and available for inspection in the pot limited areas.

NEW SECTION

WAC 220-52-04600Q Crab fishery—Seasons and areas. Notwithstanding the provisions of WAC 220-52-046,

1) It will be lawful to fish for Dungeness Crab for commercial purposes in the following areas:

(a) Effective 8:00 a.m. October 1, 2004 until further notice, those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A within a line that extends due north from the green number 1 buoy at Scatchet Head to Scatchet Head, thence from the green number 1 buoy at Scatchet Head to the green number 1 buoy at Possession Point, thence due north from the green number 1 buoy at Possession Point to Possession Point.

(b) Effective 8:00 a.m. October 16, 2004 until further notice, those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A east and north of a line that extends from Possession Point to the green number 1 buoy at

Possession Point thence following the 200 foot contour northward to a point due east from the Glendale Dock, thence extending due west to the Whidbey Island shore.

(c) Effective 8:00 a.m. October 1, 2004 until further notice, that portion of Marine Fish-Shellfish Catch Area 21B in Samish Bay south of a line from Fish Point and Point Williams in water deeper than 60 feet.

(2) Those waters of Marine Fish-Shellfish Catch Area 26A in Useless Bay north and east of a line from the south end of the Double Bluff State Park seawall (47° 58.782"N, 122° 30.84'W) projected 110° true to the boulder on shore (47° 57.690'N, 122° 26.742'W) are closed October 1 through October 15, 2004. Those same waters of Useless Bay, will be open to commercial crab fishing effective 8:00 a.m. October 16, 2004, until further notice.

(3) Effective 8:00 a.m. October 1, 2004 until further notice Marine Fish-Shellfish Management and Catch Reporting Area 26A shall be further defined by the following boundaries:

(a) Area 26A-W shall include those waters of Catch Area 26A south of 25B and northerly of a line from Apple Cove Point to Point Edwards and south and west of a line that extends from Possession Point to the Shipwreck located .8 nautical miles north of Picnic Point.

(b) Area 26A-E shall include those waters of Catch Area 26A south of Areas 24B and 24C and north and east of a line that extends from Possession Point to the Shipwreck located .8 nautical miles north of Picnic Point.

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 04-19-083

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 04-254—Filed September 17, 2004, 4:30 p.m., effective September 19, 2004, 8:00 p.m.]

Effective Date of Rule: September 19, 2004, 8:00 p.m.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000J; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: Sets the late fall salmon fishery consistent with the allocation agreement. Provides opportunity for directed chinook and coho target seasons - harvestable numbers of salmon are available. Sturgeon landing limits are consistent with the joint state sturgeon management agreement and provide for sturgeon harvest opportunity throughout the late fall salmon fishery. Modifies the open times in the Blind Slough fishery to avoid sport fishery con-

flicts. Provides modification to the gear rules in select areas to allow additional weights or anchors on the lead line, consistent with the goal of 100% harvest. The select areas are part of an on-going BPA funded study to design fisheries in areas outside of the mainstem Columbia River. Several stocks of salmon have been released from net pens in these select areas to provide for fisheries. All salmon returning to these net pens are harvestable. All fisheries are consistent with the 2004 fall management agreement, the preseason non-Indian allocation agreement, and consistent with actions of the Columbia River compact on September 16, 2004, and July 29, 2004. Impacts to ESA-listed stocks are included in the biological assessment of fall fisheries. The biological opinion covering these fisheries has been signed. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2004.

J. P. Koenings
Director

NEW SECTION

WAC 220-33-01000K Columbia River season below Bonneville. Notwithstanding the provisions of WAC 220-33-010, and 220-33-020, it is unlawful for a person to take or possess salmon or sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E, except as provided in the following subsections:

1) OPEN AREA: SMCRA 1A, 1B, 1C, 1D, 1E

a) SEASON: 8:00 p.m. September 19 to 6:00 a.m. September 20, 2004

b) GEAR: No minimum mesh restriction downstream of the Longview Bridge and 8-inch minimum mesh restriction upstream of the Longview Bridge. 9 3/4 inch maximum mesh restriction in all areas.

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be processed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries.

d) SANCTUARIES: Elokomina-A, Abernathy, Cowlitz, Kalama-A, Lewis-A, Sandy, Washougal.

e) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

2) OPEN AREA: SMCRA 1A, 1B, and 1C upstream to the Longview Bridge

a) SEASON: 6:00 a.m. to 6:00 p.m. September 21, 2004
6:00 a.m. to 6:00 p.m. September 23, 2004

b) GEAR: 6-inch maximum mesh size, unslackened floater gill nets

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be processed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries.

d) SANCTUARIES: Elokomina-A, Abernathy.

e) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

3) OPEN AREA: SMCRA 1C upstream of the Longview Bridge, 1D, 1E

a) SEASON: 8:00 p.m. September 21 to 1:00 a.m. September 22, 2004

8:00 p.m. September 23 to 1:00 a.m. September 24, 2004

b) GEAR: 8-inch minimum mesh restriction and 9 3/4 inch maximum mesh restriction

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be processed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries.

d) SANCTUARIES: Cowlitz, Kalama-A, Lewis-A, Sandy, Washougal.

e) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

4) OPEN AREA: Blind Slough/Knapka Slough Select Area

Blind Slough fishing area includes all waters from markers at the mouth of Gnat Creek located approximately 0.5 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough. Concurrent waters extend downstream of the railroad bridge. Oregon State waters extend upstream of the railroad bridge.

Knapka Slough fishing area includes all waters bounded by a line from the northerly most marker at the mouth of Blind Slough westerly to a marker on Karlson Island downstream to boundary lines defined by markers on the western end of Minaker Island to markers on Karlson Island and the Oregon shore. An area closure of about a 100-foot radius at the mouth of Big Creek defined by markers. All waters are under concurrent jurisdiction.

a) SEASON: 7:00 p.m. to 7:00 a.m., Mondays, Tuesdays, Wednesdays, and Thursday nights from September 20 through September 24, 2004.

6:00 p.m. to 8:00 a.m., Mondays, Tuesdays, Wednesdays, and Thursday nights from September 27 through October 29, 2004.

b) GEAR: 6-inch maximum mesh size. Maximum net length of 100 fathoms. No weight restriction on lead line. Additional weights and anchors may be attached directly to the lead line.

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be processed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries

d) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

5) OPEN AREA: Tongue Point/South Channel Select Area

Tongue Point fishing area includes all waters bounded by a line from a yellow marker midway between the red light at Tongue Point and the downstream (northern most) pier (#8) to the flashing green light at the rock jetty on the northwesterly tip of Mott Island, a line from a marker at the south end of Mott Island easterly to a marker on the northwest bank on Lois Island, and a line from a marker on the southwest end of Lois Island due westerly to a marker on the opposite bank. All waters are under concurrent jurisdiction. South Channel area includes all waters bounded by a line from a marker on John Day Point through the green buoy "7" thence to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to flashing red marker "10" thence northwesterly to a marker on the sand bar defining the terminus of South Channel. All waters are under concurrent jurisdiction.

a) SEASON: Monday, Tuesday, Wednesday, and Thursday nights from immediately through October 29, 2004. Open hours are 4:00 p.m. to 8:00 a.m. daily.

b) GEAR: In the Tongue Point area the mesh size is restricted to 6-inch maximum mesh. Net length maximum of 250 fathoms, and weight not to exceed two pounds on any one fathom on the lead line.

In the South Channel area the mesh size is restricted to 6-inch maximum mesh. Net length maximum of 100 fathoms, and no weight restriction on lead line. Additional weights and anchors may be attached directly to the lead line in South Channel.

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be processed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries.

d) MISCELLANEOUS: Participants in the Tongue Point fishery may have stored on board their boats, gill nets with lead line in excess of two pounds per fathom.

e) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

6) OPEN AREA: Deep River Select Area

Deep River is open to fishing down river from the town of Deep River to the mouth (a line from navigation marker "16" southwest to a marker on the Washington shore). Concurrent waters extend downstream of the Highway 4 bridge. State waters extend upstream of the Highway 4 bridge.

a) SEASON: Monday, Tuesday, Wednesday, and Thursday nights immediately through October 29, 2004. Open hours are 4:00 p.m. to 8:00 a.m. daily.

b) GEAR: Gillnet 6-inch maximum mesh. Net length maximum of 100 fathoms, and no weight restriction on the lead line. Additional weights and anchors may be attached directly to the lead line.

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be processed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries.

d) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

7) OPEN AREA: Steamboat Slough Select Area

Steamboat Slough is open to fishing in waters bounded by markers on Price Island and the Washington shore, at both upstream and downstream ends of Steamboat Slough. All open waters are under concurrent jurisdiction.

a) SEASON: Monday, Tuesday, Wednesday, and Thursday nights from immediately through October 29, 2004. Open hours are 4:00 p.m. to 8:00 a.m. daily.

b) GEAR: Gillnet 6-inch maximum mesh. Net length maximum of 100 fathoms, and no weight restriction on the lead line. Additional weights and anchors may be attached directly to the lead line.

c) ALLOWABLE SALE: Salmon and sturgeon. A maximum of five sturgeon may be possessed or sold by each vessel participating each calendar week (Sunday through Saturday). The five sturgeon possession and sales limit includes mainstem and Select Area fisheries.

d) MISCELLANEOUS: Transportation or possession of fish outside the fishing area is unlawful unless by licensed buyer, except fishers may transport their catch out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

e) OTHER: Quick reporting required for Washington wholesale dealers, WAC 220-69-240.

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 p.m. September 19, 2004:

WAC 220-33-01000J

Columbia River season
below Bonneville. (04-230)

**WSR 04-19-084
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-255—Filed September 17, 2004, 4:31 p.m., effective September 20, 2004, 6:00 a.m.]

Effective Date of Rule: September 20, 2004, 6:00 a.m.
Purpose: Amend commercial fishing rules.

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

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: Sets fifth week of the tribal commercial fishery. Allows commercial sale of platform and hook and line caught fish to be sold in the treaty Indian fishery. Allows commercial sale of tributary caught fish by the Yakama Nation tribal members when those tributary seasons

are open and when the commercial gillnet season is open in the mainstem Columbia. Season is consistent with the management agreement and the biological opinion. Consistent with action of the Columbia River compact of September 16, 2004, and conforms state rules with tribal rules. There is insufficient time to promulgate permanent regulations.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2004.

J. P. Koenings
Director

NEW SECTION

WAC 220-32-05100C Columbia River salmon seasons above Bonneville Dam. Notwithstanding the provisions of WAC 220-32-050, WAC 220-32-051, WAC 220-32-052, WAC 220-32-058, effective immediately until further notice, it is unlawful for a person to take or possess salmon, shad, carp, or sturgeon taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H, and the Klickitat River and White Salmon rivers, except those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for salmon, shad, carp, sturgeon, steelhead and walleye under the following provisions pursuant to lawfully enacted tribal rules:

1) Open Periods: 6:00 a.m. September 20, 2004 to 6:00 p.m. September 24, 2004

a) Open Areas: SMCRA 1F, 1G, 1H

b) Gear: Gill Nets. No mesh restriction

c) Allowable sale includes: chinook, coho, steelhead, walleye, carp, and shad. Sturgeon may not be sold. Sturgeon between 45 inches and 60 inches in length may be retained in the Bonneville Pool (SMCRA 1F) for subsistence purposes only. Sturgeon between 4 feet and 5 feet in length may be retained in The Dalles and John Day pools (SMCRA 1G, 1H) for subsistence purposes only. Commercial sales of platform and hook and line caught fish are allowed during commercial gillnet openings.

d) Sanctuaries: The small 150 foot sanctuary around Spring Creek Hatchery and all other standard sanctuaries will be in place.

2) Open Periods: Immediately until further notice.

a) Open Areas: SMCRA 1F, 1G, 1H, the Klickitat River and the White Salmon River.

b) Gear: Hoop nets, dip bag nets, or hook and line.

c) Allowable sale includes: Chinook, coho, steelhead, walleye, carp and shad. Sturgeon between 45 inches and 60 inches in length may be retained in the Bonneville Pool (SMCRA 1F) for subsistence purposes only. Sturgeon between 4 feet and 5 feet in length may be retained in The Dalles and John Day pools (SMCRA 1G, 1H) for subsistence purposes only. Commercial sales of platform and hook and line caught fish are allowed during commercial gillnet openings. Sockeye may not be sold but may be retained for subsistence purposes. Fish taken in the Klickitat and White Salmon rivers may be sold when those rivers are open pursuant to lawfully enacted tribal rules.

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

a) Hood River are 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 down river from the west bank at the end of the break wall at the west end of the port of Hood River and 1/2 mile upriver from the east bank.

b) Herman Creek are 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 are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points 1/2 mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

d) Umatilla River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points 1/2 mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

e) Big White Salmon River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between a marker located 1/2 mile downstream from the west bank upstream to Light "35".

f) Wind River are those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between markers located 1 1/4 miles downstream from the west bank and 1/2 mile upstream from the east bank.

g) Klickitat River are 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 1/8 miles downstream from the west bank.

h) Little White Salmon River are 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 1/2 mile upstream from the eastern shoreline.

4) Notwithstanding the provisions of WAC 220-22-010, during the open periods described above:

a) Area 1F (Bonneville Pool) includes those waters of the Columbia River upstream from the Bridge of the Gods, and

downstream from the west end of the 3 Mile Rapids located approximately 1.8 miles below the Dalles Dam.

b. Area 1G includes those waters of the Columbia River upstream from a line drawn between a deadline marker on the Oregon shore located approximately 3/4 miles above The Dalles Dam fishway exit, thence at a right angle to the thread of the river to a point in mid-river, then downstream to Light "1" on the Washington shore, and downstream from Preacher's Eddy Light below John Day Dam.

c. Area 1H includes those waters of the Columbia River upstream from a fishing boundary marker approximately 1/2 mile above the John Day River, Oregon, extending at a right angle across the thread of the river to a point in mid-river, 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 effective 6:00 a.m. September 20, 2004:

WAC 220-32-05100B Columbia River salmon seasons above Bonneville 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.

**WSR 04-19-096
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 04-259—Filed September 20, 2004, 2:59 p.m., effective September 20, 2004]

Effective Date of Rule: Immediately.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100H; and amending WAC 220-52-051.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The 2004 state/tribal Puget Sound shrimp harvest management plans requires adoption of harvest seasons, harvest reporting areas, and the prohibition on night time fishing contained in this emergency rule. Commercial shrimp quotas have been taken in the catch areas closed in this rule. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or

Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 20, 2004.

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-52-05100I Puget Sound shrimp pot and beam trawl fishery—Season. Notwithstanding the provisions of WAC 220-52-051, effective immediately until further notice, it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) Shrimp pot gear:

(a) Effective immediately until further notice, all waters of Crustacean Management Regions 2, 3 and 6, are open to harvest of all shrimp species, except as provided below:

(i) It is unlawful to harvest shrimp for commercial purposes in Marine Fish-Shellfish Catch and Reporting Areas 23A-E (east), 23A-W (west), and 23A-C (central).

(ii) It is unlawful to harvest spot shrimp for commercial purposes in Shrimp Management Areas 2-E (east), 2-W (west), and Marine Fish-Shellfish Catch and Reporting Areas 23A-S (south), 23B, 23C, 23D, 25A, 25D and 26D.

(iii) Marine Fish/Shellfish Management and Catch Reporting Area 25D (Port Townsend Bay) is closed south of the 48.06' North latitude line, north of the 48.04' North latitude line and east of the 122.46' west longitude line.

(iv) In Crustacean Management Region 2 it is unlawful to set or pull shrimp gear in waters greater than 175 feet deep.

(b) Effective immediately, until further notice, it is unlawful for the combined total harvest of spot shrimp by a fisher and/or the fisher's alternate operator to exceed 300 pounds per week from Crustacean Management Region 6, and any fisher whose weekly shrimp harvest activity is exclusively limited to Marine Fish-Shellfish Catch and Reporting Area 29, shall not be subject to the weekly spot shrimp trip limit for that week. The spot shrimp trip limit accounting week is Monday through Sunday. It is unlawful to fish for any shrimp while in possession on board the fishing vessel spot shrimp harvested from the previous trip limit accounting week or weeks.

(c) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear in more than one Marine Fish-Shellfish Management and Catch Reporting Area per day. Fishers may move all of their shellfish pot gear from one Marine Fish-Shellfish Management and Catch

Reporting Area to another Marine Fish-Shellfish Management and Catch Reporting Area if a harvest report is made before the shellfish pot gear is moved. The harvest activity report must be made consistent with the provisions of WAC 220-52-075 and must also include the following additional information.

(i) The number of pots being moved to a new area and the Marine Fish-Shellfish Management and Catch Reporting Area that the pots are being moved to.

(d) It is unlawful to set or pull shellfish pots in one Marine Fish-Shellfish Management and Catch Reporting Area while in possession of shrimp harvested from another Marine Fish-Shellfish Management and Catch Reporting Area except shellfish pots may be set in a new fishing area subsequent to making a report as indicated in Section 1(c) above.

(e) For purposes of shrimp harvest allocation, fishing season, and catch reporting, Marine Fish-Shellfish Catch and Reporting Area 23A is divided into four Subareas: 23A-E (east) is those waters of Catch Area 23A north of a line projected 48.22.50' °N latitude east of a line projected 122.57°W longitude. 23A-W (west) is those waters of Catch Area 23A north of a line projected 48.22.50' °N latitude and west of a line projected 122.57°W longitude. 23A-C (central) is those waters of Catch Area 23A south of a line projected 48.22.50' °N latitude and east of a line projected 335 degrees true from the Dungeness lighthouse. 23A-S (south) is those waters of Catch Area 23A west of a line projected 335 degrees true from the Dungeness lighthouse.

(2) Shrimp beam trawl gear:

(a) Crustacean Management Region 3 outside of the shrimp districts:

Open immediately, until further notice.

(b) That portion of Marine Fish-Shellfish Management and Catch Reporting Areas 20B, 21A, and 22A within Shrimp Management Area 1B, and Marine Fish-Shellfish Management and Catch Reporting Areas 20A:

Open immediately, until further notice.

(c) It is unlawful to set or pull shrimp beam trawl gear from one hour after official sunset to one hour before official sunrise.

(3) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-05100H Puget Sound shrimp pot and beam trawl fishery. (04-238)

WSR 04-19-097 EMERGENCY RULES DEPARTMENT OF FISH AND WILDLIFE

[Order 04-256—Filed September 20, 2004, 3:00 p.m., effective September 20, 2004]

Effective Date of Rule: Immediately.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-69-26401 and 220-69-280.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: Recently enacted catch reporting rules failed to make provisions for geoduck tract harvesters to possess fish receiving tickets, or for Department of Natural Resources employees to retain a copy of the shellfish receiving ticket for agency use. Rule making will be initiated to correct these deficiencies.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 20, 2004.

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-69-26401A Distribution of shellfish receiving tickets. Notwithstanding the provisions of WAC 220-69-26401, effective immediately until further notice the pink copy of shellfish receiving tickets documenting geoduck harvest may be retained by the Department of Natural Resources, and are not required to be submitted to the Department of Fish and Wildlife.

NEW SECTION

WAC 220-69-28000A Fish receiving ticket accountability. Notwithstanding the provisions of WAC 220-69-280, effective immediately until further notice it is lawful for geoduck vessel operators to have shellfish receiving tickets in

order to initiate the shellfish receiving ticket prior to leaving the geoduck tract as required under WAC 220-69-241(3).

WSR 04-19-105
EMERGENCY RULES
DEPARTMENT OF
RETIREMENT SYSTEMS

[Filed September 21, 2004, 8:04 a.m., effective September 21, 2004]

Effective Date of Rule: Immediately.

Purpose: To implement chapter 4, Laws of 2004 (HB 2418), which provides additional benefits for certain law enforcement officers' and fire fighters' retirement system members who incur a disability in the line of duty. This rule replaces an existing emergency rule with the same WAC number. This emergency rule varies from the previous emergency rule. The Department of Retirement Systems (DRS) has filed notice of its intent to adopt this rule as a permanent rule.

Statutory Authority for Adoption: RCW 41.50.050(5).

Other Authority: RCW 41.26.470.

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

Reasons for this Finding: This law went into effect on June 10, 2004. It provides benefits for members of the law enforcement officers' and fire fighters' retirement system who are totally incapacitated for continued employment by their employer due to a disability incurred in the line of duty. Observing the time requirements of notice and opportunity to comment would be contrary to the interest of eligible law enforcement officers and fire fighters with duty-related disabilities. This rule replaces a previous emergency rule filed as WSR 04-12-035. DRS has filed a CR-102 to adopt the rule permanently.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 1, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: September 20, 2004.

September 20, 2004
Maureen Westgard
Deputy Director

NEW SECTION

WAC 415-104-480 LEOFF Plan 2 duty disability benefits. Members of the law enforcement officers' and fire fighters' retirement system (LEOFF) Plan 2 who incur a disability in the line of duty are entitled to duty disability benefits subject to the requirements in RCW 41.26.470 and this section.

(1) **Who is entitled to duty disability benefits?** Any member of LEOFF Plan 2 who is deemed by the department to have:

(a) Incurred a disability in the line of duty;

(b) Been totally incapacitated for continued employment in a LEOFF eligible position;

(c) Separated from a LEOFF eligible position due to the disability, and who:

(i) Has a retirement date on or after January 1, 2001; or

(ii) Is eligible under this section to have a retirement date on or after January 1, 2001.

The disability may be physical or mental, and may be caused by injury or occupational disease.

(2) **How is "line of duty" defined?** Line of duty means any action or activity done in conjunction with your employment or your status as a law enforcement officer or fire fighter that is required, obligated, or authorized by law, rule, regulations, or condition of employment or service.

(3) **When are the duty disability provisions effective?** The effective date of the duty disability provisions under RCW 41.26.470 (6) and (7) is June 10, 2004, and applies retroactively to January 1, 2001. In order to qualify for the provisions, you must have separated from your LEOFF-eligible position due to a duty disability with a retirement date on or after January 1, 2001.

(4) **How do I apply for duty disability benefits?** You must submit:

(a) A completed three-part disability retirement application provided by the department.

(i) Part 1: Disability retirement application. You must complete and sign the application. If you are married, your spouse must sign consent of the retirement payment option you choose. You must have your signature(s) notarized.

(ii) Part 2: Employer's statement and report. Your employer must complete, sign and return directly to the department.

(iii) Part 3: Medical report. You must complete Section 1. The remainder must be completed and signed by a person licensed according to Washington state law to practice medicine and surgery, osteopathic medicine and surgery, chiropractic, naturopathy, podiatry, dentistry, or optometry.

(b) Proof of applying to the Washington state department of labor and industries (L&I) or a self-insurer for workers' compensation benefits under Title 51 RCW and, if L&I or the self-insurer determined eligibility, a copy of the determination;

(c) Additional information that may be requested by the department; and

(d) Any other material you want the department to consider.

(5) **What types of evidence will the department use to determine whether I am entitled to benefits under this section?** The department will consider:

- (a) Information and determinations obtained from L&I or a self-insurer;
- (b) The documentation you submit;
- (c) Facts surrounding your injury or occupational disease;
- (d) Your job description;
- (e) Your membership records, maintained by the department;
- (f) Materials obtained or provided by your employer; and
- (g) Any other relevant evidence.

(6) **What would disqualify me for duty disability benefits?** You are not eligible for duty disability benefits if any of the following apply:

- (a) Your application does not provide adequate proof that you are totally incapacitated for continued employment in a LEOFF-eligible position;
- (b) Your application is incomplete or lacks sufficient documentation to prove your disability was incurred in the line of duty;
- (c) Your claim for workers' compensation benefits under Title 51 RCW was denied either because your disability was not incurred in the course of employment or because your condition was not recognized as a disability;
- (d) The disability occurred as a result of intentional misconduct;

- (e) An action was taken by you intentionally to bring about your own disability;
- (f) Your mental or physical faculties were impaired due to voluntary intoxication as defined in subsection (17) of this section; or
- (g) You were performing your duties in a grossly negligent manner at the time the disability occurred.

(7) **Who decides if I meet the requirements for benefits under this section?** The LEOFF plan administrator.

(8) **May I petition a decision made by the LEOFF plan administrator?** Yes. If the LEOFF plan administrator denies your request for a disability benefit or determines your disability was not incurred in the line of duty, you may petition for review under chapter 415-04 WAC.

(9) **What are the duty disability retirement benefits?** As a duty disability retiree, you may choose between:

- (a) A nontaxable, one-time lump sum payment equal to one hundred fifty percent of your retirement contributions; except that, any payments made to restore service credit after the five-year deadline will be paid at one hundred percent; or
- (b) A monthly benefit equal to (b)(i) or (ii) of this subsection, whichever provides the greater benefit:

- (i) A minimum monthly benefit equal to ten percent of your final average salary (FAS), which is nontaxable; or
- (ii) A monthly benefit of two percent of your FAS for each year of service, adjusted for early retirement if you are under age fifty-three and any survivor option chosen. A portion of your benefit, equal to ten percent of your FAS, is nontaxable.

Example: Tom incurs a duty disability at age 42 after twenty years of service. His final average salary is \$5000 per month. Tom's wife is also age 42, and he chooses survivor Option Two per WAC 415-104-215 (2)(b).

Tom's duty disability benefit, calculated at 10 percent of his final average salary (FAS), would be:

Allowance	$\$5000 \times 10\% =$	\$500
Benefit with survivor Option Two	$\$500 \times 0.87 =$	\$435 (nontaxable)

Tom's duty disability benefit using standard computation would be:

Allowance	$2\% \times \text{AFS} (\$5000) \times 20 \text{ years} =$	\$2000
Benefit after reduction for early retirement	$\$2000 \times 0.39$ (early retirement factor) =	\$780
Benefit with survivor Option Two	$\$780 \times 0.87 =$	\$678.60 (\$435 of this amount is nontaxable)

Tom will receive a monthly benefit of \$678.60 because that is the greater benefit.

(10) **Are my duty disability benefits taxable?** The department reports disability benefits to the Internal Revenue Service as required by federal law. Based on current federal law, part of your benefit may be taxable. You should consult with your own tax advisor regarding all questions of federal or state income, payroll, personal property or other tax consequences regarding any payments you receive from the department.

It is important that you realize that the department does not:

- (a) Guarantee that payments should or should not be designated as exempt from federal income tax;
- (b) Guarantee that it was correct in withholding or not withholding taxes from benefit payments to you;
- (c) Represent or guarantee that any particular federal or state income, payroll, personal property or other tax consequence will occur because of its nontaxable determination; or
- (d) Assume any liability for your compliance with the Internal Revenue Code.

(11) **If I retired on or after January 1, 2001, may I apply for duty disability benefits?** If you separated employment due to disability and retired with a service or nonduty disability retirement date on or after January 1, 2001, you may apply to the department for duty disability benefits according to the provisions of subsection (4) of this section.

(12) **If I separated from employment, may I apply for duty disability benefits?** If you separated from employment due to a disability and qualify for a retirement date on or after January 1, 2001, you may apply for duty disability benefits according to the provisions of subsection (4) of this section. If the LEOFF administrator determines you are entitled to duty disability benefits, you will receive a monthly benefit calculated as provided in subsection (9)(b) of this section. However, if you withdrew your contributions, you must repay the entire amount you withdrew. You may repay the withdrawn amount:

- (a) By returning the entire amount you withdrew to the department; or

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(b) By an actuarial reduction in your monthly benefit.

Example: John was injured on the job and separated from his LEOFF position in March 2002. At the time he separated, he was 43 years old, had 10 years of service, and his final average salary was \$5,000.00 per month. At that time, John chose to withdraw \$75,000, which equaled 150 percent of his retirement contributions.

John subsequently applied under the provisions of RCW 41.26.470 (6) and (7) and was deemed eligible for duty disability benefits. The department calculated John's benefit according to the methods in subsection (9) of this section and determined it was to John's advantage to take the minimum monthly benefit.

If John chooses to repay the entire amount he withdrew, his monthly duty disability benefit will be:

Minimum monthly benefit	10% X AFS (\$5000) =	\$500
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If John chooses to repay the withdrawn amount by having his monthly benefit actuarially reduced, his benefit will be:

Minimum monthly benefit	10% X AFS (\$5000) =	\$500
Reduction to repay the withdrawn amount (\$75,000)	\$75,000 X .0049904 (annuity factor, which is based on the retiree's age) =	-\$374.28
Monthly benefit		\$125.72

(13) When does a duty disability retirement benefit end? Your duty disability benefit will cease if:

- (a) You return to work in a LEOFF-eligible position; or
- (b) Medical examination reveals that you have recovered from the incapacitating disability and you are no longer entitled to workers' compensation benefits under Title 51 RCW.

(14) If I retire for a duty disability and die, will my survivor receive a monthly benefit? If you elect a survivor option under WAC 415-104-215(2) at the time of retirement, your survivor will receive a monthly benefit after your death.

(15) What happens if I return to a LEOFF-eligible position? If you recover from your disability and return to a LEOFF-eligible position, your monthly retirement benefit will stop.

(16) If I return to a LEOFF-eligible position, how will my future retirement benefit be affected? When you retire, your monthly benefit will be calculated pursuant to RCW 41.26.500 using any additional service credit and your highest sixty consecutive months of salary, but will be reduced if:

- (a) You were receiving a monthly benefit equal to ten percent of your FAS; or
- (b) You were receiving a monthly benefit calculated under the normal two percent rule but had an early retirement factor applied; or

(c) You received the one-time lump sum payment equal to one hundred fifty percent of your contributions, unless you repay the amount you received.

(17) As used in this section, intoxication means a disturbance of mental or physical faculties resulting from the introduction of alcohol into the body as evidenced by:

- (a) A blood alcohol level of .20 per centum or greater;
 - (b) A blood alcohol level of at least .10 per centum but less than .20 per centum unless the department receives convincing evidence that the public safety officer was not acting in an intoxicated manner immediately prior to his/her injury; or
- Resulting from drugs or other substances in the body.

WSR 04-19-114
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed September 21, 2004, 11:20 a.m., effective October 1, 2004]

Effective Date of Rule: October 1, 2004.

Purpose: To amend WAC 388-450-0185 Does the department count all of my income to determine my eligibility and benefits for Basic Food?, 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food?, 388-450-0195 Utility allowances for Basic Food programs, and 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food?, in order to update income, benefit and deduction standards for the Washington Basic Food program. These changes are necessary to comply with federal requirements for the food stamp program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0185, 388-450-0190, 388-450-0195, and 388-478-0060.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510.

Other Authority: FNS Administrative Notice 04-55 per 7 C.F.R. 273.9 and 42 U.S.C. 9902(2).

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The United States Department of Agriculture, Food and Nutrition Service (FNS) publishes new income standards, maximum benefit amounts, standard deduction, and maximum shelter standards at the end of each federal fiscal year that must be used in the next federal fiscal year effective for October benefits. In addition, FNS requires the department to adjust the standard utility allowance each year. These changes must be implemented at the start of each federal fiscal year (October 1).

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 4, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 4, Repealed 0.

Date Adopted: September 17, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-450-0185 Does the department count all of my income to determine my eligibility and benefits for Basic Food? We subtract the following amounts from your assistance unit's (AU's) countable income before we determine your Basic Food benefit amount:

(1) A standard deduction based on the number of people in your AU under WAC 388-408-0035:

Eligible and ineligible AU members	Standard deduction
1	\$134
2	\$134
3	\$134
4	\$134
5	\$((149)) <u>153</u>
6 or more	\$((171)) <u>175</u>

(2) Twenty percent of your AU's gross earned income (earned income deduction);

(3) Your AU's expected monthly dependent care expense as described below:

(a) The dependent care must be needed for AU member to:

- (i) Keep work, look for work, or accept work;
- (ii) Attend training or education to prepare for employment; or
- (iii) Meet employment and training requirements under chapter 388-444 WAC.

(b) We subtract allowable dependent care expenses that are payable to someone outside of your AU:

- (i) Up to two hundred dollars for each dependent under age two; and
- (ii) Up to one hundred seventy-five dollars for each dependent age two or older.

(4) Medical expenses over thirty-five dollars a month owed or anticipated by an elderly or disabled person in your AU as allowed under WAC 388-450-0200.

(5) Legally obligated current or back child support paid to someone outside of your AU:

- (a) For a person who is not in your AU; or

(b) For a person who is in your AU to cover a period of time when they were not living with you.

(6) A portion of your shelter costs as described in WAC 388-450-0190.

AMENDATORY SECTION (Amending WSR 04-07-138, filed 3/22/04, effective 5/1/04)

WAC 388-450-0190 How does the department figure my shelter cost income deduction for Basic Food? The department calculates your shelter cost income deduction as follows:

(1) First, we add up the amounts your assistance unit (AU) must pay each month for shelter. We do not count any overdue amounts, late fees, penalties or any amount you pay ahead of time as an allowable cost. We count the following expenses as an allowable shelter cost in the month the expense is due:

- (a) Monthly rent, lease, and mortgage payments;
- (b) Property taxes;
- (c) Homeowner's association or condo fees;
- (d) Homeowner's insurance for the building only;
- (e) Utility allowance your AU is eligible for under WAC 388-450-0195;
- (f) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;

(g) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:

- (i) AU intends to return to the home;
- (ii) AU has current occupants who are not claiming the shelter costs for Basic Food purposes; and
- (iii) AU's home is not being leased or rented during your AU's absence.

(2) Second, we subtract all deductions your AU is eligible for under WAC 388-450-0185 (1) through (5) from your AU's gross income. The result is your AU's net income.

(3) Finally, we subtract one-half of your AU's net income from your AU's total shelter costs. The result is your excess shelter costs. Your AU's shelter cost deduction is the excess shelter costs:

(a) Up to a maximum of three hundred ~~((seventy-eight))~~ eighty-eight dollars if no one in your AU is elderly or disabled ~~((and you were found eligible for benefits or were recertified for benefits either on or after March 1, 2004))~~; or

(b) The entire amount if ~~((someone))~~ an eligible person in your AU is elderly or disabled, even if the amount is over three hundred ~~((seventy-eight))~~ eighty-eight dollars.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-450-0195 Utility allowances for Basic Food programs. (1) For Basic Food, "utilities" include the following:

- (a) Heating and cooking fuel;
- (b) Cooling and electricity;
- (c) Water and sewer;
- (d) Garbage and trash collection; and

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(e) Basic telephone service.

(2) The department uses the amounts below if you have utility costs separate from your rent or mortgage payment. We add your utility allowance to your rent or mortgage payment to determine your total shelter costs. We use total shelter costs to determine your Basic Food benefits.

(a) If you have heating or cooling costs, you get a standard utility allowance (SUA) that depends on your assistance unit's size.

(b) If your AU does not qualify for the SUA and you have utility costs other than telephone costs, you get a limited utility allowance (LUA) of two hundred (~~two hundred three~~) twenty-two dollars.

(c) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of (~~thirty-six~~) thirty-seven dollars.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-478-0060 What are the income limits and maximum benefit amounts for Basic Food? If your assistance unit (AU) meets all other eligibility requirements for Basic Food, your AU must have income at or below the limits in column B and C to get Basic Food, unless you meet one of the exceptions listed below. The maximum monthly food assistance benefit your AU could receive is listed in column D.

EFFECTIVE (~~10-1-2003~~) 10-1-04

Column A Number of Eligible AU Members	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$(973) <u>1,009</u>	\$(749) <u>776</u>	\$(144) <u>149</u>	\$(1,235) <u>1,281</u>
2	((1,313)) <u>1,354</u>	((1,010)) <u>1,041</u>	((259)) <u>274</u>	((1,667)) <u>1,718</u>
3	((1,654)) <u>1,698</u>	((1,272)) <u>1,306</u>	((371)) <u>393</u>	((2,099)) <u>2,155</u>
4	((1,994)) <u>2,043</u>	((1,534)) <u>1,571</u>	((471)) <u>499</u>	((2,530)) <u>2,592</u>
5	((2,334)) <u>2,387</u>	((1,795)) <u>1,836</u>	((560)) <u>592</u>	((2,962)) <u>3,030</u>
6	((2,674)) <u>2,732</u>	((2,057)) <u>2,101</u>	((672)) <u>711</u>	((3,394)) <u>3,467</u>
7	((3,014)) <u>3,076</u>	((2,319)) <u>2,366</u>	((743)) <u>786</u>	((3,826)) <u>3,904</u>
8	((3,354)) <u>3,421</u>	((2,580)) <u>2,631</u>	((849)) <u>898</u>	((4,257)) <u>4,341</u>
9	((3,695)) <u>3,766</u>	((2,842)) <u>2,896</u>	((955)) <u>1,010</u>	((4,689)) <u>4,779</u>
10	((4,036)) <u>4,111</u>	((3,104)) <u>3,161</u>	((1,061)) <u>1,112</u>	((5,121)) <u>5,217</u>
Each Additional Member	+ ((341)) <u>345</u>	+ ((262)) <u>265</u>	+ ((106)) <u>112</u>	+ ((432)) <u>438</u>

Exceptions:

(1) If your AU is categorically eligible as under WAC 388-414-0001, your AU does not have to meet the gross or net income standards in columns B and C. We do budget your AU's income to decide the amount of Basic Food your AU will receive.

(2) If your AU includes a member who is sixty years of age or older or has a disability, your income must be at or below the limit in column C only.

(3) If you are sixty years of age or older and cannot buy and cook your own meals because of a permanent disability, we will use column E to decide if you can be a separate AU.

(4) If your AU has zero income, your benefits are the maximum allotment in column D, based on the number of eligible members in your AU.

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WSR 04-19-115
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)

[Filed September 21, 2004, 11:21 a.m., effective September 21, 2004]

Effective Date of Rule: Immediately.

Purpose: To comply with the federal requirements of Public Law 104-191 (Health Insurance Accountability Act of 1996), which mandates that HIPAA-related changes be effective no later than October 16, 2003. This rule-making order extends the emergency rule that has been in effect since October 8, 2003. The three previous emergency orders were adopted under WSR 04-12-041, 04-04-073, and 03-21-038.

A CR-101 notice was filed September 30, 2003, under WSR 03-20-103, and MAA is actively undertaking the appropriate steps to complete the permanent rule adoption process.

Citation of Existing Rules Affected by this Order: Amending WAC 388-535A-0050 and 388-535A-0060.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.530.

Other Authority: Public Law 104-191 (Health Insurance Accountability Act of 1996).

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This emergency rule is needed to meet the requirements of the federal Health Insurance Accountability Act of 1996, PL 104-191. The department is concurrently filing a proposal to adopt the rule through the regular rule-making process, and public hearing is planned for October 26, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 2, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 17, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0050 Authorization~~((7))~~ and prior authorization~~((, and expedited prior authorization))~~ for orthodontic services. (1) When MAA authorizes a service,

that authorization indicates only that the specific service is medically necessary; it is not a guarantee of payment. The client must be eligible for the covered service at the time the service is provided.

(2) MAA does not require prior authorization for orthodontic treatment of a client with cleft lip, cleft palate, or craniofacial anomaly when the client is:

(a) Eligible under WAC 388-535A-0020; and

(b) Being treated by a department-recognized cleft palate or craniofacial team.

(3) MAA requires prior authorization for orthodontic treatment of:

(a) Severe handicapping malocclusions;

(b) Dental malocclusions that result in severe dental functional impairment;

(c) Those cases that result in a score less than thirty on the Washington Modified HLD Index Scale; and

(d) Services provided per WAC 388-535A-0030.

~~(((4)) MAA allows orthodontists to use expedited prior authorization (EPA) for those cases that score thirty or more on the Washington Modified HLD Index Scale. The EPA process is designed to eliminate the need for telephone prior authorization for selected procedures. The orthodontist must create an authorization number using the process explained in MAA's orthodontic billing instructions. When MAA finds that a provider is using EPA inappropriately, MAA may:~~

~~(a) Require the provider to obtain prior authorization from MAA before providing services to any client; or~~

~~(b) Take one or more of the actions in WAC 388-502-0230(3-))~~

AMENDATORY SECTION (Amending WSR 02-01-050, filed 12/11/01, effective 1/11/02)

WAC 388-535A-0060 Reimbursement for orthodontic services. (1) MAA considers that a provider who furnishes covered orthodontic services to an eligible client has accepted MAA's rates and fees.

(2) Payment for orthodontic services is based on MAA's schedule of maximum allowances; fees listed in the fee schedule are the maximum allowable fees.

~~(3) ((MAA uses state assigned procedure codes to identify covered orthodontic services.~~

~~(4)) MAA does not cover out-of-state orthodontic treatment.~~

~~(((5))) (4) Orthodontic providers who are in department-designated border areas must:~~

~~(a) Meet the licensure requirements of their state; and~~

~~(b) Meet the same criteria for payment as in-state providers, including the requirements to contract with MAA.~~

~~(((6))) (5) MAA reimburses for interceptive orthodontic treatment for cleft palate or craniofacial anomaly per WAC 388-535A-0050.~~

~~(((7))) (6) With the exception of the conditions listed in subsection (((6))) (5) of this section, MAA reimburses for interceptive orthodontic treatment once per client's lifetime for clients with severe handicapping malocclusions.~~

~~(((8))) (7) MAA reimburses for limited transitional orthodontic treatment for a maximum of one year from original appliance placement. Follow up treatment is allowed in three-~~

month increments, beginning three months after the initial placement.

~~((9))~~ (8) MAA reimburses for comprehensive full orthodontic treatment up to a maximum of two years from original appliance placement. Six follow up treatments are allowed in three-month increments, beginning six months after the initial placement.

~~((10))~~ (9) If the client's eligibility for orthodontic treatment under WAC 388-535A-0020 ends before the conclusion of the orthodontic treatment, payment for any remaining treatment is the individual's responsibility; MAA does not reimburse for these services.

~~((11))~~ (10) The client is responsible for payment of any orthodontic service or treatment received during any period of ineligibility, even if the treatment was started when the client was eligible; MAA does not reimburse for these services.

~~((12))~~ (11) The client is responsible for paying for services when the client has not disclosed coverage to the provider, per WAC 388-502-0160 and 388-501-0200; MAA does not reimburse in these situations.

WSR 04-19-116

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 21, 2004, 11:22 a.m., effective September 29, 2004]

Effective Date of Rule: September 29, 2004.

Purpose: The Division of Employment and Assistance Programs is amending and repealing sections in chapter 388-492 WAC, Washington Combined Application Project, in order to continue a federal waiver governing the state's combined application project that provides simplified access to food assistance for certain SSI recipients. The rules are being updated to comply with an amended Food and Nutrition Services waiver in effect since February 6, 2004. These rules are currently operating by emergency adoption, WSR 04-13-001. They are also being updated to amend program language and to implement federal rules that require the department to adjust the shelter deductions for food benefits every year based on the consumer price index.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-492-0010 Washington state combined application program (WASHCAP) definitions; amending WAC 388-492-0020 What is WASHCAP?, 388-492-0030 Who can get WASHCAP?, 388-492-0040 Can I choose whether I get WASHCAP or Basic Food?, 388-492-0050 How do I apply for Washington state combined application program (WASHCAP) benefits?, 388-492-0060 How do I get my Washington state combined application program (WASHCAP) benefits?, 388-492-0070 How are my Washington state combined application program (WASHCAP) benefits calculated?, 388-492-0080 Where do I report changes?, 388-492-0090 How often does my Washington state combined application program (WASHCAP) case need to be reviewed?, 388-492-0100 How is my eligibility for Washington state combined application programs (WASH-

CAP) reviewed?, 388-492-0110 What happens if my Washington state combined application program (WASHCAP) benefits end?, 388-492-0120 What happens to my Washington state combined application program (WASHCAP) benefits if I am disqualified?, and 388-492-0130 What can I do if I disagree with a decision the department made about my Washington state combined application program (WASHCAP) benefits?

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and 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: These emergency rules have been in effect since February 6, 2004, to comply with an amended Food and Nutrition Services waiver. Federal regulations governing combined application projects (CAP) or demonstration projects are found in 7 C.F.R. 282. Emergency rules are needed to assure that department clients eligible for supplemental security income (SSI) continue to receive food benefits under the amended waiver. The department is in the process of amending these rules by regular adoption but cannot complete this process before the existing emergency rules expire September 29, 2004. The rule needs to be extended until the final rule is adopted permanently. A CR-102 proposed rule is being filed, and a public hearing is planned for October 26, 2004.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 12, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 1.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 12, Repealed 1.

Date Adopted: September 17, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0020 What ~~((is))~~ **are** WASHCAP food **benefits?** WASHCAP ~~((stands-for))~~ **means** the Washington State Combined Application program.

(1) WASHCAP is a simplified food ((assistance program for that are eligible for SSI from SSA and meet some other basic requirements:

(1) If you live in Washington state and get SSI, SSA asks you if you want to get food assistance benefits. If you meet the requirements of WAC 388-492-0030, you will get your food assistance benefits through WASHCAP)) benefits program for certain Supplemental Security Income (SSI) recipients. Unless specifically stated in this WAC chapter, WASHCAP food benefits follow all the program requirements of the Basic Food program as described under WAC 388-400-0040.

(2) ((If you are eligible for WASHCAP, SSA electronically sends us the information we need to open your benefits. You do not have to go to your local community services office to apply for food assistance benefits.

(3) While you get WASHCAP benefits, you must report all changes to SSA. SSA automatically shares your information we need for your WASHCAP benefits. You can report changes to your WASHCAP worker, but you do not have to do so. See WAC 388-492-0080 regarding changes to shelter costs)) Social Security Administration (SSA) asks you if you want to get food benefits when you apply for SSI in Washington state.

(3) If you meet the requirements of WAC 388-492-0030, you will get WASHCAP food benefits unless you can choose Basic Food benefits under WAC 388-492-0040.

(4) If you are eligible for WASHCAP food benefits under WAC 388-492-0030, SSA electronically sends us the information we need to open your WASHCAP food benefits.

(5) WASHCAP food benefits begin the first month after the month you are eligible for ongoing SSI.

(6) You do not have to go to your local community services office (CSO) to apply for WASHCAP.

(7) If you want Basic Food benefits before WASHCAP food benefits begin, you can apply at your local CSO, home and community services office (HCS), or SSA.

(8) While you get WASHCAP food benefits, you must report all changes to SSA.

(9) SSA shares the changes you report to them with your WASHCAP worker.

(10) You do not have to report changes to your WASHCAP worker. See WAC 388-492-0080.

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 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0030 Who can get WASHCAP? (1) ((When you apply for food assistance,)) You can get WASHCAP food benefits ((when you are eighteen years of age or older and:

- (a) Are eligible to receive federal SSI benefits;
- (b) Live alone or SSA considers you as a single household;
- (c) Buy and cook your food separately from others you live with;
- (d) Do not have any earned income.

(2) You are not eligible for WASHCAP if:

- (a) You live in an institution; or
- (b) You are under age twenty-two and you live in the same home as your parents)) if:
 - (a) You are eligible to receive federal SSI benefits; and
 - (b) You are eighteen years of age or older; and
 - (c) You live alone, or SSA considers you as a single household; or
 - (d) You live with others but buy and cook for food separately from them; and
 - (e) You do not have earned income when you apply for SSI; or
 - (f) You already get WASHCAP food benefits and become employed and receive earned income for less than three consecutive months; or
 - (g) You already get WASHCAP and move to an institution for ninety days or less.
- (2) You are not eligible for WASHCAP food benefits if:
 - (a) You live in an institution;
 - (b) You are under age eighteen;
 - (c) You live with your spouse;
 - (d) You are under age twenty-two and you live with your parent(s) who are getting Basic Food benefits;
 - (e) You begin working after you have been approved for WASHCAP and have earned income for more than three consecutive months;
 - (f) You live with others and do not buy and cook your food separately from them; or
 - (g) You are ineligible for Basic Food benefits under WAC 388-400-0040 (13)(b) and (e).
- (3) We accept SSA information about your WASHCAP eligibility unless you prove the information is not accurate.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-492-0040 Can I choose whether I get WASHCAP food benefits or Basic Food benefits? You can choose to have Basic Food benefits instead of WASHCAP food benefits when:

- (1) You would get more benefits from the Basic Food program.
- (2) You may get more benefits in the Basic Food program when:
 - (a) Your shelter costs are more than five hundred ((four-teen)) twenty-seven dollars a month. We count the following items as a shelter cost:
 - ((~~(a)~~)) (i) Rent or mortgage;
 - ((~~(b)~~)) (ii) Property taxes;
 - ((~~(c)~~)) (iii) Homeowner's insurance (for the building only); or
 - ((~~(d)~~)) (iv) Mandatory homeowner's association or condo fees.
 - ((~~(2)~~)) (b) Your out-of-pocket medical expenses are more than thirty-five dollars a month(;
 - (3) You would get more benefits from being in the Basic Food program; or
 - (4) You are waiting to receive WASHCAP benefits)).

EMERGENCY

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0050 How do I apply for ~~((Washington state combined application program-))~~ WASHCAP ~~((benefits))~~? (1) You apply for WASHCAP food benefits at Social Security Administration (SSA) when you apply for Supplemental Security Income (SSI).

~~((2))~~ (2) If you want food ~~((assistance))~~ benefits, your SSA worker will ask you ~~((questions for))~~ WASHCAP food eligibility questions when you have your SSI interview.

~~((2))~~ (3) If you are eligible for WASHCAP food benefits, your benefits will start the first of the month after the month you ~~((start getting on going))~~ are eligible for ongoing SSI benefits.

~~((3))~~ (4) If you need food ~~((assistance))~~ benefits in five days or less, you must apply for expedited ~~((service))~~ services at:

(a) Your local community services office (CSO);

(b) Your local home and community services office (HCS) if you get long-term care services; or

(c) The SSA ~~((district))~~ office if you give them an application for Basic Food expedited services when you apply for SSI. SSA forwards the Basic Food ~~((assistance))~~ application to the local CSO to process.

~~((4))~~ (5) If you want Basic Food ~~((assistance))~~ benefits before you get SSI, you must apply ~~((for regular food assistance))~~ at:

(a) SSA if you give them ~~((an))~~ a Basic Food application ~~((for food assistance))~~ when you apply for SSI;

(b) Your local CSO; or

(c) Your local HCS office if you get long-term care services.

~~((5))~~ (6) If you already receive SSI and want WASHCAP food benefits, you can apply at:

(a) Your SSA office;

(b) Your local CSO;

(c) Your local HCS office if you get long-term care services.

(7) If you get ~~((regular food assistance))~~ Basic Food benefits, these benefits will continue:

(a) Through the end of your certification period; or

(b) Through the month before your WASHCAP food benefits start.

~~((6))~~ (8) If your ~~((regular food assistance ends))~~ Basic Food benefits end before you are eligible for WASHCAP food benefits, you must reapply ~~((for))~~ to continue these benefits ~~((to continue))~~.

~~((7))~~ (9) If you get ~~((regular food assistance))~~ Basic Food benefits and you become eligible for WASHCAP food benefits, we will automatically change your Basic Food benefits to WASHCAP food benefits.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0060 How do I get my ~~((Washington state combined application program-))~~ WASHCAP ~~((benefits))~~ food benefits? (1) If you are eligible for WASHCAP, you

will get your food ~~((assistance))~~ benefits through electronic benefits transfer (EBT).

(2) The department issues your EBT food ~~((assistance))~~ benefits according to WAC 388-412-0025.

AMENDATORY SECTION (Amending WSR 03-21-030, filed 10/7/03, effective 12/1/03)

WAC 388-492-0070 How are my ~~((Washington state combined application program-))~~ WASHCAP ~~((benefits))~~ food benefits calculated? We calculate your ~~((WASHCAP))~~ food benefits as follows:

(1) We begin with your gross income. ~~((Social Security Administration (SSA) tells us how much income you have.))~~

(2) We subtract one hundred thirty-four dollars from your gross income to get your countable income.

(3) We figure your shelter cost as follows:

(a) If SSA tells us you pay three hundred ~~((two))~~ nineteen dollars or more a month for shelter, we use three hundred ~~((twenty one))~~ twenty-nine dollars as your shelter cost; or

(b) If SSA tells us you pay less than three hundred ~~((two))~~ nineteen dollars for shelter, we use one hundred ~~((fifty five))~~ fifty-nine dollars as your shelter cost; and

(c) We add the current standard utility allowance under WAC 388-450-0195 to determine your total shelter cost.

(4) We figure your shelter deduction by subtracting one half of your countable income from your shelter cost.

(5) We figure your net income by subtracting your shelter deduction from your countable income.

(6) We figure your WASHCAP food benefits (allotment) by:

(a) Multiplying your net income by thirty percent and rounding up to the next whole dollar; and

(b) Subtracting the result from the maximum allotment under WAC 388-478-0060.

(c) If you are eligible for WASHCAP, ~~((your assistance unit))~~ you will get at least ten dollars in food benefits each month.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0080 Where do I report changes? (1) You report all changes to Social Security Administration (SSA) according to their reporting requirements. Social Security reports these changes to your ~~((department of social and health services (DSHS)))~~ WASHCAP worker.

(2) SSA will not accept or report shelter costs changes to WASHCAP until SSA does its redetermination.

~~((2))~~ (3) You do not have to report any changes to ~~((DSHS))~~ your WASHCAP worker.

~~((3))~~ (4) You can choose to report the following changes to your ~~((Washington combined application project-))~~ WASHCAP ~~((benefits))~~ worker to see if you will get more food ~~((assistance))~~ benefits.

(a) A change in your address;

(b) An increase in your shelter costs; or

(c) An increase in your out-of-pocket medical expenses.

~~((4))~~ (5) If changes are reported to DSHS, proof ~~((will))~~ may be required.

(6) If you report a change that could increase the amount of your food benefits, we will not increase the benefit amount if we have asked for proof and it has not been provided.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0090 How often ~~((does my Washington state combined application program (c)) do my WASHCAP(0-case))~~ food benefits need to be reviewed?

(1) Your eligibility for WASHCAP food benefits must be reviewed at least every twenty-four months.

(2) Your certification period is the amount of time your assistance unit is eligible for WASHCAP food benefits.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0100 How is my eligibility for ~~((Washington state combined application program (c))~~WASHCAP(3)) food benefits reviewed? (1) If Social Security Administration (SSA) reviews your Supplemental Security Income (SSI) eligibility, they will also complete your review for WASHCAP ~~((benefits))~~. SSA sends us this information electronically and we will automatically extend your WASHCAP certification period.

(2) If SSA does not review your SSI eligibility, we will mail you a one-page application two months before your WASHCAP benefits end. You must complete and return this application to the WASHCAP unit or your local home and community services office (HCS).

(3) We do WASHCAP reviews by mail. If you bring your WASHCAP application to the local office, we will process the application as follows:

(a) If you get long-term care services, your local HCS office will process your application; or

(b) If you do not get long-term care services, the local office will forward your application to the WASHCAP central unit.

(4) If we get your completed one-page application after your WASHCAP food benefits end, we will reopen your benefits back to the first of the month if:

(a) We get your application form within thirty days from the end of your certification period; and

(b) You are still eligible for WASHCAP food benefits.

(5) If we get your completed one-page application form more than thirty days after your benefits end, your WASHCAP food benefits open the first of the next month after you turn in your application and SSA shows you are eligible for WASHCAP in their system.

(6) If your application is not complete, we will return it to you to complete.

~~((6) If you are no longer eligible for WASHCAP benefits, we will decide if you are eligible for regular food assistance. We may ask you to give us more information or verification if we cannot make a decision with the information we have.~~

~~(7) If we get your completed one-page application form more than thirty days after your benefits end, your WASHCAP benefits open the first of the next month after you turn~~

~~in your application and SSA shows you are eligible for WASHCAP in their system.~~

~~(8)) (7) If you want ~~((regular))~~ Basic Food ~~((assistance))~~ benefits while you are waiting for WASHCAP food benefits, you must apply for these benefits at the local CSO or HCS office.~~

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0110 What happens if my ~~((Washington state combined application program (c))~~WASHCAP(3)) food benefits end? (1) If your WASHCAP food benefits end because you did not have the review required under WAC 388-492-0100, you must finish the required review or apply for Basic Food ~~((assistance))~~ benefits at:

(a) Your local community services office (CSO); or

(b) Your home and community services (HCS) office.

(2) If your WASHCAP benefits end because you are disqualified ~~((for food assistance))~~ under WAC 388-400-0040 ~~(13)(b) or (e)~~, you are not eligible for ~~((regular))~~ Basic Food ~~((assistance-))~~ benefits and:

(a) If you get medical assistance, we will send your medical assistance case to your local office~~((-))~~;

(b) If you are a HCS client, your medical case will remain at HCS.

(3) If your WASHCAP benefits end ~~((because SSA stopped your SSI benefits))~~ for any other reason:

(a) We will send you an application for ~~((regular))~~ Basic Food ~~((assistance and))~~ benefits along with:

(i) Information about what you must verify in order to get benefits; and

~~((tell you where to take your application to find out if you are eligible for benefits))~~

(ii) The address of your local CSO. If you are an HCS client, your case will remain at your HCS office.

(b) ~~((You will still receive the same medical benefits until we decide what medical programs you are eligible for under WAC 388-418-0025.~~

~~(4) If your WASHCAP benefits end for any other reason:~~

~~(a) We will send you an application for regular food assistance along with:~~

~~(i) The address of your local office; and~~

~~(ii) Information about what you must verify in order to get benefits.~~

~~(b) If you get medical assistance, we will send your medical assistance case to the local office unless you are a HCS client;~~

~~(e) For the office)) For the local CSO to decide if you are eligible for Basic Food ~~((assistance))~~ benefits, you must:~~

~~(i) Finish the application process for Basic Food ~~((assistance))~~ benefits under chapter 388-406 WAC; and~~

~~(ii) Have an interview for Basic Food ~~((assistance))~~ benefits under WAC 388-452-0005.~~

~~(c) If you get medical assistance, we will send your medical case to the local CSO unless you are an HCS client;~~

~~(d) If your WASHCAP benefits closed because SSA ended your SSI, you will still receive the same medical benefits until we decide what medical program you are eligible for under WAC 388-418-0025.~~

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0120 What happens to my ~~((Washington state combined application program))~~ WASHCAP ~~((s))~~ benefits if I am disqualified? (1) If you are disqualified from receiving SSI for any reason, you will not be able to get WASHCAP ~~((food))~~ benefits. See WAC 388-492-0030, Who can get WASHCAP?

(2) If you are disqualified from receiving Basic Food ~~((assistance))~~ for any reason, you will not get WASHCAP food benefits. This includes clients who:

- (a) Are ineligible ~~((for food assistance))~~ under WAC 388-400-0040 ~~((s))~~ (13)(b) and (e) and 388-442-0010; or
- (b) Did not cooperate with quality assurance as required under WAC ~~((388-465-001))~~ 388-464-0001.

AMENDATORY SECTION (Amending WSR 02-15-148, filed 7/22/02, effective 9/1/02)

WAC 388-492-0130 What can I do if I disagree with a decision the department made about my ~~((Washington state combined application program))~~ WASHCAP ~~((s))~~ benefits? (1) If you disagree with a decision about your benefits, you may ask for a fair hearing.

(2) You can ask for a hearing by contacting the WASHCAP central unit, home and community service office or any responsible department or office of administrative hearings employee.

(3) See chapter ~~((388-08))~~ 388-02 WAC for information on the fair hearing process.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-492-0010 Washington state combined application program (WASHCAP) definitions.

WSR 04-19-118
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 04-260—Filed September 21, 2004, 11:56 a.m., effective October 1, 2004, 12:01 a.m.]

Effective Date of Rule: October 1, 2004, 12:01 a.m.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 232-28-61900M; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

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

Reasons for this Finding: The preseason chinook allocation for this fishery will be achieved by September 30, 2004. The fishery will continue through December for adipose fin-clipped coho and hatchery steelhead. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 21, 2004.

Jeff Koenings
Director
by Larry Peck

NEW SECTION

WAC 232-28-61900P Exceptions to statewide rules—Columbia and Okanogan rivers. Notwithstanding the provisions of WAC 232-28-619, effective immediately until further notice, it is unlawful to violate the following provisions:

(1) Columbia River

From a true north and south line (magnetic 338 degrees N) through Buoy 10 upstream to Rocky Point/Tongue Point line (Buoy 10) -

(a) Effective immediately through September 30, daily limit of 2 coho salmon. Coho minimum size is 16 inches in length. Release chinook, sockeye, chum and wild coho.

(b) Effective October 1 until further notice Daily limit of 6 coho, but no more than 2 adults. Minimum size is 16 inches in length. Release chinook, sockeye, chum and wild coho.

From Rocky Point/Tongue Point line upstream to Bonneville Dam -

(a) Effective immediately through September 30, 2004, daily limit of 6 salmon. No more than 2 adults of which no more than 1 may be an adult chinook. Minimum size 12 inches in length. Release chum and wild coho. Sockeye may be kept through September 30.

(b) Effective October 1 until further notice, daily limit of 6 salmon. No more than 2 adults. Minimum size 12 inches in length. Release chinook, chum, sockeye and wild coho

From Bonneville Dam to Hwy. 395 Bridge at Pasco -

(a) Open until further notice. Daily limit of 6 salmon, of which no more than 2 may be adults. Sockeye may be retained as part of the salmon daily limit through September 30. Minimum size is 12 inches in length.

From Hwy 395 Bridge at Pasco to Priest Rapids Dam -

(a) Open until further notice. Daily limit 6 salmon, of which no more than two may be adults. Minimum size 12 inches in length.

From Priest Rapids Dam to Wells Dam -

(a) Open through October 15. Daily limit of 6 salmon, no more than 2 adults. Release coho. Minimum size 12 inches in length.

From Wells Dam to Chief Joseph Dam -

(a) Open through October 15, from Highway 173 bridge at Brewster to Highway 17 bridge at Bridgeport. Daily limit of 6 salmon, no more than 2 adults. Release coho. Minimum size 12 inches in length.

(2) **Okanogan River (Okanogan Co.)** from mouth to highway 97 bridge immediately upstream of mouth -

(a) Open through October 15. Daily limit of 6 salmon, no more than 2 adults. Release coho. Minimum size 12 inches in length.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-61900M Exceptions to statewide rules—Columbia and Okanogan rivers. (04-241)

WSR 04-19-132

EMERGENCY RULES DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed September 21, 2004, 4:15 p.m., effective October 1, 2004.]

Effective Date of Rule: October 1, 2004.

Purpose: Amend WAC 388-450-0200 Will the medical expenses of an elderly or disabled person in my assistance unit be used as an income deduction for Basic Food?, to be consistent with United States Food and Nutrition Service revised policy memo regarding how persons with Medicare-approved prescription drug discount cards will have their excess medical cost deduction calculated for the Basic Food program. Also, updated program language to be consistent with the requirements of HB 2663 regarding respectful language.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0200.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.510, 74.08.090.

Other Authority: FNS AN 04-39 and AN 04-45 (implementing P.L. 108-173); HB 2663 (chapter 175, Laws of 2004).

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and 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: Without the emergency rules DSHS clients would not receive the correct food benefits they are eligible to receive per United States Food and Nutrition Service revised policy as directed in administrative notices 04-39 and 04-45 implementing federal Public Law 108-173; implementation of this policy change is required to be in effect by October 1, 2004. The department is in the process of formal rule adoption, but does not have time to complete the regular rule-making process to meet the required implementation deadline to ensure correct benefits.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 1, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 1, Repealed 0.

Date Adopted: September 20, 2004.

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 04-02-025, filed 12/30/03, effective 2/1/04)

WAC 388-450-0200 Will the medical expenses of (~~an elderly or disabled person~~) elderly persons or individuals with disabilities in my assistance unit be used as an income deduction for Basic Food? (1) If your basic food assistance unit (AU) includes an elderly (~~or disabled~~) person or individual with a disability as defined in WAC 388-400-0040, your AU may be eligible for an income deduction for the elderly (~~or disabled~~) person's or individual with a disability's out-of-pocket medical expenses, and certain expenses allowable for Medicare prescription drug card holders. We allow the deduction for medical expenses over thirty-five dollars each month.

(2) You can use ((a)) an out-of-pocket medical expense toward this deduction if the expense covers services, supplies, medication, or other medically needed items prescribed by a state-licensed practitioner or other state-certified, qualified, health professional. Examples of expenses you can use for this deduction include those for:

(a) Medical, psychiatric, naturopathic physician, dental, or chiropractic care;

(b) Prescribed alternative therapy such as massage or acupuncture;

(c) Prescription drugs;

(d) Over the counter drugs;

(e) Eye glasses;

- (f) Medical supplies other than special diets;
 - (g) Medical equipment or medically needed changes to your home;
 - (h) Shipping and handling charges for an allowable medical item. This includes shipping and handling charges for items purchased through mail order or the internet;
 - (i) Long distance calls to a medical provider;
 - (j) Hospital and outpatient treatment including:
 - (i) Nursing care; or
 - (ii) Nursing home care including payments made for a person who was an assistance unit member at the time of placement.
 - (k) Health insurance premiums paid by the ((client)) person including:
 - (i) Medicare premiums; and
 - (ii) Insurance deductibles and co-payments.
 - (l) Out-of-pocket expenses used to meet a spenddown as defined in WAC 388-519-0010. We do not allow your entire spenddown obligation as a deduction. We allow the expense as a deduction as it is estimated to occur or as the expense becomes due;
 - (m) Dentures, hearing aids, and prosthetics;
 - (n) Cost to obtain and care for a seeing eye, hearing, or other specially trained service animal. This includes the cost of food and veterinarian bills. We do not allow the expense of food for a service animal as a deduction if you receive ongoing additional requirements under WAC 388-473-0040 to pay for this need;
 - (o) Reasonable costs of transportation and lodging to obtain medical treatment or services; and
 - (p) Attendant care necessary due to age, infirmity, or illness. If your AU provides most of the attendant's meals, we allow an additional deduction equal to a one-person allotment.
- (3) There are two types of deductions for out-of-pocket expenses:
- (a) One-time expenses are expenses that cannot be estimated to occur on a regular basis. You can choose to have us:
 - (i) Allow the one-time expense as a deduction when it is billed or due;
 - (ii) Average the expense through the remainder of your certification period; or
 - (iii) If your AU has a twenty-four-month certification period, you can choose to use the expense as a one-time deduction, average the expense for the first twelve months of your certification period, or average it for the remainder of our certification period.
 - (b) Recurring expenses are expenses that happen on a regular basis. We estimate your monthly expenses for the certification period.
 - (4) If the elderly person or individual with a disability in your AU has a Medicare prescription drug card:
 - (a) Allow any out-of-pocket expenses that meet the criteria in subsections (2) and (3) above;
 - (b) Add a standard twenty-three dollars to these expenses; and
 - (c) Allow an additional fifty dollar monthly deduction to account for the 2004 and 2005 prescription subsidies;
 - (i) For twenty-four months if the client applied before January 2005; or

(ii) For the average number of months resulting from dividing the total subsidy amount by fifty dollars if the client applies in January 2005 or later.

(d) Allow the deductions in (b) and (c) of this subsection even if the AU has no out-of-pocket expenses.

(5) AU members with a Medicare prescription drug card have the option of using their verified pre-card out-of-pocket expenses when this amount is greater than using the standards in subsection (4).

(6) We do not allow a medical expense as an income deduction if:

- (a) The expense was paid before you applied for benefits or in a previous certification period;
- (b) The expense was paid or will be paid by someone else;
- (c) The expense was paid or will be paid by the department or another agency;
- (d) The expense is covered by medical insurance;
- (e) We previously allowed the expense, and you did not pay it. We do not allow the expense again even if it is part of a repayment agreement;
- (f) You included the expense in a repayment agreement after failing to meet a previous agreement for the same expense;
- (g) You claim the expense after you have been denied for presumptive SSI; and you are not considered disabled by any other criteria; or
- (h) The provider considers the expense overdue.

WSR 04-19-145
EMERGENCY RULES
STATE TOXICOLOGIST

[Filed September 22, 2004, 9:25 a.m., effective September 22, 2004]

Effective Date of Rule: Immediately.

Purpose: The purpose of this emergency rule making is to indicate approval by the state toxicologist of thermometers used in the breath alcohol testing program. This extends the emergency amendment filed as WSR 04-12-051 while the permanent rule is adopted.

Citation of Existing Rules Affected by this Order: Amending WAC 448-13-020.

Statutory Authority for Adoption: RCW 46.61.506.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Chapter 68, Laws of 2004 (SHB 3055), effective June 10, 2004, amends RCW 46.61.506(4) to require that prior to the start of a breath alcohol test, the temperature of the simulator solution must be measured by a thermometer approved of by the state toxicologist. It is therefore necessary for the state toxicologist to approve thermometers on or before June 10, 2004.

An emergency rule was filed on May 28, 2004 (WSR 04-12-051), with an effective date of June 10, 2004. A permanent rule is being adopted on September 22, 2004, and will be effective thirty-one days after filing.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 22, 2004.

September 21, 2004

Barry K. Logan PhD

Washington State Toxicologist

[AMENDATORY SECTION (Amending WSR 95-20-025, filed 9/27/95)]

WAC 448-13-020 Approval of breath test (~~instruments~~) equipment. ~~((Pursuant to RCW 46.61.506, the DataMaster is the only breath test instrument approved by the state toxicologist as a device for the measurement of alcohol in a person's breath. A simulator filled with a certified simulator solution will be attached to each instrument to provide a known external standard as defined in WAC 448-13-030(13). The simulator used must be on the National Highway Traffic Safety Administration (NHTSA) conforming products list. Any agency, group, or individual seeking approval or certification from the state toxicologist for the use of other breath test instruments for evidential breath testing programs in the state of Washington should contact the state toxicologist at the address given in WAC 448-13-210.))~~ (1) Pursuant to RCW 46.61.506, the following instruments are approved for the quantitative measurement of alcohol in a person's breath:

(a) The DataMaster.

(2) Pursuant to RCW 46.61.506, the following thermometers are approved:

(a) Mercury in glass thermometers with a scale graduated in tenths of a degree measuring a range between 33.5 and 34.5 degrees centigrade; and

(b) Digital thermometer system contained within the Guth 2100 wet bath simulator.

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

EMERGENCY

OFFICE OF THE CODE REVISER
 Quarterly Rule-Making Report
 Covering Registers 04-13 through 04-18

Type of Activity	New	Amended	Repealed
ACCOUNTANCY, BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	37	0
AGRICULTURE, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	24	9
Number of Rules Adopted as Emergency Rules	14	1	0
Number of Rules Proposed for Permanent Adoption	0	17	7
Number of Sections Adopted at Request of a Nongovernmental Entity	8	15	3
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	14	7	2
Number of Sections Adopted on the Agency's own Initiative	4	9	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	18	22	4
Number of Sections Adopted using Pilot Rule Making	0	0	0
BUILDING CODE COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Adopted as Emergency Rules	2	1	0
Number of Rules Proposed for Permanent Adoption	14	24	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	2	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
CENTRAL WASHINGTON UNIVERSITY			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Rules Proposed for Permanent Adoption	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	5	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
CORRECTIONS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	8	0	0
CRIMINAL JUSTICE TRAINING COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ECOLOGY, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	16	1
Number of Rules Proposed for Permanent Adoption	13	59	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	8	14	1
Number of Sections Adopted on the Agency's own Initiative	0	4	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EDUCATION, STATE BOARD OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	6	3	0
Number of Rules Proposed for Permanent Adoption	16	33	5
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	6	3	0
Number of Sections Adopted using Negotiated Rule Making	6	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
EDUCATOR STANDARDS BOARD, PROFESSIONAL			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	1	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENERGY FACILITY SITE EVALUATION COUNCIL			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	9	0
Number of Rules Proposed for Permanent Adoption	55	139	44
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	7	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	2	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
ENVIRONMENTAL HEARINGS OFFICE			
Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	49	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
EXECUTIVE ETHICS BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	23	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	23	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	22	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FINANCIAL MANAGEMENT, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FISH AND WILDLIFE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	51	14
Number of Rules Adopted as Emergency Rules	100	1	99
Number of Rules Proposed for Permanent Adoption	3	42	14
Number of Rules Withdrawn	6	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	10
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	102	50	114
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GAMBLING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	4	0
Number of Rules Proposed for Permanent Adoption	1	2	0
Number of Rules Withdrawn	0	1	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GENERAL ADMINISTRATION, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GROWTH MANAGEMENT HEARINGS BOARDS

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	11	0

HEALTH CARE AUTHORITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	20	10	16
Number of Rules Proposed for Permanent Adoption	20	12	16
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	20	9	16
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	20	10	16
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	20	10	16
Number of Sections Adopted using Pilot Rule Making	0	0	0

HEALTH, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	25	35	24
Number of Rules Adopted as Emergency Rules	0	3	0
Number of Rules Proposed for Permanent Adoption	18	22	23
Number of Sections Adopted at Request of a Nongovernmental Entity	2	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	21	5	23
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	12	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	15	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted on the Agency's own Initiative	0	10	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	25	34	23
Number of Sections Adopted using Pilot Rule Making	0	0	0

HIGHER EDUCATION COORDINATING BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	4	0	0
Number of Rules Proposed for Permanent Adoption	7	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	0	0
Number of Sections Adopted on the Agency's own Initiative	4	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HOME CARE QUALITY AUTHORITY

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	28	0	0

HORSE RACING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Adopted as Emergency Rules	0	1	0
Number of Rules Proposed for Permanent Adoption	10	10	2
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	1	0

INDUSTRIAL INSURANCE APPEALS, BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	4	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	0	0
Number of Sections Adopted on the Agency's own Initiative	0	4	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

INSURANCE COMMISSIONER, OFFICE OF THE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	8	8
Number of Rules Proposed for Permanent Adoption	17	8	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	9	8	8
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	9	8	8
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	9	8	8
Number of Sections Adopted using Pilot Rule Making	0	0	0

JAIL INDUSTRIES BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	3	0	0

LABOR AND INDUSTRIES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	322	66	149
Number of Rules Adopted as Emergency Rules	2	8	0
Number of Rules Proposed for Permanent Adoption	311	69	293
Number of Rules Withdrawn	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	321	64	151
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	3	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	6	0
Number of Sections Adopted on the Agency's own Initiative	319	61	151
Number of Sections Adopted using Negotiated Rule Making	1	3	0
Number of Sections Adopted using Other Alternative Rule Making	322	57	151
Number of Sections Adopted using Pilot Rule Making	0	0	0

LAKE WASHINGTON TECHNICAL COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	26	0	20
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	4	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
LICENSING, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	10	68	1
Number of Rules Adopted as Emergency Rules	1	0	0
Number of Rules Proposed for Permanent Adoption	10	28	0
Number of Rules Withdrawn	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	8	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	11	53	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	1	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	4	20	0
Number of Sections Adopted on the Agency's own Initiative	12	28	6
Number of Sections Adopted using Negotiated Rule Making	2	28	0
Number of Sections Adopted using Other Alternative Rule Making	8	24	6
Number of Sections Adopted using Pilot Rule Making	0	0	0
LIQUOR CONTROL BOARD			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	15	0
Number of Rules Proposed for Permanent Adoption	7	13	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	11	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	15	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	15	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	15	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
MARINE EMPLOYEES' COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	48	0
MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
NATURAL RESOURCES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	1	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PARKS AND RECREATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	0	0

PERSONNEL, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	60	71	2
Number of Rules Adopted as Emergency Rules	0	6	0
Number of Rules Proposed for Permanent Adoption	505	6	0
Number of Rules Withdrawn	7	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	6	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	60	71	2
Number of Sections Adopted on the Agency's own Initiative	0	6	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	60	77	2
Number of Sections Adopted using Pilot Rule Making	0	0	0

PILOTAGE COMMISSIONERS, BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	1	0
Number of Sections Adopted on the Agency's own Initiative	0	2	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PUBLIC INSTRUCTION, SUPERINTENDENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0

MISC.

Type of Activity	New	Amended	Repealed
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

RETIREMENT SYSTEMS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	1	0
Number of Rules Proposed for Permanent Adoption	7	16	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	3	1	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

REVENUE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	8	0
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	4	0
Number of Sections Adopted on the Agency's own Initiative	0	7	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	8	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

SECRETARY OF STATE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	11	62	0
Number of Rules Adopted as Emergency Rules	72	50	0
Number of Rules Proposed for Permanent Adoption	11	0	0
Number of Rules Withdrawn	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	20	24	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	26	7	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	50	81	0
Number of Sections Adopted on the Agency's own Initiative	2	62	0
Number of Sections Adopted using Negotiated Rule Making	47	30	0
Number of Sections Adopted using Other Alternative Rule Making	0	62	0
Number of Sections Adopted using Pilot Rule Making	37	16	0

MISC.

Type of Activity	New	Amended	Repealed
SOCIAL AND HEALTH SERVICES, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	316	116	213
Number of Rules Adopted as Emergency Rules	180	61	20
Number of Rules Proposed for Permanent Adoption	138	99	28
Number of Rules Withdrawn	6	2	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	282	87	189
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	135	25	16
Number of Sections Adopted in Order to Comply with Federal Statute	42	16	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	37	47	28
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	496	175	233
Number of Sections Adopted using Pilot Rule Making	0	0	0
TACOMA COMMUNITY COLLEGE			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	4	29	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	4	29	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	4	29	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
TOXICOLOGIST, STATE			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	16	0	27
TRANSPORTATION IMPROVEMENT BOARD			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	3	0
TRANSPORTATION, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	1
Number of Rules Adopted as Emergency Rules	0	3	1
Number of Rules Proposed for Permanent Adoption	0	3	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	6	0
Number of Sections Adopted on the Agency's own Initiative	0	0	2
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

Type of Activity	New	Amended	Repealed
UNIVERSITY OF WASHINGTON			
Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	41	10
Number of Rules Proposed for Permanent Adoption	0	0	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	41	11
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	41	11
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0
UTILITIES AND TRANSPORTATION COMMISSION			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	89	80	62
VETERANS AFFAIRS, DEPARTMENT OF			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	13	0
WASHINGTON STATE PATROL			
Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	12	0
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	848	661	468
Number of Rules Adopted as Emergency Rules	381	141	120
Number of Rules Proposed for Permanent Adoption	135	817	523
	7		
Number of Rules Withdrawn	20	15	1
Number of Sections Adopted at Request of a Nongovernmental Entity	10	42	3
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	694	374	409
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	138	44	16
Number of Sections Adopted in Order to Comply with Federal Statute	68	24	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	210	279	33
Number of Sections Adopted on the Agency's own Initiative	482	377	309
Number of Sections Adopted using Negotiated Rule Making	79	77	0
Number of Sections Adopted using Other Alternative Rule Making	958	496	443
Number of Sections Adopted using Pilot Rule Making	37	17	0

MISC.

WSR 04-19-007**NOTICE OF PUBLIC MEETINGS
CASCADIA COMMUNITY COLLEGE**

[Memorandum—August 31, 2004]

Please be advised that the Cascadia Community College board of trustees meeting scheduled for September 15, 2004, has been cancelled. The board of trustees will meet again at a special meeting on September 22, 2004. Please let Dede Gonzales know if you need any additional information.

WSR 04-19-008**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE**

(Wine Commission)

[Memorandum—August 23, 2004]

Below are the new dates and locations for our September and November Wine Commission meetings:

September 17, 2004
 WSU - Tricities Campus
 Consolidated Information Center
 Rooms 212/214
 2770 University Drive
 Richland, WA
 Directions: www.tricity.wsu.edu - under visit tab
 9:00 a.m. - noon

November 12, 2004
 Goodwin Library
 93 Pike Street, Suite 315
 Seattle, WA 98101
 9:00 a.m. - noon

If you need any additional information, please feel free to call Kim Abello at (206) 667-9463 ext. 200 or via e-mail kabello@washingtonwine.org.

WSR 04-19-009**NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE**

[Memorandum—September 2, 2004]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, September 16, 2004, 9:00 - 11:00 a.m., in the College Services Board Room on the Bellingham Technical College campus. Call 752-8334 for information.

WSR 04-19-010**NOTICE OF PUBLIC MEETINGS
OFFICE OF THE
INTERAGENCY COMMITTEE**

(Salmon Recovery Funding Board)

[Memorandum—September 1, 2004]

**OWEB/Salmon Recovery Funding Board Joint Meeting
Tuesday, September 14, 3:00 p.m.**

Ambridge Event Center
 300 N.E. Multnomah, Portland
 Ambridge Rose Ballroom (Main Level)
 (Directions below, parking is available at the Event Center for \$5/day.)

Directions to the Ambridge Event Center: From Olympia and Vancouver, Washington, take I-5 southbound, take Rose Quarter/Weidler Street exit (302-A), cross Broadway to Weidler, take left on Weidler, take right onto Martin Luther King Jr. Boulevard, take right onto Multnomah Street, take first driveway on left (after Burgerville).

WSR 04-19-015**POLICY STATEMENT
DEPARTMENT OF ECOLOGY**

[Filed September 3, 2004, 3:08 p.m.]

**POLICY STATEMENT
DEPARTMENT OF ECOLOGY**

Purpose: In order to comply with RCW 34.05.230(4) of the Administrative Procedure Act, the Department of Ecology submits the following:

Document Title: Policy 1120 - Water Resources Program Policy for Conducting Tentative Determinations of Water Rights.

Subject: Policy for conducting tentative determinations of water rights during the investigation of changes or transfers to existing water rights and enforcement actions.

Document Description: To define tentative determinations and describe situations in which a tentative determination of a water right is required. The policy sets forth methods and tools which can be used to conduct a tentative determination. This policy is applicable to the investigation of changes or transfers to existing water rights and enforcement actions.

Effective Date: August 30, 2004.

To receive a copy of the policy statement contact Jeff Marti, Water Resources, Department of Ecology, P.O. Box 47600, 98504-7600, phone (360) 407-6636, fax (360) 407-6574, e-mail jema461@ecy.wa.gov, TDD: If you have special accommodation needs or require this document in an alternate format, please contact Water Resources reception at (360) 407-6600 (voice) or 711 (TTY) or 1-800-33-6388 [1-800-833-6388] (TTY).

Responsible Official: Joe Stohr, Program Manager.
 Doug McChesney
 Water Resources Policy
 and Planning Section

WSR 04-19-018
NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE
 [Memorandum—September 1, 2004]

In compliance with the Open Public Meetings Act, this letter is a revision to my letter to you dated August 25, 2004, and notifying the Code Reviser's Office that the board of trustees of Shoreline Community College will hold a special meeting from Thursday, September 9, through Friday, September 10, 2004, to conduct their annual retreat. In fact, the board has changed the date of the retreat to Thursday, September 16, and Friday, September 17. The board of trustees, President Holly Moore, board secretary Michele Foley and the Shoreline Community College vice presidents will be in attendance at this meeting, scheduled to be held at the Harbor Square Board Room, 120 West Dayton, Edmonds, WA.

Please call (206) 546-4552 or e-mail Michele Foley at mfoley@shoreline.edu if you have further information.

WSR 04-19-019
NOTICE OF PUBLIC MEETINGS
GUARANTEED EDUCATION
TUITION PROGRAM
 [Memorandum—September 1, 2004]

REVISED

In accordance with RCW 28B.95.020, and WAC 14-276-030, the Advanced College Tuition Program, known as Guaranteed Education Tuition Program has adopted the following regular committee meeting schedule:

DATE	TIME	PLACE
November 1, 2004 Monday	2:00 - 4:00 p.m.	Olympia, State Investment Board (Board Room)
February 22, 2005 Tuesday	2:00 - 4:00 p.m.	Olympia, State Investment Board (Board Room)
April 19, 2005 Tuesday	2:00 - 4:00 p.m.	Olympia, State Investment Board (Board Room)
August 2, 2005 Tuesday	2:00 - 4:00 p.m.	Olympia, Utilities and Transportation (Hearing Room)

If anyone wishes to request disability accommodations, notice should be given to the Guaranteed Education Tuition Program at least ten days in advance of the meeting in question. Notice may be given by any of the following methods: (360) 753-7860 (voice); (360) 753-7809 (TDD); or (360) 704-6260 (fax).

WSR 04-19-029

NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE
 [Memorandum—September 7, 2004]

NOTIFICATION OF EXECUTIVE SESSION MEETING

The board of trustees of Everett Community College will hold an executive session to discuss personnel matters on September 9, 2004, from 2:00 - 5:00 p.m. at the Inn at Port Gardner, 1700 West Marine View Drive, Everett, WA.

WSR 04-19-037

NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
 [Memorandum—September 10, 2004]

The following represents the regular meeting notices submitted to our office for fall 2004.

2004-2005
SCHEDULE OF SENATE AND EXECUTIVE COMMITTEE MEETINGS

AUTUMN QUARTER, 2004

Executive Committee Agenda Deadline	September 24
Executive Committee Meeting	October 4*
SENATE Meeting	October 28**
Executive Committee Agenda Deadline	November 5
Executive Committee Meeting	November 15*
SENATE Meeting	December 2**

WINTER QUARTER, 2005

Executive Committee Agenda Deadline	January 3
Executive Committee Meeting	January 10*
SENATE Meeting	January 27**
Executive Committee Agenda Deadline	February 4
Executive Committee Meeting	February 14***
SENATE Meeting	March 3**

SPRING QUARTER, 2005

Executive Committee Agenda Deadline	March 25
Executive Committee Meeting	April 4*
(Senate elections begin)	April 18
SENATE Meeting	April 21**
Executive Committee Agenda Deadline	April 22
Executive Committee Meeting - Nominations	April 25
Executive Committee Meeting	May 2*
SENATE Meeting	May 12**

Senate meetings will be held at 2:30 p.m. in Gowen 301.

Executive Committee meetings will be held at 2:30 p.m. in 142 Gerberding Hall.

- * A continuation meeting may be held on the following Monday.
- ** A continuation meeting may be held on the following Thursday.
- *** A continuation meeting may be held on the following Tuesday.

MISC.

Electrical Engineering Faculty Meeting
**Regular Meeting Schedule September 2004 through
 December 2004**

Meeting Date	Location	Time
September 30	EE1, #403	10:30 a.m.
October 7	EE1, #403	9:00 a.m.
October 14	EE1, #403	10:30 a.m.
October 21	EE1, #403	9:00 a.m.
October 28	EE1, #403	10:30 a.m.
November 4	EE1, #403	9:00 a.m.
November 18	EE1, #403	9:00 a.m.
December 2	EE1, #403	9:00 a.m.
December 9	EE1, #403	10:30 a.m.

November 16, 2004
 December 7, 2004
 January 11, 2005
 January 25, 2005
 February 8, 2005
 February 22, 2005
 March 8, 2005
 April 5, 2005
 April 19, 2005
 May 3, 2005
 May 17, 2005
 June 7, 2005

**Regular Meeting Schedule January 2005 through June
 2005**

Meeting Date	Location	Time
January 6	EE1, #403	10:30 a.m.
January 20	EE1, #403	10:30 a.m.
February 3	EE1, #403	10:30 a.m.
February 17	EE1, #403	10:30 a.m.
March 3	EE1, #403	10:30 a.m.
March 31	EE1, #403	10:30 a.m.
April 7	EE1, #403	10:30 a.m.
April 21	EE1, #403	10:30 a.m.
May 5	EE1, #403	10:30 a.m.
May 19	EE1, #403	10:30 a.m.
June 2	EE1, #403	10:30 a.m.

School of Music Faculty

Meeting Date	Location	Time
October 5, 2004	Music 126	12:30 p.m.
October 7, 2004*	Music 126	12:30 p.m.
November 2, 2004	Music 126	12:30
November 4, 2004*	Music 126	12:30
December 7, 2004	Music 126	12:30
December 9, 2004*	Music 126	12:30

* Indicates reserved meeting time for occasional meetings which run over into a second necessary meeting.

School of Aquatic and Fishery Sciences
 Regularly Scheduled Faculty Meetings

Following is the schedule of regularly scheduled faculty meetings for the academic year 2004-2005. All meetings will commence at 11:30 a.m. in Room 203 of the Fishery Sciences Building.

October 5, 2004
 October 19, 2004
 November 2, 2004

SCHOOL OF PUBLIC HEALTH AND COMMUNITY MEDICINE
 EXECUTIVE COMMITTEE

Wednesday, September 8, 2004
1:30-3:30
F-348

SPHEC Meetings
 October 6
 November 3
 December 1

GPSS Senate/Executive Meetings

Below are the schedules for the 2004-2005 GPSS Senate and Executive meetings.

GPSS SENATE SCHEDULE: 2004-2005

Wednesday, October 6, 2004 4:30 p.m. HUB 310
 Wednesday, October 20, 2004 4:30 p.m. HUB 310
 Wednesday, November 10, 2004 4:30 p.m. HUB 310
 Wednesday, December 8, 2004 4:30 p.m. HUB 310
 Wednesday, January 12, 2005 4:30 p.m. HUB 106B
 Wednesday, February 9, 2005 4:30 p.m. HUB 106B
 Wednesday, March 9, 2005 4:30 p.m. HUB 310
 Wednesday, April 6, 2005 4:30 p.m. HUB 310
 Wednesday, April 20, 2005 4:30 p.m. HUB 310
 Wednesday, May 11, 2005 4:30 p.m. HUB 310
 Wednesday, June 1, 2005 4:30 p.m. HUB 310

GPSS EXECUTIVE COMMITTEE SCHEDULE: 2004-2005

Wednesday, October 13, 2004 4:30 p.m. HUB 300
 Wednesday, October 27, 2004 4:30 p.m. HUB 300
 Wednesday, November 17, 2004 4:30 p.m. HUB 300
 Wednesday, December 1, 2004 4:30 p.m. HUB 300
 Wednesday, January 5, 2005 4:30 p.m. HUB 300
 Wednesday, January 19, 2005 4:30 p.m. HUB 300
 Wednesday, February 2, 2005 4:30 p.m. HUB 300

MISC.

Wednesday, February 16, 2005	4:30 p.m.	HUB 300
Wednesday, March 2, 2005	4:30 p.m.	HUB 300
Wednesday, March 30, 2005	4:30 p.m.	HUB 300
Wednesday, April 13, 2005	4:30 p.m.	HUB 300
Wednesday, April 27, 2005	4:30 p.m.	HUB 300
Wednesday, May 18, 2005	4:30 p.m.	HUB 300
Wednesday, June 8, 2005	4:30 p.m.	HUB 300

Department of Scandinavian Studies

The Department of Scandinavian Studies will hold faculty meetings on the following dates/times:

October 8, 2004	1:00-3:00 p.m.	Raitt 314
November 12, 2004	1:00-3:00 p.m.	Raitt 314
December 10, 2004	1:00-3:00 p.m.	Raitt 314

WSR 04-19-041
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY

[Memorandum—September 13, 2004]

BOARD OF TRUSTEES

September 17, 2004
 Executive Session at 12:00 p.m.
 Open Public Session at 1:00 p.m.
 TAW 215

AGENDA

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling the president's office, (509) 359-6598.

WSR 04-19-042
RULES OF COURT
STATE SUPREME COURT
 [September 9, 2004]

IN THE MATTER OF THE ADOPTION) ORDER
 OF THE AMENDMENT TO RAP 15.2) NO. 25700-A-797

The Office of Public Defense having recommended the adoption of the proposed amendment to RAP 15.2, and the Court having considered the amendment and comments submitted thereto, and having determined that the proposed amendment will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

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

(b) That the amendment will be published in the Washington Reports and will become effective July 1, 2005.

DATED at Olympia, Washington this 9th day of September 2004.

Alexander, C. J.

Johnson, J.

Bridge, J.

Madsen, J.

Chambers, J.

Sanders, J.

Owens, J.

Ireland, J.

Fairhurst, J.

RULE 15.2
 DETERMINATION OF INDIGENCY AND RIGHTS
 OF INDIGENT PARTY

(a) Unchanged.

(b) Action by the Trial Court. In written findings and after a hearing, if circumstances warrant, the trial court shall decide the motion for an order of indigency, after a hearing if the circumstances warrant, determine the indigency, if any, of the party seeking review at public expense and

(1) shall grant the motion for an order of indigency if the party seeking public funds is unable by reason of poverty to pay for all or some of the expenses for appellate review of as follows:

~~(1) Denial Generally. The trial court shall deny the motion if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of review.~~

~~(2) Review at Public Expense. The trial court shall grant the motion and enter an order of indigency if the party seeking public funds is unable by reason of poverty to pay for all or some of the expenses for appellate review of:~~

(a) criminal prosecutions or juvenile offense proceedings meeting the requirements of RCW 10.73.150,

(b) dependency and termination cases under Ch. 13.34,

(c) commitment proceedings under RCW 71.05 and 71.09,

(d) civil contempt cases directing incarceration of the contemner,

(e) orders denying petitions for writ of habeas corpus under RCW 7.36, including attorneys' fees upon a showing of extraordinary circumstances, and

(f) any other case in which the party has a constitutional or statutory right to counsel at all stages of the proceeding.

(2) shall deny the motion for an order of indigency if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of review.

~~(3c) Other Cases. In any other case, the trial court shall consider the motion for order of indigency and, if the party is unable by reason of poverty to pay for all of the expenses of review, the trial court shall enter findings of indigency which~~

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~~shall be forwarded to the Supreme Court for consideration, pursuant to section (c) of this rule. The trial court shall determine in those findings the portion of the record necessary for review and the amount, if any, the party is able to contribute toward the expense of review. The findings shall conclude with an order to the clerk of the trial court to promptly transmit to the Supreme Court, without charge to the moving party, the findings of indigency, the motion for an order of indigency, the affidavit in support of the motion, and all other papers submitted in support of or in opposition to the motion. The trial court clerk shall promptly transmit to the Supreme Court the papers designated in the findings of indigency. In cases not governed by subsection (b) of this rule, the trial court shall determine in written findings the indigency, if any, of the party seeking review.~~

(1) Party Not Indigent. The trial court shall deny the motion if a party has adequate means to pay all of the expenses of review. The order denying the motion for an order of indigency shall contain findings designating the funds or source of funds available to the party to pay all of the expenses of review.

(2) Party Indigent. If the trial court finds the party seeking review is unable by reason of poverty to pay for all or some of the expenses of appellate review, the trial court shall enter such findings, which shall be forwarded to the Supreme Court for consideration, pursuant to section (d) of this rule. The trial court shall determine in those findings the portion of the record necessary for review and the amount, if any, the party is able to contribute toward the expense of review. The findings shall conclude with an order to the clerk of the trial court to promptly transmit to the Supreme Court, without charge to the moving party, the findings of indigency, the affidavit in support of the motion, and all other papers submitted in support of or in opposition to the motion. The trial court clerk shall promptly transmit to the Supreme Court the papers designated in the findings of indigency.

(ed) Action by Supreme Court. If findings of indigency and other papers relating to the motion for an order of indigency are transmitted to the Supreme Court, the Supreme Court will determine whether an order of indigency in that case should be entered by the superior court. The determination will be made by a department of the Supreme Court on a regular motion day without oral argument and based only on the papers transmitted to the Supreme Court by the trial court clerk, unless the Supreme Court directs otherwise. If the Supreme Court determines that the party is seeking review in good faith, that an issue of probable merit is presented, and that the party is entitled to review partially or wholly at public expense, the Supreme Court will enter an order directing the trial court to enter an order of indigency. In all other cases, the Supreme Court will enter an order denying the party's motion for an order of indigency. The clerk of the appellate court will transmit a copy of the order to the clerk of the trial court and notify all parties of the decision of the Supreme Court.

(de) Order of Indigency. An order of indigency shall designate the items of expense which are to be paid with public funds and, where appropriate, the items of expense to be paid by a party or the amount which the party must contribute toward the expense of review. The order shall designate the

extent to which public funds are to be used for payment of the expense of the record on review, limited to those parts of the record reasonably necessary to review issues argued in good faith. ~~The order of indigency shall appoint counsel if the party is entitled to counsel on review at public expense. The order of indigency must be transmitted to the appellate court as a part of the record on review.~~

(ef) Continued Indigency Presumed. A party and counsel for the party who has been granted an order of indigency must bring to the attention of the trial court any significant improvement during review in the financial condition of the party. The appellate court will give a party the benefits of an order of indigency throughout the review unless the trial court finds the party's financial condition has improved to the extent that the party is no longer indigent.

(fg) Appointment and Withdrawal of Counsel in Trial Appellate Court. The trial appellate court shall determine questions relating to the appointment and withdrawal of counsel for an indigent party on review, except withdrawal as provided in section (h) and counsel appointed in a capital case, pursuant to SPRC2 or RAP 16.25. The Office of Public Defense shall, in accordance with its indigent appellate representation policies, provide the names of indigent appellate counsel to the appellate courts on a case-by-case basis. If trial counsel is not appointed, trial counsel must assist counsel appointed for review in preparing the record.

(gh) Review of Order of Indigency. Only a party in a case of a type listed in section (b)(21) of this rule may seek review of an order of indigency or an order denying an order of indigency entered by a trial court. Review must be sought by a motion for discretionary review.

(hi) Withdrawal of Counsel in Appellate Court. If counsel can find no basis for a good faith argument on review, counsel should file a motion in the appellate court to withdraw as counsel for the indigent as provided in rule 18.3(a).

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 04-19-043

NOTICE OF PUBLIC MEETINGS

DEPARTMENT OF

LABOR AND INDUSTRIES

(Advisory Board of Plumbers)

[Memorandum—September 10, 2004]

Advisory Board of Plumbers Meetings for 2005

In accordance with chapter 42.30 RCW, Open [Public] Meeting[s] Act, the quarterly meetings for the Advisory Board of Plumbers have been scheduled for 2005. The meetings are to begin at 9:30 a.m. on the third Tuesday of January, April, July, and October at the following location:

Department of Labor and Industries
 Rehabilitation Resource Center
 12806 Gateway Drive
 Seattle, WA (Tukwila)

WSR 04-19-054
NOTICE OF PUBLIC MEETINGS
COLUMBIA RIVER
GORGE COMMISSION
 [Memorandum—September 14, 2004]

The dates are as follows:

- January 18, 2005
- April 19, 2005
- July 19, 2005
- October 18, 2005

WSR 04-19-052
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION
 (Capitol Campus Design Advisory Committee)
 [Memorandum—September 10, 2004]

Following is the Capitol Campus Design Advisory Committee meeting:

Date: Thursday, October 21, 2004
 Time: 10:00 a.m.
 Location: General Administration Building, Room 207

If you have any questions, please contact Kim Buccarelli at (360) 902-0955.

WSR 04-19-053
NOTICE OF PUBLIC MEETINGS
WASHINGTON SCHOOL
FOR THE DEAF
 [Memorandum—September 10, 2004]

The Washington School for the Deaf board of trustees will be combining their October and November board meetings. The schedule for October and November will be as follows:

Meeting changes approved at the September 9, 2004, board meeting: Meetings cancelled: October 14 and November 11, 2004.

New meetings set:

Board study session (no action will be taken)	November 3, 2004	6-9 p.m.
Board of Trustees meeting	November 4, 2004	9 a.m. - 3 p.m.

Both of the above meetings will be held in Clark Hall Conference Room 150 at the Washington School for the Deaf.

Columbia River Gorge Commission Meetings 2005

Date	Day	Location	Comments
January 11, 2005	Tuesday	Hood River Best Western HR Inn	pending - HR Inn reserves right to bump reservation
February 8, 2005	Tuesday	The Dalles Discovery Center	confirmed
March 8, 2005	Tuesday	Troutdale Troutdale Community Center	confirmed
April 12, 2005	Tuesday	Stevenson Rock Creek Recreation Center	confirmed
May 10, 2005	Tuesday	Hood River County Administration	confirmed
June 14, 2005	Tuesday	The Dalles Discovery Center	confirmed
July 12, 2005	Tuesday	Stevenson Rock Creek Recreation Center	confirmed
August 9, 2005	Tuesday	Hood River Best Western HR Inn	pending - HR Inn reserves right to bump reservation
September 13, 2005	Tuesday	Cascade Locks Best Western Inn	confirmed
October 11, 2005	Tuesday	Stevenson Rock Creek Recreation Center	confirmed
November 8, 2005	Tuesday	Hood River County Administration	confirmed
December 13, 2005	Tuesday	White Salmon Columbia River Gorge Commission Office	tentative

WSR 04-19-056
DEPARTMENT OF ECOLOGY
 [Memorandum—September 14, 2004]

NOTICE OF PUBLIC HEARING

Washington State Department of Ecology
 Proposed State Implementation Plan Revision
 for
 Wallula PM₁₀ Nonattainment Area

The Washington State Department of Ecology is conducting a public hearing on a proposed revision to the state implementation plan (SIP) for the Wallula PM₁₀ nonattainment area. The SIP is a statewide plan for meeting federal air quality standards.

Background Information: The United States Environmental Protection Agency (EPA) has set an air quality stan-

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dard for particulate matter ten micrometers or less in size (PM₁₀). When an area in Washington does not meet an air quality standard, it is classified as "nonattainment," and the Department of Ecology (ecology) must develop a plan to meet the standard.

EPA has designated Wallula as a nonattainment area due to exceedances of the PM₁₀ standard, and ecology submitted a plan to meet the standard in 1991. In February 2001, EPA reclassified the Wallula PM₁₀ nonattainment area from a moderate to a serious nonattainment area. The reclassification meant that Washington was required to submit a new plan for meeting the PM₁₀ standard in Wallula.

The purpose of this scheduled hearing is to receive public comment on including this new plan in the SIP.

The New Plan: The new plan meets requirements for a serious nonattainment area mainly by:

- Defining best available control measures and best available control technology for PM₁₀ sources in the nonattainment area; and
- Demonstrating attainment of the PM₁₀ standard.

The plan exempts the nonattainment area from regional transportation conformity requirements for PM₁₀. These are requirements that regional transportation plans be consistent with the state's plan for meeting air quality standards. The plan also requests that the Wallula area be exempted from requirements that major sources of PM₁₀ control their emissions of precursors of PM₁₀.

Hearing Schedule: On Thursday, October 14, 2004, at 7:00 p.m., at the Burbank-Wallula Fire Station 51, 460 West Humorist Road, Burbank, WA.

Comments may be provided at the hearing or mailed, e-mailed, or faxed to Doug Schneider, Department of Ecology, P.O. Box 4700, Olympia, WA 98504-7600, fax (360) 407-7534, e-mail dsch461@ecy.wa.gov. Comments must be postmarked by 5:00 p.m. October 14, 2004.

For More Information: Contact Doug Schneider, Department of Ecology, Air Quality Program, (360) 407-6874, dsch461@ecy.wa.gov.

If you need special accommodations, please contact Tami Dahlgren at (360) 407-6800. If you are a person with a speech or hearing impairment, call 711, or 1-800-833-6388 for TTY.

WSR 04-19-061

DEPARTMENT OF AGRICULTURE

[Filed September 15, 2004, 3:41 p.m.]

PUBLIC NOTICE FOR SPARTINA TREATMENT IN WESTERN WASHINGTON

LEGAL NOTICE: The Washington State Department of Agriculture (WSDA) Laboratory Services Division is hereby notifying the affected public that the herbicide glyphosate (Aquamaster, Aquaneat, or Rodeo) and imazapyr (Habitat), surfactant (R-11, Agri-Dex, Class Act Next Generation, Competitor, Dyne-Amic, Kinetic, or LI-700) and marker dyes may be used between June 1, 2004, and October 31, 2004. Properly licensed pesticide applicators who have

obtained coverage under a WSDA National Pollutant Discharge Elimination System Waste Discharge General Permit may apply Rodeo® or other approved Glyphosate mixtures to control the noxious weed *Spartina* on the saltwater tide-flats of Grays Harbor, Hood Canal, Willapa Bay, Puget Sound, and the north and west sides of the Olympic Peninsula.

Use of the herbicide Rodeo® or other Glyphosate mixtures is one of the options used to control *Spartina*. These infestations may also be treated by crushing, mowing, digging or covering.

For more information, including locations of possible application sites, contact the WSDA *Spartina* Control Program at (360) 902-1923 or (360) 902-1853, or write WSDA *Spartina* Program, P.O. Box 42560, Olympia, WA 98504-2560. The Washington State Department of Ecology twenty-four hour emergency/spill response hotline is (425) 649-7000 (northwest region) or (360) 407-6300 (southwest region).

WSR 04-19-073

ATTORNEY GENERAL'S OFFICE

[Filed September 17, 2004, 9:00 a.m.]

NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION WASHINGTON ATTORNEY GENERAL

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by October 13, 2004. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by this date, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 664-3027, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, WA 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested, information about the Attorney General's Opinion process, information on how to submit your comments, and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s):

04-09-02 Request by Bill Finkbeiner State Senator, 45th District

1. Can RCW 58.04.007 be used to resolve any type of boundary dispute, or is the statute only meant to resolve a certain type of boundary dispute?

2 Under RCW 58.04.007, before a deed can be recorded, can a local government agency require a review of the survey and deed entered into by landowners to resolve a boundary line dispute?

**WSR 04-19-087
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER**

[Memorandum—September 15, 2004]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on Friday, September 24, 2004, at 2:00 p.m. in Room 303 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

**WSR 04-19-088
DEPARTMENT OF ECOLOGY**

[Filed September 20, 2004, 9:42 a.m.]

**Ecology to Rewrite and Reissue
Upland Fin-fish Hatching
and Rearing NPDES General Permit**

The Washington State Department of Ecology (ecology) is beginning a process to update and reissue the upland fin-fish hatching and rearing national pollutant discharge elimination system (NPDES) waste discharge general permit. The hatchery general permit is issued in compliance with the Federal Clean Water Act, the State Water Pollution Control Act and chapter 173-221A WAC, Wastewater discharge standards and effluent limitations. This permit contains best management practices, effluent limitations and monitoring requirements necessary to protect state water quality.

The current permit was issued on April 17, 2000, and expires on June 1, 2005. This is a statewide general permit providing coverage for about 82 fin-fish hatching and rearing facilities. Dischargers who require coverage under this permit include all state and private and fish rearing facilities that produce more than 20,000 pounds of fish per year, or feed more than 5,000 pounds of food in a calendar month, or are designated as a significant contributor of pollution by the department.

Parties interested in receiving information on the reissue process and participating in the rewrite should contact ecology through the staff member following: Lori LeVander, e-mail llev461@ecy.wa.gov, phone (425) 649-7039, Department of Ecology-NWRO, 3190 160th Avenue S.E., Bellevue, WA 98008-5452.

Additional information on the current upland fin-fish hatching and rearing NPDES general permit, the fact sheet for the 2000 permit can be found on ecology's web page <http://www.ecy.wa.gov/programs/wq/permits>.

Ecology is an equal opportunity agency. If you have special accommodation needs or require information in an

alternative format, please contact Lori LeVander at (425) 649-7039 or TTY (for the speech and hearing impaired) at 711 or 1-800-833-6388.

**WSR 04-19-089
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES**

(Advisory Board of Plumbers)
[Memorandum—September 10, 2004]

In accordance with chapter 42.30 RCW, Open Public Meetings Act, the quarterly meetings for the Advisory Board of Plumbers have been scheduled for 2005. The meetings are to begin at 9:30 a.m. on the third Tuesday of January, April, July, and October at the Department of Labor and Industries, Rehabilitation Resource Center, 12806 Gateway Drive, Seattle, WA (Tukwila).

The dates are as follows:

- January 18, 2005
- April 19, 2005
- July 19, 2005
- October 18, 2005

**WSR 04-19-107
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY**

[Memorandum—September 16, 2004]

The Eastern Washington University board of trustees committee meetings, executive session and open public meeting will occur on Friday, September 17, 2004, according to the following schedule:

- 10:00 - 12:00 a.m. *Joint Academic and Student Affairs Committees, PUB 263-5-7 (no final actions will be taken)
- *Advancement Committee, PUB 206 (no final actions will be taken)
- *Business and Finance Committee, PUB 261 (no final actions will be taken)
- 12:00 - 1:00 p.m. BOT Executive Session, TAW 215A
- 1:00 - 3:30 p.m. BOT Open Public Meeting, TAW 215 B, C

Action items include the acceptance of bid for the senior hall renovation, delegation of authority for personnel actions, auxiliary funds 2004 audits, administrative system software contract, a request for indemnification for an employee, the access control policy, the 2005-07 operating budget, the 2005 board schedule, and election of board officers.

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WSR 04-19-125
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed September 21, 2004, 4:08 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 04-64 MAA.
 Subject: Prescription drug program: Unit dose reimbursement updates.

Effective Date: August 20, 2004.

Document Description: **Effective for dates of service on and after September 1, 2004**, the Medical Assistance Administration (MAA) will implement the following changes to the point-of-sale (POS) system:

- POS will no longer pay a unit dose dispensing fee to nonunit dose providers; and
- POS will no longer pay a unit dose dispensing fee when a prescription is filled using drugs prepackaged in unit dose form by the manufacturer.

To receive a copy of the interpretive or policy statement, contact Barbara Salmon, Rules and Publications Section, DSHS, Medical Assistance Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memos," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail salmobl@dshs.wa.gov.

September 20, 2004
 Ann Myers, Manager
 Rules and Publications Section

WSR 04-19-126
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed September 21, 2004, 4:09 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 04-65 MAA.
 Subject: Prescription drug program: Preferred drug list and expedited prior authorization updates.

Effective Date: August 30, 2004.

Document Description: **Effective the week of September 1, 2004, and after (unless otherwise noted)**, the Medical Assistance Administration (MAA) will implement the following changes to the prescription drug program:

- Addition of therapeutic drug classes to the Washington preferred drug list; and
- Expedited prior authorization changes.

To receive a copy of the interpretive or policy statement, contact Barbara Salmon, Rules and Publications Section, DSHS, Medical Assistance Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered

Memos," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail salmobl@dshs.wa.gov.

September 20, 2004
 Ann Myers, Manager
 Rules and Publications Section

WSR 04-19-127
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed September 21, 2004, 4:10 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 04-68 MAA.
 Subject: Access to baby and child dentistry (ABCD): Third-party insurance payments to be deducted prior to MAA's payment.

Effective Date: August 30, 2004.

Document Description: **Effective for dates of service on and after November 1, 2004**, the Medical Assistance Administration (MAA) will deduct third-party insurance payments for all ABCD services prior to paying ABCD claims.

To receive a copy of the interpretive or policy statement, contact Barbara Salmon, Rules and Publications Section, DSHS, Medical Assistance Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memos," "Year 2004"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail salmobl@dshs.wa.gov.

September 20, 2004
 Ann Myers, Manager
 Rules and Publications Section

WSR 04-19-128
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

[Filed September 21, 2004, 4:11 p.m.]

DESCRIPTION OF INTERPRETIVE OR POLICY STATEMENT

Document Title: Numbered Memorandum 04-69 MAA.
 Subject: Prescription drug program: Maximum allowable cost update.

Effective Date: September 16, 2004.

Document Description: **Effective for dates of service on and after October 1, 2004**, the Medical Assistance Administration (MAA) will implement the following changes to the prescription drug program:

1. New additions to the maximum allowable cost (MAC) list; and
2. Adjustments to existing MACs.

To receive a copy of the interpretive or policy statement, contact Barbara Salmon, Rules and Publications Section,

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DSHS, Medical Assistance Administration, Division of Policy and Analysis, P.O. Box 45533, Olympia, WA 98504-5533, phone (360) 725-1349 or go to website <http://maa.dshs.wa.gov/download/publicationsfees.htm> (click on "Numbered Memos," "Year 2003"), TDD 1-800-848-5429, fax (360) 586-9727, e-mail salmobl@dshs.wa.gov.

September 20, 2004
Ann Myers, Manager
Rules and Publications Section

WSR 04-19-139
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Medical Quality Assurance Commission)
[Memorandum—September 22, 2004]

WASHINGTON STATE
MEDICAL QUALITY ASSURANCE COMMISSION
2005 MEETING DATES

DATES		COMMENTS
JANUARY 14	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting Business Meeting Start Time 8:00 a.m.
FEBRUARY 25	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting Business Meeting Start Time 8:00 a.m.
APRIL 8	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting Business Meeting Start Time 8:00 a.m.
MAY 20	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting WPHP Semi-Annual Report Business Meeting Start Time 8:00 a.m.
JULY 8	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting Business Meeting Start Time 8:00 a.m.
OCTOBER 7	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting Business Meeting Start Time 8:00 a.m.
NOVEMBER 18	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting WPHP Semi-Annual Report Business Meeting Start Time 8:00 a.m.
2006 JANUARY 13	Holiday Inn Select One South Grady Way Renton, WA 98055 (425) 226-7700	Regular Meeting Business Meeting Start Time 8:00 a.m.

FSMB Annual Meeting — May 12-14 Dallas, Texas
WSMA Annual Meeting — Sept. 30 - Oct. 2 Tacoma, Washington

DEPARTMENT OF ECOLOGY

[Filed September 22, 2004, 10:25 a.m.]

DEPARTMENT OF ECOLOGY
NOTICE OF PUBLIC HEARING

Proposed Stage Implementation Plan Revision:
Spokane PM₁₀ Limited Maintenance Plan and Redesignation
Request

Local air pollution control agencies periodically submit air quality plan updates and regulations to the Department of Ecology (ecology) for inclusion in Washington's state implementation plan (SIP). The SIP is a statewide plan for meeting federal health-based standards for certain air pollutants.

The Spokane area is designated nonattainment for particulate matter air pollution equal to or less than ten microns in size (PM₁₀). This means that, in the past, the area did not meet federal health-based standards for PM₁₀. As the area has been meeting the standards since 1994, it can now be redesignated to attainment by the federal Environmental Protection Agency (EPA).

The Spokane County Air Pollution Control Agency and ecology have prepared a plan, called a limited maintenance plan, for PM₁₀. This plan demonstrates that the Spokane area meets Federal Clean Air Act requirements for PM₁₀. It also summarizes the progress of the area in attaining the PM₁₀ standard, demonstrates that the Spokane area qualifies for EPA's limited maintenance plan option, and includes a maintenance plan to assure continued attainment for ten years after the redesignation. The plan includes a formal request to EPA to redesignate the Spokane, Washington, PM₁₀ nonattainment area to attainment for the health-based twenty-four-hour average PM₁₀ national ambient air quality standard.

Copies of the plan are available for review at the Spokane County Air Pollution Control Authority, 1101 West College, Suite 403, Spokane, WA 99201; at the Spokane Public Library, 906 West Main, Spokane, WA 99201; at the Spokane Regional Transportation Council, 211 West First Avenue, Suite 310, Spokane WA 99201; and at the Department of Ecology, Eastern Regional Office, 4601 North Monroe Street, Spokane, WA 99205-1295.

Hearing schedule: On Tuesday, October 26, 2004, at 4:30 p.m., at the Washington Department of Ecology, Eastern Regional Office, 2nd Floor Conference Room, 4601 North Monroe Street, Spokane, WA 99205-1295.

Comments may be provided at the hearing or mailed, e-mailed, or faxed to Brett Rude, Department of Ecology, P.O. Box 4700, Olympia, WA 98504-7600, fax (360) 407-7534, e-mail brud461@ecy.wa.gov. Comments must be postmarked by 5:00 p.m., October 26, 2004.

For more information contact Brett Rude, Department of Ecology, Air Quality Program, (360) 407-6847, brud461@ecy.wa.gov.

If you need special accommodations, please call Tami Dahlgren at (360) 407-6800. If you are a person with a speech or hearing impairment, call 711, or 1-800-833-6388 for TTY.

MISC.

WSR 04-19-151
DEPARTMENT OF ECOLOGY

[Filed September 22, 2004, 10:26 a.m.]

DEPARTMENT OF ECOLOGY
 NOTICE OF PUBLIC HEARING

Spokane Carbon Monoxide Serious Nonattainment Area:
 Proposed State Implementation Plan Revision

The Washington State Department Ecology (ecology) is conducting a hearing to receive public comment on a proposed revision to the state implementation plan (SIP) for the Spokane carbon monoxide (CO) nonattainment area. The SIP is a statewide plan for meeting federal air quality standards.

The United States Environmental Protection Agency (EPA) has set an air quality standard for CO and designated Spokane as a nonattainment area due to exceedances of that standard. Ecology is responsible for developing a plan to meet the CO standard. This plan then needs to be submitted as a revision to the SIP.

Ecology submitted a plan to meet the standard on September 14, 2001. The plan included a transportation control measure (TCM) necessary for demonstrating attainment of the standard. The Federal Highways Administration identified adverse safety and operational impacts related to the TCM that could not be mitigated. For EPA to approve the plan for Spokane, an alternative TCM that would demonstrate attainment of the CO standard was required. After reviewing multiple TCMs, the Spokane Regional Transportation Council (SRTC) determined that adding a left turn channel on eastbound Third Avenue at Washington demonstrates attainment of the CO standard.

The SIP revision withdraws and replaces several sections of the Spokane CO attainment plan (September 14, 2001, Publication No. 01-02-009). The sections of the plan that are being revised are:

- Chapter 3, Section 3.3, Periodic Emission Inventories
- Chapter 5, Sections 5.5, Attainment Demonstration and, 5.6, Transportation Control Measure Used to Demonstrate Attainment
- Chapter 7, Section 7.1, Plan Commitments
- Appendix E, Attainment Demonstration (select sections identified in Appendix E of this SIP revision)

Copies of the plan are available for review at the Spokane County Air Pollution Control Authority, 1101 West College, Suite 403, Spokane, WA 99201; at the Spokane Public Library, 906 West Main, Spokane, WA 99201; at the Spokane Regional Transportation Council, 211 West First Avenue, Suite 310, Spokane, WA 99201; and at the Department of Ecology, Eastern Regional Office, 4601 North Monroe Street, Spokane, WA 99205-1295.

Hearing Schedule: On Tuesday, October 26, 2004, at 4:45 p.m., at the Washington Department of Ecology, Eastern Regional Office, 2nd Floor Conference Room, 4601 North Monroe Street, Spokane, WA 99205-1295.

Comments may be provided at the hearing or mailed, e-mailed, or faxed to Brett Rude, Department of Ecology, P.O. Box 4700 [47600], Olympia, WA 98504-7600, fax (360)

407-7534, e-mail brud461@ecy.wa.gov. Comments must be postmarked by 5:00 p.m. October 26, 2004.

For more information contact Brett Rude, Department of Ecology, Air Quality Program, (360) 407-6847, brud461@ecy.wa.gov.

If you need special accommodations, please contact Tami Dahlgren at (360) 407-6800. If you are a person with a speech or hearing impairment, call 711, or 1-800-833-6388 for TTY.

MISC.



Table of WAC Sections Affected

KEY TO TABLE

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJECT = 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 of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

Suffixes:

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- X = Expedited rule making
- XA = Expedited adoption
- XR = Expedited repeal

No suffix means permanent action

WAC # Shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # Shows the issue of the Washington State Register where the document may be found; the last three digits identify the document within the issue.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
1- 21-070	AMD	04-02-071	4- 25-721	AMD-P	04-17-085	16-170-010	NEW	04-08-062
4- 25-400	PREP	04-08-033	4- 25-730	PREP	04-08-033	16-170-020	NEW-P	04-05-119
4- 25-400	AMD-P	04-17-085	4- 25-730	AMD-P	04-17-085	16-170-020	NEW	04-08-062
4- 25-410	PREP	04-08-033	4- 25-735	PREP	04-08-033	16-170-030	NEW-P	04-05-119
4- 25-410	AMD-P	04-17-085	4- 25-735	AMD-P	04-17-085	16-170-030	NEW	04-08-062
4- 25-510	PREP	04-08-033	4- 25-745	PREP	04-08-033	16-170-035	NEW-P	04-05-119
4- 25-510	AMD-P	04-17-085	4- 25-745	AMD-P	04-17-085	16-170-035	NEW	04-08-062
4- 25-530	PREP	04-06-085	4- 25-746	PREP	04-08-033	16-170-037	NEW-P	04-05-119
4- 25-530	AMD-P	04-17-086	4- 25-746	AMD-P	04-17-085	16-170-037	NEW	04-08-062
4- 25-540	PREP	04-08-033	4- 25-750	PREP	04-08-033	16-170-040	NEW-P	04-05-119
4- 25-540	AMD-P	04-17-085	4- 25-750	AMD-P	04-17-085	16-170-040	NEW	04-08-062
4- 25-550	PREP	04-08-033	4- 25-756	PREP	04-11-033	16-170-050	NEW-P	04-05-119
4- 25-550	AMD-P	04-17-085	4- 25-756	AMD-P	04-17-087	16-170-050	NEW	04-08-062
4- 25-551	PREP	04-08-033	4- 25-782	PREP	04-11-033	16-170-060	NEW-P	04-05-119
4- 25-551	AMD-P	04-17-085	4- 25-782	AMD-P	04-17-087	16-170-060	NEW	04-08-062
4- 25-610	PREP	04-08-033	4- 25-783	PREP	04-08-033	16-170-070	NEW-P	04-05-119
4- 25-610	AMD-P	04-17-085	4- 25-783	AMD-P	04-17-085	16-170-070	NEW	04-08-062
4- 25-620	PREP	04-08-033	4- 25-790	PREP	04-08-033	16-170-075	NEW-P	04-05-119
4- 25-620	AMD-P	04-17-085	4- 25-790	AMD-P	04-17-085	16-170-075	NEW	04-08-062
4- 25-626	PREP	04-08-033	4- 25-791	PREP	04-08-033	16-170-080	NEW-P	04-05-119
4- 25-626	AMD-P	04-17-085	4- 25-791	AMD-P	04-17-085	16-170-080	NEW	04-08-062
4- 25-630	PREP	04-08-033	4- 25-792	PREP	04-08-033	16-170-090	NEW-P	04-05-119
4- 25-630	AMD-P	04-17-085	4- 25-792	AMD-P	04-17-085	16-170-090	NEW	04-08-062
4- 25-631	PREP	04-08-033	4- 25-793	PREP	04-08-033	16-170-100	NEW-P	04-05-119
4- 25-631	AMD-P	04-17-085	4- 25-793	AMD-P	04-17-085	16-170-100	NEW	04-08-062
4- 25-640	PREP	04-08-033	4- 25-795	PREP	04-08-033	16-170-110	NEW-P	04-05-119
4- 25-640	AMD-P	04-17-085	4- 25-795	AMD-P	04-17-085	16-170-110	NEW	04-08-062
4- 25-650	PREP	04-08-033	4- 25-820	PREP	04-11-033	16-170-115	NEW-P	04-05-119
4- 25-650	AMD-P	04-17-085	4- 25-820	AMD-P	04-17-087	16-170-115	NEW	04-08-062
4- 25-660	PREP	04-08-033	4- 25-830	PREP	04-08-033	16-170-120	NEW-P	04-05-119
4- 25-660	AMD-P	04-17-085	4- 25-830	AMD-P	04-17-085	16-170-120	NEW	04-08-062
4- 25-661	PREP	04-08-033	4- 25-831	PREP	04-08-033	16-170-125	NEW-P	04-05-119
4- 25-661	AMD-P	04-17-085	4- 25-831	AMD-P	04-17-085	16-170-125	NEW	04-08-062
4- 25-670	PREP	04-08-033	4- 25-910	PREP	04-08-033	16-170-130	NEW-P	04-05-119
4- 25-670	AMD-P	04-17-085	4- 25-910	AMD-P	04-17-085	16-170-130	NEW	04-08-062
4- 25-710	PREP	04-08-033	16- 08-003	NEW	04-02-063	16-170-135	NEW-P	04-05-119
4- 25-710	AMD-P	04-17-085	16- 08-004	NEW	04-02-063	16-170-135	NEW	04-08-062
4- 25-720	PREP	04-08-033	16- 54-030	AMD-E	04-15-021	16-170-140	NEW-P	04-05-119
4- 25-720	AMD-P	04-17-085	16-157-020	AMD-X	04-16-092	16-170-140	NEW	04-08-062
4- 25-721	PREP	04-08-033	16-170-010	NEW-P	04-05-119	16-170-145	NEW-P	04-05-119

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-170-145	NEW	04-08-062	16-230-825	PREP	04-03-004	16-231-500	PREP	04-03-004
16-170-150	NEW-P	04-05-119	16-230-830	PREP	04-03-004	16-231-505	PREP	04-03-004
16-170-150	NEW	04-08-062	16-230-835	PREP	04-03-004	16-231-510	PREP	04-03-004
16-170-155	NEW-P	04-05-119	16-230-835	PREP	04-13-057	16-231-515	PREP	04-03-004
16-170-155	NEW	04-08-062	16-230-840	PREP	04-03-004	16-231-520	PREP	04-03-004
16-170-170	NEW-P	04-05-119	16-230-845	PREP	04-03-004	16-231-525	PREP	04-03-004
16-170-170	NEW	04-08-062	16-230-850	PREP	04-03-004	16-231-530	PREP	04-03-004
16-170-175	NEW-P	04-05-119	16-230-855	PREP	04-03-004	16-231-600	PREP	04-03-004
16-170-175	NEW	04-08-062	16-230-860	PREP	04-03-004	16-231-605	PREP	04-03-004
16-170-180	NEW-P	04-05-119	16-230-860	PREP	04-13-057	16-231-610	PREP	04-03-004
16-170-180	NEW	04-08-062	16-230-861	PREP	04-03-004	16-231-613	PREP	04-03-004
16-218	PREP	04-19-121	16-230-862	PREP	04-03-004	16-231-615	PREP	04-03-004
16-219-010	REP-X	04-13-059	16-230-863	PREP	04-03-004	16-231-620	PREP	04-03-004
16-219-010	REP	04-18-024	16-230-864	PREP	04-03-004	16-231-700	PREP	04-03-004
16-219-100	REP-X	04-06-073	16-230-866	PREP	04-03-004	16-231-705	PREP	04-03-004
16-219-100	REP	04-10-105	16-230-868	PREP	04-03-004	16-231-710	PREP	04-03-004
16-219-105	REP-X	04-06-073	16-231-100	PREP	04-03-004	16-231-715	PREP	04-03-004
16-219-105	REP	04-10-105	16-231-105	PREP	04-03-004	16-231-720	PREP	04-03-004
16-228-1220	PREP	04-03-005	16-231-107	PREP	04-03-004	16-231-725	PREP	04-03-004
16-228-1231	PREP	04-03-004	16-231-110	PREP	04-03-004	16-231-800	PREP	04-03-004
16-228-1250	PREP	04-03-004	16-231-115	PREP	04-03-004	16-231-805	PREP	04-03-004
16-229	PREP	04-14-102	16-231-119	PREP	04-03-004	16-231-810	PREP	04-03-004
16-230-250	REP-X	04-13-058	16-231-125	PREP	04-03-004	16-231-815	PREP	04-03-004
16-230-250	REP	04-18-023A	16-231-130	PREP	04-03-004	16-231-820	PREP	04-03-004
16-230-260	REP-X	04-13-058	16-231-135	PREP	04-03-004	16-231-825	PREP	04-03-004
16-230-260	REP	04-18-023A	16-231-140	PREP	04-03-004	16-231-830	PREP	04-03-004
16-230-270	REP-X	04-13-058	16-231-145	PREP	04-03-004	16-231-835	PREP	04-03-004
16-230-270	REP	04-18-023A	16-231-149	PREP	04-03-004	16-231-840	PREP	04-03-004
16-230-281	REP-X	04-13-058	16-231-153	PREP	04-03-004	16-231-900	PREP	04-03-004
16-230-281	REP	04-18-023A	16-231-156	PREP	04-03-004	16-231-905	PREP	04-03-004
16-230-290	REP-X	04-13-058	16-231-159	PREP	04-03-004	16-231-910	PREP	04-03-004
16-230-290	REP	04-18-023A	16-231-162	PREP	04-03-004	16-231-912	PREP	04-03-004
16-230-400	PREP	04-03-004	16-231-165	PREP	04-03-004	16-231-915	PREP	04-03-004
16-230-410	PREP	04-03-004	16-231-168	PREP	04-03-004	16-231-920	PREP	04-03-004
16-230-420	PREP	04-03-004	16-231-171	PREP	04-03-004	16-231-925	PREP	04-03-004
16-230-430	PREP	04-03-004	16-231-174	PREP	04-03-004	16-231-930	PREP	04-03-004
16-230-440	PREP	04-03-004	16-231-177	PREP	04-03-004	16-231-935	PREP	04-03-004
16-230-450	PREP	04-03-004	16-231-180	PREP	04-03-004	16-232-001	PREP	04-03-004
16-230-460	PREP	04-03-004	16-231-183	PREP	04-03-004	16-232-005	PREP	04-03-004
16-230-470	PREP	04-03-004	16-231-200	PREP	04-03-004	16-232-007	PREP	04-03-004
16-230-600	PREP	04-03-004	16-231-205	PREP	04-03-004	16-232-010	PREP	04-03-004
16-230-605	PREP	04-03-004	16-231-210	PREP	04-03-004	16-232-015	PREP	04-03-004
16-230-610	PREP	04-03-004	16-231-215	PREP	04-03-004	16-232-020	PREP	04-03-004
16-230-615	PREP	04-03-004	16-231-220	PREP	04-03-004	16-232-025	PREP	04-03-004
16-230-620	PREP	04-03-004	16-231-225	PREP	04-03-004	16-232-027	PREP	04-03-004
16-230-625	PREP	04-03-004	16-231-230	PREP	04-03-004	16-232-030	PREP	04-03-004
16-230-630	PREP	04-03-004	16-231-235	PREP	04-03-004	16-232-035	PREP	04-03-004
16-230-635	PREP	04-03-004	16-231-300	PREP	04-03-004	16-232-041	PREP	04-03-004
16-230-640	PREP	04-03-004	16-231-305	PREP	04-03-004	16-232-044	PREP	04-03-004
16-230-645	PREP	04-03-004	16-231-310	PREP	04-03-004	16-232-047	PREP	04-03-004
16-230-650	PREP	04-03-004	16-231-315	PREP	04-03-004	16-232-050	PREP	04-03-004
16-230-655	PREP	04-03-004	16-231-320	PREP	04-03-004	16-232-053	PREP	04-03-004
16-230-660	PREP	04-03-004	16-231-325	PREP	04-03-004	16-232-056	PREP	04-03-004
16-230-665	PREP	04-03-004	16-231-330	PREP	04-03-004	16-232-059	PREP	04-03-004
16-230-670	PREP	04-03-004	16-231-335	PREP	04-03-004	16-232-062	PREP	04-03-004
16-230-673	PREP	04-03-004	16-231-400	PREP	04-03-004	16-232-065	PREP	04-03-004
16-230-675	PREP	04-03-004	16-231-405	PREP	04-03-004	16-232-068	PREP	04-03-004
16-230-800	PREP	04-03-004	16-231-410	PREP	04-03-004	16-232-071	PREP	04-03-004
16-230-810	PREP	04-03-004	16-231-413	PREP	04-03-004	16-232-074	PREP	04-03-004
16-230-813	PREP	04-03-004	16-231-415	PREP	04-03-004	16-232-077	PREP	04-03-004
16-230-815	PREP	04-03-004	16-231-420	PREP	04-03-004	16-232-100	PREP	04-03-004
16-230-820	PREP	04-03-004	16-231-425	PREP	04-03-004	16-232-105	PREP	04-03-004

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-232-110	PREP	04-03-004	16-301-485	REP-P	04-05-118	16-390-242	NEW	04-11-078
16-232-115	PREP	04-03-004	16-301-485	REP	04-08-043	16-390-245	NEW-P	04-08-128
16-232-120	PREP	04-03-004	16-302-385	AMD-P	04-05-120	16-390-245	NEW	04-11-078
16-232-200	PREP	04-03-004	16-302-385	AMD	04-08-044	16-390-250	NEW-P	04-08-128
16-232-205	PREP	04-03-004	16-302-685	AMD	04-06-018	16-390-250	NEW	04-11-078
16-232-210	PREP	04-03-004	16-303-340	AMD	04-06-029	16-390-260	NEW-P	04-08-128
16-232-215	PREP	04-03-004	16-319-041	AMD	04-06-028	16-390-260	NEW	04-11-078
16-232-220	PREP	04-03-004	16-324-375	AMD-X	04-07-170	16-390-270	NEW-P	04-08-128
16-232-225	PREP	04-03-004	16-324-375	AMD	04-12-026	16-390-270	NEW	04-11-078
16-232-300	PREP	04-03-004	16-324-393	AMD-X	04-07-170	16-390-280	NEW-P	04-08-128
16-232-305	PREP	04-03-004	16-324-393	AMD	04-12-026	16-390-280	NEW	04-11-078
16-232-310	PREP	04-03-004	16-324-398	AMD-X	04-07-170	16-400-007	REP-P	04-08-128
16-232-315	PREP	04-03-004	16-324-398	AMD	04-12-026	16-400-007	REP	04-11-078
16-250-155	PREP	04-06-074	16-324-398	AMD	04-12-026	16-400-008	REP-P	04-08-128
16-250-155	AMD-P	04-11-093	16-324-720	REP-X	04-07-170	16-400-008	REP	04-11-078
16-250-155	AMD	04-14-076	16-324-720	REP	04-12-026	16-400-008	REP	04-11-078
16-252-155	PREP	04-06-074	16-324-730	REP-X	04-07-170	16-400-010	REP-P	04-08-128
16-252-155	AMD-P	04-11-093	16-324-730	REP	04-12-026	16-400-010	REP	04-11-078
16-252-155	AMD	04-14-076	16-324-740	REP-X	04-07-170	16-400-040	REP-P	04-08-128
16-301-250	AMD	04-06-019	16-324-740	REP	04-12-026	16-400-040	REP	04-11-078
16-301-265	AMD	04-06-019	16-324-750	REP-X	04-07-170	16-400-045	REP-P	04-08-128
16-301-270	AMD	04-06-019	16-324-750	REP	04-12-026	16-400-045	REP	04-11-078
16-301-310	AMD	04-06-019	16-328	PREP	04-09-082	16-400-060	REP-P	04-08-128
16-301-325	AMD	04-06-019	16-328-011	AMD-P	04-13-150	16-400-060	REP	04-11-078
16-301-330	AMD	04-06-019	16-328-011	AMD	04-17-039	16-400-100	REP-P	04-08-128
16-301-335	AMD	04-06-019	16-333	PREP	04-09-081	16-400-100	REP	04-11-078
16-301-365	AMD-P	04-05-118	16-333-041	AMD-P	04-13-149	16-400-150	REP-P	04-08-128
16-301-365	AMD	04-08-043	16-333-041	AMD	04-17-038	16-400-150	REP	04-11-078
16-301-375	AMD-P	04-05-118	16-350	PREP	04-19-123	16-400-210	REP-P	04-08-128
16-301-375	AMD	04-08-043	16-350-040	AMD-P	04-07-171	16-400-210	REP	04-11-078
16-301-380	AMD-P	04-05-118	16-350-040	AMD	04-11-025	16-400-270	REP-P	04-08-128
16-301-380	AMD	04-08-043	16-350-045	AMD-P	04-07-171	16-400-270	REP	04-11-078
16-301-395	AMD-P	04-05-118	16-350-045	AMD	04-11-025	16-401	PREP	04-04-108
16-301-395	AMD	04-08-043	16-354	PREP	04-13-145	16-401	PREP	04-06-082
16-301-396	NEW-P	04-05-118	16-354-040	AMD-X	04-19-124	16-401	PREP	04-09-079
16-301-396	NEW	04-08-043	16-354-050	AMD-X	04-19-124	16-401-027	AMD-P	04-13-146
16-301-410	AMD-P	04-05-118	16-390-005	NEW-P	04-08-128	16-401-027	AMD	04-17-037
16-301-410	AMD	04-08-043	16-390-005	NEW	04-11-078	16-401-070	NEW-P	04-07-172
16-301-415	AMD-P	04-05-118	16-390-010	NEW-P	04-08-128	16-401-070	NEW	04-11-026
16-301-415	AMD	04-08-043	16-390-010	NEW	04-11-078	16-402	AMD-P	04-06-083
16-301-420	AMD-P	04-05-118	16-390-020	NEW-P	04-08-128	16-402	PREP	04-07-045
16-301-420	AMD	04-08-043	16-390-020	NEW	04-11-078	16-402	AMD	04-09-084
16-301-430	AMD-P	04-05-118	16-390-030	NEW-P	04-08-128	16-402-010	AMD-P	04-06-083
16-301-430	AMD	04-08-043	16-390-030	NEW	04-11-078	16-402-010	AMD	04-09-084
16-301-435	AMD-P	04-05-118	16-390-040	NEW-P	04-08-128	16-402-020	AMD-P	04-06-083
16-301-435	AMD	04-08-043	16-390-040	NEW	04-11-078	16-402-020	AMD	04-09-084
16-301-440	AMD-P	04-05-118	16-390-060	NEW-P	04-08-128	16-402-030	NEW-P	04-06-083
16-301-440	AMD	04-08-043	16-390-060	NEW	04-11-078	16-402-030	NEW	04-09-084
16-301-450	REP-P	04-05-118	16-390-100	NEW-P	04-08-128	16-402-040	NEW-P	04-06-083
16-301-450	REP	04-08-043	16-390-100	NEW	04-11-078	16-402-040	NEW	04-09-084
16-301-455	REP-P	04-05-118	16-390-150	NEW-P	04-08-128	16-402-100	NEW-E	04-07-046
16-301-455	REP	04-08-043	16-390-150	NEW	04-11-078	16-402-100	NEW-P	04-11-111
16-301-460	REP-P	04-05-118	16-390-200	NEW-P	04-08-128	16-402-100	NEW	04-14-090
16-301-460	REP	04-08-043	16-390-200	NEW	04-11-078	16-402-100	NEW-E	04-14-103
16-301-465	REP-P	04-05-118	16-390-210	NEW-P	04-08-128	16-402-110	NEW-E	04-07-046
16-301-465	REP	04-08-043	16-390-210	NEW	04-11-078	16-402-110	NEW-P	04-11-111
16-301-470	REP-P	04-05-118	16-390-220	NEW-P	04-08-128	16-402-110	NEW	04-14-090
16-301-470	REP	04-08-043	16-390-220	NEW	04-11-078	16-402-110	NEW-E	04-14-103
16-301-475	REP-P	04-05-118	16-390-230	NEW-P	04-08-128	16-402-120	NEW-E	04-07-046
16-301-475	REP	04-08-043	16-390-230	NEW	04-11-078	16-402-120	NEW-P	04-11-111
16-301-480	REP-P	04-05-118	16-390-240	NEW-P	04-08-128	16-402-120	NEW	04-14-090
16-301-480	REP	04-08-043	16-390-240	NEW	04-11-078	16-402-120	NEW-E	04-14-103
			16-390-242	NEW-P	04-08-128	16-402-130	NEW-E	04-07-046

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16-402-130	NEW-E	04-14-103	16-481-050	AMD	04-17-035	16-532-101	REP	04-10-059
16-403	PREP	04-18-009	16-481-060	AMD-P	04-13-147	16-532-103	NEW-W	04-10-055
16-449-001	REP	04-05-117	16-481-060	AMD	04-17-035	16-532-105	NEW-W	04-10-055
16-449-010	REP	04-05-117	16-481-070	AMD-P	04-13-147	16-532-110	AMD-W	04-10-075
16-449-020	REP	04-05-117	16-481-070	AMD	04-17-035	16-532-115	NEW-W	04-10-075
16-449-030	REP	04-05-117	16-481-075	REP-P	04-13-147	16-532-120	AMD	04-10-059
16-450-005	NEW	04-05-117	16-481-075	REP	04-17-035	16-536-005	NEW-P	04-04-107
16-450-010	NEW	04-05-117	16-512-002	REP	04-07-128	16-536-005	NEW	04-17-021
16-450-012	NEW	04-05-117	16-512-005	AMD	04-07-128	16-536-006	NEW-P	04-04-107
16-450-014	NEW	04-05-117	16-512-006	NEW	04-07-128	16-536-006	NEW	04-17-021
16-450-016	NEW	04-05-117	16-512-010	AMD	04-07-128	16-536-010	AMD-P	04-04-107
16-450-020	NEW	04-05-117	16-512-020	AMD	04-07-128	16-536-010	AMD	04-17-021
16-450-022	NEW	04-05-117	16-512-030	REP	04-07-128	16-536-020	AMD-P	04-04-107
16-450-024	NEW	04-05-117	16-512-040	AMD	04-07-128	16-536-020	AMD	04-17-021
16-450-026	NEW	04-05-117	16-512-050	AMD	04-07-128	16-536-030	REP-P	04-04-107
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16-450-040	NEW	04-05-117	16-528-010	AMD	04-10-057	16-536-040	AMD	04-17-021
16-450-042	NEW	04-05-117	16-528-020	AMD	04-10-057	16-536-060	AMD-P	04-04-107
16-450-044	NEW	04-05-117	16-528-030	REP	04-10-057	16-536-060	AMD	04-17-021
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16-450-048	NEW	04-05-117	16-528-110	AMD	04-10-058	16-545-006	NEW-P	04-09-104
16-450-050	NEW	04-05-117	16-528-150	AMD	04-10-058	16-545-010	AMD-P	04-09-104
16-450-060	NEW	04-05-117	16-528-220	REP	04-10-058	16-545-020	AMD-P	04-09-104
16-450-070	NEW	04-05-117	16-529-005	NEW-P	04-19-120	16-545-030	REP-P	04-09-104
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16-458-075	REP	04-11-078	16-529-010	AMD-P	04-19-120	16-561-005	NEW-C	04-18-132
16-458-085	REP-P	04-08-128	16-529-030	AMD-P	04-19-120	16-561-005	NEW-P	04-19-119
16-458-085	REP	04-11-078	16-529-040	AMD-P	04-19-120	16-561-006	NEW-P	04-07-194
16-459-001	REP	04-05-117	16-529-050	AMD-P	04-19-120	16-561-006	NEW-C	04-18-132
16-459-00101	REP	04-05-117	16-529-060	AMD-P	04-19-120	16-561-006	NEW-P	04-19-119
16-459-010	REP	04-05-117	16-529-070	AMD-P	04-19-120	16-561-010	AMD-P	04-07-194
16-459-020	REP	04-05-117	16-529-080	AMD-P	04-19-120	16-561-010	AMD-C	04-18-132
16-459-030	REP	04-05-117	16-529-100	AMD-P	04-19-120	16-561-010	AMD-P	04-19-119
16-459-040	REP	04-05-117	16-529-110	AMD-P	04-19-120	16-561-020	AMD-P	04-07-194
16-470	PREP	04-09-080	16-529-120	AMD-P	04-19-120	16-561-020	AMD-C	04-18-132
16-470-105	AMD-C	04-05-025	16-529-130	REP-P	04-19-120	16-561-020	AMD-P	04-19-119
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16-470-750	NEW-E	04-08-082	16-529-160	AMD-P	04-19-120	16-561-030	REP-C	04-18-132
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16-470-770	NEW-E	04-08-082	16-530-005	NEW-P	04-03-111	16-561-040	AMD-P	04-19-119
16-470-775	NEW-E	04-08-082	16-530-005	NEW	04-16-026	16-561-060	AMD-P	04-07-194
16-470-912	AMD-P	04-13-148	16-530-006	NEW-P	04-03-111	16-561-060	AMD-C	04-18-132
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16-481-010	AMD-P	04-13-147	16-530-030	REP	04-16-026	16-675-020	REP-P	04-19-122
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16-481-015	AMD-P	04-13-147	16-530-040	AMD	04-16-026	16-675-030	REP-P	04-19-122
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16-690-025	REP	04-05-117	51- 11-1413	AMD-W	04-07-082	51- 54-0300	AMD-E	04-13-095
16-690-030	REP	04-05-117	51- 11-1413	AMD-P	04-17-120	51- 54-0300	AMD-P	04-17-020
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16-730-010	NEW-E	04-18-029	51- 11-1433	AMD-W	04-07-082	51- 54-4600	NEW-P	04-17-020
16-730-015	NEW-E	04-18-029	51- 11-1433	AMD-P	04-17-120	67- 16-020	NEW-X	04-07-110
16-730-020	NEW-E	04-18-029	51- 11-1436	AMD-W	04-07-082	67- 16-020	NEW	04-12-029
16-730-025	NEW-E	04-18-029	51- 11-1437	AMD-W	04-07-082	67- 16-030	NEW-X	04-07-110
16-730-030	NEW-E	04-18-029	51- 11-1437	AMD-P	04-17-120	67- 16-030	NEW	04-12-029
16-730-035	NEW-E	04-18-029	51- 11-1440	AMD-W	04-07-082	67- 16-040	NEW-X	04-07-110
16-730-040	NEW-E	04-18-029	51- 11-1454	AMD-W	04-07-082	67- 16-040	NEW	04-12-029
16-730-045	NEW-E	04-18-029	51- 11-1454	AMD-P	04-17-120	82- 50-021	AMD-X	04-08-126
16-730-050	NEW-E	04-18-029	51- 11-1513	AMD-W	04-07-082	82- 50-021	AMD	04-15-006
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16-750-015	AMD	04-13-014	51- 13-106	AMD-X	04-03-033	106-116-521	AMD-P	04-14-063
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16-752-500	AMD-P	04-14-104	51- 13-201	AMD-X	04-03-033	106-116-603	AMD-P	04-14-063
16-752-500	AMD	04-19-004	51- 13-201	AMD	04-07-192	106-116-603	AMD	04-17-067
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16-752-610	AMD	04-19-004	51- 13-303	AMD	04-07-192	106-124-900	NEW	04-12-015
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36- 12-011	AMD-P	04-13-144	51- 13-304	AMD	04-07-192	106-124-910	NEW	04-12-015
36- 12-011	AMD	04-16-045	51- 13-402	AMD-X	04-03-033	106-124-920	NEW-P	04-06-014
36- 12-500	NEW-P	04-13-144	51- 13-402	AMD	04-07-192	106-124-920	NEW	04-12-015
36- 12-500	NEW	04-16-045	51- 13-502	AMD-X	04-03-033	118- 33-010	REP	04-08-007
36- 13	PREP	04-09-009	51- 13-502	AMD	04-07-192	118- 33-020	REP	04-08-007
36- 14	PREP	04-09-009	51- 13-503	AMD-X	04-03-033	118- 33-030	REP	04-08-007
36- 14-010	NEW-P	04-13-144	51- 13-503	AMD	04-07-192	118- 33-040	REP	04-08-007
36- 14-010	AMD	04-16-045	51- 50	PREP	04-13-076	118- 33-050	REP	04-08-007
36- 14-200	NEW-P	04-13-144	51- 50-003	AMD-X	04-13-077	118- 33-060	REP	04-08-007
36- 14-200	NEW	04-16-045	51- 50-003	AMD-P	04-17-019	118- 33-070	REP	04-08-007
36- 14-300	NEW-P	04-13-144	51- 50-003	AMD	04-18-033	118- 33-080	REP	04-08-007
36- 14-300	NEW	04-16-045	51- 50-005	AMD-X	04-13-077	118- 33-090	REP	04-08-007
36- 14-500	NEW-P	04-13-144	51- 50-005	AMD-P	04-17-019	118- 33-100	REP	04-08-007
36- 14-500	NEW	04-16-045	51- 50-005	AMD	04-18-033	118- 33-110	REP	04-08-007
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51- 11	PREP	04-13-073	51- 50-1109	AMD-P	04-17-019	131- 16-070	AMD-P	04-04-033
51- 11-0502	AMD-P	04-17-120	51- 50-1208	AMD-P	04-17-019	131- 16-070	AMD	04-07-094
51- 11-0602	AMD-W	04-07-082	51- 50-1210	NEW-P	04-17-019	131- 16-091	AMD-P	04-04-033
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51- 11-1006	AMD-P	04-17-120	51- 50-1605	NEW-P	04-17-019	131- 16-092	AMD-P	04-04-033
51- 11-1132	AMD-W	04-07-082	51- 50-1707	NEW-P	04-17-019	131- 16-092	AMD	04-07-094
51- 11-1132	AMD-P	04-17-120	51- 50-2107	NEW-P	04-17-019	131- 16-093	AMD-P	04-04-033
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51- 11-1312	AMD-W	04-07-082	51- 50-2900	AMD-P	04-17-019	131- 16-094	AMD-P	04-04-033
51- 11-1322	AMD-W	04-07-082	51- 51-2439	NEW-W	04-07-083	131- 16-094	AMD	04-07-094
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131- 16-450	AMD	04-11-028	132L-117-190	AMD-P	04-10-052	132L-276-010	AMD-P	04-10-052
131- 28-026	AMD-P	04-07-093	132L-117-190	AMD	04-19-062	132L-276-010	AMD	04-19-062
131- 28-026	AMD	04-11-027	132L-117-210	AMD-P	04-10-052	132L-276-020	AMD-P	04-10-052
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132L- 19-010	NEW-P	04-10-052	132L-117-230	AMD-P	04-10-052	132L-276-030	REP-P	04-10-052
132L- 19-010	NEW	04-19-062	132L-117-230	AMD	04-19-062	132L-276-030	REP	04-19-062
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132L- 26-010	AMD	04-19-062	132L-117-240	AMD	04-19-062	132L-276-040	REP	04-19-062
132L- 26-025	AMD-P	04-10-052	132L-117-250	AMD-P	04-10-052	132L-276-050	AMD-P	04-10-052
132L- 26-025	AMD	04-19-062	132L-117-250	AMD	04-19-062	132L-276-050	AMD	04-19-062
132L- 26-030	AMD-P	04-10-052	132L-117-260	AMD-P	04-10-052	132L-276-060	AMD-P	04-10-052
132L- 26-030	AMD	04-19-062	132L-117-260	AMD	04-19-062	132L-276-060	AMD	04-19-062
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132L- 26-035	REP	04-19-062	132L-117-270	AMD	04-19-062	132L-276-070	AMD	04-19-062
132L- 26-040	REP-P	04-10-052	132L-117-280	AMD-P	04-10-052	132L-276-080	AMD-P	04-10-052
132L- 26-040	REP	04-19-062	132L-117-280	AMD	04-19-062	132L-276-080	AMD	04-19-062
132L- 26-050	REP-P	04-10-052	132L-117-290	AMD-P	04-10-052	132L-276-090	AMD-P	04-10-052
132L- 26-050	REP	04-19-062	132L-117-290	AMD	04-19-062	132L-276-090	AMD	04-19-062
132L- 26-055	REP-P	04-10-052	132L-120-080	AMD-P	04-10-052	132L-276-100	AMD-P	04-10-052
132L- 26-055	REP	04-19-062	132L-120-080	AMD	04-19-062	132L-276-100	AMD	04-19-062
132L- 26-060	REP-P	04-10-052	132L-120-130	AMD-P	04-10-052	132L-276-110	AMD-P	04-10-052
132L- 26-060	REP	04-19-062	132L-120-130	AMD	04-19-062	132L-276-110	AMD	04-19-062
132L- 26-065	REP-P	04-10-052	132L-122-010	NEW-P	04-10-052	132L-276-120	AMD-P	04-10-052
132L- 26-065	REP	04-19-062	132L-122-010	NEW	04-19-062	132L-276-120	AMD	04-19-062
132L- 26-070	REP-P	04-10-052	132L-122-020	NEW-P	04-10-052	132L-276-130	AMD-P	04-10-052
132L- 26-070	REP	04-19-062	132L-122-020	NEW	04-19-062	132L-276-130	AMD	04-19-062
132L- 26-075	REP-P	04-10-052	132L-122-030	NEW-P	04-10-052	132L-276-140	AMD-P	04-10-052
132L- 26-075	REP	04-19-062	132L-122-030	NEW	04-19-062	132L-276-140	AMD	04-19-062
132L- 26-080	REP-P	04-10-052	132L-133-020	AMD-P	04-10-052	132L-276-900	AMD-P	04-10-052
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132L-108-050	AMD	04-19-062	132L-133-030	NEW	04-19-062	132L-280-010	REP	04-19-062
132L-108-090	NEW-P	04-10-052	132L-136-011	RECOD-P	04-10-052	132L-280-015	REP-P	04-10-052
132L-108-090	NEW	04-19-062	132L-136-011	RECOD	04-19-062	132L-280-015	REP	04-19-062
132L-108-100	NEW-P	04-10-052	132L-136-020	AMD-P	04-10-052	132L-280-020	REP-P	04-10-052
132L-108-100	NEW	04-19-062	132L-136-020	DECOD-P	04-10-052	132L-280-020	REP	04-19-062
132L-117-010	AMD-P	04-10-052	132L-136-020	AMD	04-19-062	132L-280-030	REP-P	04-10-052
132L-117-010	AMD	04-19-062	132L-136-020	DECOD	04-19-062	132L-280-030	REP	04-19-062
132L-117-020	AMD-P	04-10-052	132L-136-021	NEW-P	04-10-052	132L-280-040	REP-P	04-10-052
132L-117-020	AMD	04-19-062	132L-136-021	NEW	04-19-062	132L-280-040	REP	04-19-062
132L-117-030	AMD-P	04-10-052	132L-136-025	NEW-P	04-10-052	132L-280-050	REP-P	04-10-052
132L-117-030	AMD	04-19-062	132L-136-025	NEW	04-19-062	132L-280-050	REP	04-19-062
132L-117-040	AMD-P	04-10-052	132L-136-026	NEW-P	04-10-052	132L-280-060	REP-P	04-10-052
132L-117-040	AMD	04-19-062	132L-136-026	NEW	04-19-062	132L-280-060	REP	04-19-062
132L-117-060	AMD-P	04-10-052	132L-136-030	AMD-P	04-10-052	132L-280-070	REP-P	04-10-052
132L-117-060	AMD	04-19-062	132L-136-030	AMD	04-19-062	132L-280-070	REP	04-19-062
132L-117-080	AMD-P	04-10-052	132L-136-040	AMD-P	04-10-052	132L-280-080	REP-P	04-10-052
132L-117-080	AMD	04-19-062	132L-136-040	AMD	04-19-062	132L-280-080	REP	04-19-062
132L-117-090	AMD-P	04-10-052	132L-136-050	AMD-P	04-10-052	132L-280-090	REP-P	04-10-052
132L-117-090	AMD	04-19-062	132L-136-050	AMD	04-19-062	132L-280-090	REP	04-19-062
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180- 72-045	REP-P	04-15-043	180- 88-010	NEW-E	04-18-102	182- 12-111	AMD	04-18-039
180- 72-050	AMD-P	04-15-043	180- 88-010	NEW-S	04-18-110	182- 12-112	NEW-P	04-13-156
180- 72-055	REP-P	04-15-043	180- 88-020	NEW-P	04-15-111	182- 12-112	NEW	04-18-039
180- 72-060	AMD-P	04-15-043	180- 88-020	NEW-E	04-18-102	182- 12-115	PREP	04-11-011
180- 72-065	REP-P	04-15-043	180- 88-020	NEW-S	04-18-110	182- 12-117	REP-P	04-13-156
180- 77	PREP	04-08-056	180- 88-030	NEW-P	04-15-111	182- 12-117	REP	04-18-039
180- 77-120	AMD-P	04-18-101	180- 88-030	NEW-E	04-18-102	182- 12-118	REP-P	04-13-156
180- 77A	PREP	04-08-056	180- 88-030	NEW-S	04-18-110	182- 12-118	REP	04-18-039
180- 78A	PREP	04-08-056	180- 88-040	NEW-P	04-15-111	182- 12-119	REP-P	04-13-156
180- 78A-010	AMD-P	04-15-113	180- 88-040	NEW-E	04-18-102	182- 12-119	REP	04-18-039
180- 78A-100	AMD	04-04-090	180- 88-040	NEW-S	04-18-110	182- 12-121	AMD-P	04-13-156
180- 78A-100	AMD-P	04-15-113	180- 88-050	NEW-P	04-15-111	182- 12-121	AMD	04-18-039
180- 78A-264	AMD-P	04-15-113	180- 88-050	NEW-E	04-18-102	182- 12-123	NEW-P	04-13-156
180- 78A-270	AMD	04-04-089	180- 88-050	NEW-S	04-18-110	182- 12-123	NEW	04-18-039
180- 78A-270	AMD-P	04-15-113	180- 88-060	NEW-P	04-15-111	182- 12-124	REP-P	04-13-156
180- 78A-272	NEW-P	04-15-116	180- 88-060	NEW-E	04-18-102	182- 12-124	REP	04-18-039
180- 78A-319	NEW-P	04-15-113	180- 88-060	NEW-S	04-18-110	182- 12-128	NEW-P	04-13-156
180- 78A-500	AMD-P	04-15-113	180- 90	PREP	04-12-107	182- 12-128	NEW	04-18-039
180- 78A-507	AMD	04-04-010	180- 95	PREP	04-12-106	182- 12-131	NEW-P	04-13-156
180- 78A-507	AMD-P	04-15-115	180- 96	PREP	04-12-105	182- 12-131	NEW	04-18-039
180- 78A-509	NEW-P	04-15-113	180- 97	PREP	04-12-104	182- 12-132	REP-P	04-13-156
180- 78A-535	AMD-P	04-15-113	181- 01	PREP	04-16-098	182- 12-132	REP	04-18-039
180- 78A-540	AMD-P	04-15-113	181- 01-002	NEW-P	04-04-105	182- 12-133	NEW-P	04-13-156
180- 78A-540	AMD-P	04-18-104	181- 01-002	NEW	04-08-047	182- 12-133	NEW	04-18-039
180- 79A	PREP	04-08-056	181- 01-002	AMD-E	04-16-040	182- 12-136	NEW-P	04-13-156
180- 79A-006	AMD-P	04-15-117	181- 01-002	AMD-P	04-19-147	182- 12-136	NEW	04-18-039
180- 79A-030	AMD	04-04-011	181- 01-003	NEW-P	04-04-106	182- 12-138	NEW-P	04-13-156
180- 79A-117	AMD	04-04-088	181- 01-003	NEW	04-08-048	182- 12-138	NEW	04-18-039
180- 79A-140	PREP	04-04-084	182	PREP	04-07-079	182- 12-141	NEW-P	04-13-156
180- 79A-140	AMD-P	04-15-042	182- 08-015	AMD-P	04-13-156	182- 12-141	NEW	04-18-039
180- 79A-145	AMD-P	04-15-114	182- 08-015	AMD	04-18-039	182- 12-145	REP-P	04-13-156
180- 79A-206	AMD	04-04-011	182- 08-095	REP-P	04-13-156	182- 12-145	REP	04-18-039
180- 79A-213	AMD	04-04-011	182- 08-095	REP	04-18-039	182- 12-146	NEW-P	04-13-156
180- 79A-221	AMD-P	04-15-114	182- 08-120	AMD-P	04-13-156	182- 12-146	NEW	04-18-039
180- 79A-223	AMD	04-04-012	182- 08-125	REP-P	04-13-156	182- 12-148	NEW-P	04-13-156
180- 79A-226	AMD	04-04-011	182- 08-125	REP	04-18-039	182- 12-148	NEW	04-18-039
180- 79A-226	AMD-P	04-15-114	182- 08-160	REP-P	04-13-156	182- 12-171	NEW-P	04-13-156
180- 79A-231	PREP	04-04-084	182- 08-160	REP	04-18-039	182- 12-171	NEW	04-18-039
180- 79A-231	AMD-P	04-15-118	182- 08-165	REP-P	04-13-156	182- 12-190	AMD-P	04-13-156
180- 79A-250	AMD-P	04-15-114	182- 08-165	REP	04-18-039	182- 12-190	AMD	04-18-039
180- 79A-257	AMD	04-04-009	182- 08-175	REP-P	04-13-156	182- 12-200	AMD-P	04-13-156
180- 79A-257	AMD	04-04-011	182- 08-175	REP	04-18-039	182- 12-200	AMD	04-18-039
180- 79A-257	AMD-P	04-15-119	182- 08-180	AMD-P	04-13-156	182- 12-205	NEW-P	04-13-156
180- 79A-257	AMD-E	04-15-121	182- 08-180	AMD	04-18-039	182- 12-205	NEW	04-18-039
180- 81	PREP	04-08-056	182- 08-190	AMD-P	04-13-156	182- 12-211	NEW-P	04-13-156
180- 82	PREP	04-08-056	182- 08-190	AMD	04-18-039	182- 12-211	NEW	04-18-039
180- 82A	PREP	04-08-056	182- 08-196	AMD-P	04-13-156	182- 12-215	REP-P	04-13-156
180- 82A-204	AMD-E	04-15-041	182- 08-196	AMD	04-18-039	182- 12-215	REP	04-18-039
180- 82A-204	AMD-E	04-18-099	182- 08-200	AMD-P	04-13-156	182- 12-220	REP-P	04-13-156
180- 82A-204	AMD-P	04-18-105	182- 08-200	AMD	04-18-039	182- 12-220	REP	04-18-039

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
182- 12-230	REP-P	04-13-156	192- 12-300	REP-E	04-02-039	192- 23-061	REP-P	04-10-114
182- 12-230	REP	04-18-039	192- 12-300	REP-E	04-10-071	192- 23-061	REP-E	04-19-016
182- 12-250	NEW-P	04-13-156	192- 12-300	REP-P	04-10-114	192- 23-096	REP-E	04-02-039
182- 12-250	NEW	04-18-039	192- 12-300	REP-E	04-19-016	192- 23-096	REP-E	04-10-071
182- 12-260	NEW-P	04-13-156	192- 12-310	REP-E	04-02-039	192- 23-096	REP-P	04-10-114
182- 12-260	NEW	04-18-039	192- 12-310	REP-E	04-10-071	192- 23-096	REP-E	04-19-016
182- 12-265	NEW-P	04-13-156	192- 12-310	REP-P	04-10-114	192- 23-800	REP-E	04-02-039
182- 12-265	NEW	04-18-039	192- 12-310	REP-E	04-19-016	192- 23-800	REP-E	04-10-071
182- 12-270	NEW-P	04-13-156	192- 12-320	REP-E	04-02-039	192- 23-800	REP-P	04-10-114
182- 12-270	NEW	04-18-039	192- 12-320	REP-E	04-10-071	192- 23-800	REP-E	04-19-016
182- 16-040	PREP	04-07-079	192- 12-320	REP-P	04-10-114	192- 23-810	REP-E	04-02-039
182- 16-040	AMD-P	04-13-156	192- 12-320	REP-E	04-19-016	192- 23-810	REP-E	04-10-071
182- 16-050	AMD-P	04-13-156	192- 12-330	REP-E	04-02-039	192- 23-810	REP-P	04-10-114
182- 20-400	AMD	04-03-006	192- 12-330	REP-E	04-10-071	192- 23-810	REP-E	04-19-016
182- 25-010	AMD-P	04-19-138	192- 12-330	REP-P	04-10-114	192- 28-105	REP-E	04-02-039
182- 25-030	AMD-P	04-19-138	192- 12-330	REP-E	04-19-016	192- 28-105	REP-E	04-10-071
182- 25-040	AMD-X	04-11-039	192- 12-340	REP-E	04-02-039	192- 28-105	REP-P	04-10-114
182- 25-040	AMD	04-15-109	192- 12-340	REP-E	04-10-071	192- 28-105	REP-E	04-19-016
182- 25-040	AMD-P	04-19-138	192- 12-340	REP-P	04-10-114	192- 28-110	REP-E	04-02-039
182- 25-080	AMD-P	04-19-138	192- 12-340	REP-E	04-19-016	192- 28-110	REP-E	04-10-071
182- 25-090	AMD-P	04-19-138	192- 16-009	AMD-E	04-02-039	192- 28-110	REP-P	04-10-114
182- 25-120	NEW-P	04-19-138	192- 16-009	AMD-E	04-10-071	192- 28-110	REP-E	04-19-016
182- 50-001	NEW	04-06-021	192- 16-009	AMD-P	04-10-114	192- 28-115	REP-E	04-02-039
182- 50-005	NEW	04-06-021	192- 16-009	AMD-E	04-19-016	192- 28-115	REP-E	04-10-071
182- 50-010	NEW	04-06-021	192- 16-015	AMD-E	04-02-039	192- 28-115	REP-P	04-10-114
182- 50-015	NEW	04-06-021	192- 16-015	AMD-E	04-10-071	192- 28-115	REP-E	04-19-016
182- 50-025	NEW	04-06-021	192- 16-015	AMD-P	04-10-114	192- 28-120	REP-E	04-02-039
182- 50-030	NEW	04-06-021	192- 16-015	AMD-E	04-19-016	192- 28-120	REP-E	04-10-071
182- 50-035	NEW	04-06-021	192- 16-016	AMD-E	04-02-039	192- 28-120	REP-P	04-10-114
182- 50-200	NEW	04-06-021	192- 16-016	AMD-E	04-10-071	192- 28-120	REP-E	04-19-016
192- 04-040	AMD-E	04-02-039	192- 16-016	AMD-P	04-10-114	192- 33	PREP	04-15-034
192- 04-040	AMD-E	04-10-071	192- 16-016	AMD-E	04-19-016	192-100-010	NEW-E	04-02-039
192- 04-040	AMD-P	04-10-114	192- 16-019	REP-E	04-02-039	192-100-010	NEW-E	04-10-071
192- 04-040	AMD-E	04-19-016	192- 16-019	REP-E	04-10-071	192-100-010	NEW-P	04-10-114
192- 04-050	AMD-E	04-02-039	192- 16-019	REP-P	04-10-114	192-100-010	NEW-E	04-19-016
192- 04-050	AMD-E	04-10-071	192- 16-019	REP-E	04-19-016	192-100-020	NEW-E	04-02-039
192- 04-050	AMD-P	04-10-114	192- 16-023	REP-E	04-02-039	192-100-020	NEW-P	04-10-114
192- 04-050	AMD-E	04-19-016	192- 16-023	REP-E	04-10-071	192-100-020	NEW-E	04-19-016
192- 12-011	REP-E	04-02-039	192- 16-023	REP-P	04-10-114	192-100-030	NEW-E	04-02-039
192- 12-011	REP-E	04-10-071	192- 16-023	REP-E	04-19-016	192-100-030	NEW-P	04-10-114
192- 12-011	REP-P	04-10-114	192- 23-014	REP-E	04-02-039	192-100-030	NEW-E	04-19-016
192- 12-011	REP-E	04-19-016	192- 23-014	REP-E	04-10-071	192-100-035	NEW-P	04-10-114
192- 12-012	REP-E	04-02-039	192- 23-014	REP-P	04-10-114	192-100-035	NEW-E	04-19-016
192- 12-012	REP-E	04-10-071	192- 23-014	REP-E	04-19-016	192-110-200	NEW-E	04-02-039
192- 12-012	REP-P	04-10-114	192- 23-015	REP-E	04-02-039	192-110-200	NEW-P	04-10-114
192- 12-012	REP-E	04-19-016	192- 23-015	REP-E	04-10-071	192-110-200	NEW-E	04-19-016
192- 12-020	REP-E	04-02-039	192- 23-015	REP-P	04-10-114	192-110-210	NEW-E	04-02-039
192- 12-020	REP-E	04-10-071	192- 23-015	REP-E	04-19-016	192-110-210	NEW-E	04-10-071
192- 12-020	REP-P	04-10-114	192- 23-016	REP-E	04-02-039	192-110-210	NEW-P	04-10-114
192- 12-020	REP-E	04-19-016	192- 23-016	REP-E	04-10-071	192-110-210	NEW-E	04-19-016
192- 12-180	REP-E	04-02-039	192- 23-016	REP-P	04-10-114	192-120-050	NEW-E	04-02-039
192- 12-180	REP-E	04-10-071	192- 23-016	REP-E	04-19-016	192-120-050	NEW-E	04-10-071
192- 12-180	REP-P	04-10-114	192- 23-017	REP-E	04-02-039	192-120-050	NEW-P	04-10-114
192- 12-180	REP-E	04-19-016	192- 23-017	REP-E	04-10-071	192-120-050	NEW-E	04-19-016
192- 12-184	REP-E	04-02-039	192- 23-017	REP-P	04-10-114	192-130-060	NEW-E	04-02-039
192- 12-184	REP-E	04-10-071	192- 23-017	REP-E	04-19-016	192-130-060	NEW-E	04-10-071
192- 12-184	REP-P	04-10-114	192- 23-019	REP-E	04-02-039	192-130-060	NEW-P	04-10-114
192- 12-184	REP-E	04-19-016	192- 23-019	REP-E	04-10-071	192-130-060	NEW-E	04-19-016
192- 12-190	REP-E	04-02-039	192- 23-019	REP-P	04-10-114	192-130-065	NEW-E	04-02-039
192- 12-190	REP-E	04-10-071	192- 23-019	REP-E	04-19-016	192-130-065	NEW-E	04-10-071
192- 12-190	REP-P	04-10-114	192- 23-061	REP-E	04-02-039	192-130-065	NEW-P	04-10-114
192- 12-190	REP-E	04-19-016	192- 23-061	REP-E	04-10-071	192-130-065	NEW-E	04-19-016

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
192-310-010	AMD-P	04-10-113	196- 24-100	REP	04-04-001	199- 08-435	NEW-P	04-18-015
192-310-010	AMD-E	04-19-016	196- 24-105	REP	04-04-001	199- 08-440	NEW-E	04-10-002
192-310-025	AMD-E	04-02-039	196- 24-110	REP-W	04-05-061	199- 08-440	NEW-P	04-18-015
192-310-025	AMD-E	04-10-071	196- 25-001	AMD	04-04-001	199- 08-445	NEW-E	04-10-002
192-310-025	AMD-P	04-10-113	196- 25-002	AMD-W	04-05-061	199- 08-445	NEW-P	04-18-015
192-310-025	AMD-E	04-19-016	196- 25-005	AMD	04-04-001	199- 08-450	NEW-E	04-10-002
192-310-030	AMD-E	04-02-039	196- 25-010	AMD	04-04-001	199- 08-450	NEW-P	04-18-015
192-310-030	AMD-E	04-10-071	196- 25-020	REP	04-04-001	199- 08-455	NEW-E	04-10-002
192-310-030	AMD-P	04-10-113	196- 25-030	REP	04-04-001	199- 08-455	NEW-P	04-18-015
192-310-030	AMD-E	04-19-016	196- 25-040	AMD-W	04-05-061	199- 08-460	NEW-E	04-10-002
192-320-070	AMD-E	04-02-039	196- 25-050	AMD	04-04-001	199- 08-460	NEW-P	04-18-015
192-320-070	AMD-E	04-10-071	196- 25-100	REP	04-04-001	199- 08-465	NEW-E	04-10-002
192-320-070	AMD-P	04-10-113	196- 26A	PREP	04-10-011	199- 08-465	NEW-P	04-18-015
192-320-070	AMD-E	04-19-016	196- 26A	PREP	04-15-079	199- 08-470	NEW-E	04-10-002
192-320-075	NEW-E	04-02-039	196- 27A-025	NEW-W	04-05-061	199- 08-470	NEW-P	04-18-015
192-320-075	NEW-E	04-10-071	199- 08-300	NEW-E	04-10-002	199- 08-475	NEW-E	04-10-002
192-320-075	NEW-P	04-10-113	199- 08-300	NEW-P	04-18-015	199- 08-475	NEW-P	04-18-015
192-320-075	NEW-E	04-19-016	199- 08-305	NEW-E	04-10-002	199- 08-480	NEW-E	04-10-002
192-340-100	NEW-E	04-02-039	199- 08-305	NEW-P	04-18-015	199- 08-480	NEW-P	04-18-015
192-340-100	NEW-E	04-10-071	199- 08-310	NEW-E	04-10-002	199- 08-485	NEW-E	04-10-002
192-340-100	NEW-P	04-10-113	199- 08-310	NEW-P	04-18-015	199- 08-485	NEW-P	04-18-015
192-340-100	NEW-E	04-19-016	199- 08-315	NEW-E	04-10-002	199- 08-490	NEW-E	04-10-002
196- 09	AMD	04-04-001	199- 08-315	NEW-P	04-18-015	199- 08-490	NEW-P	04-18-015
196- 09	PREP	04-15-050	199- 08-320	NEW-E	04-10-002	199- 08-495	NEW-E	04-10-002
196- 09-010	AMD	04-04-001	199- 08-320	NEW-P	04-18-015	199- 08-495	NEW-P	04-18-015
196- 09-050	NEW	04-04-001	199- 08-325	NEW-E	04-10-002	199- 08-500	NEW-E	04-10-002
196- 09-055	NEW	04-04-001	199- 08-325	NEW-P	04-18-015	199- 08-500	NEW-P	04-18-015
196- 09-060	NEW	04-04-001	199- 08-335	NEW-E	04-10-002	199- 08-510	NEW-E	04-10-002
196- 09-100	NEW	04-04-001	199- 08-335	NEW-P	04-18-015	199- 08-510	NEW-P	04-18-015
196- 09-110	NEW	04-04-001	199- 08-340	NEW-E	04-10-002	199- 08-515	NEW-E	04-10-002
196- 09-120	NEW	04-04-001	199- 08-340	NEW-P	04-18-015	199- 08-515	NEW-P	04-18-015
196- 12-005	NEW	04-04-001	199- 08-350	NEW-E	04-10-002	199- 08-520	NEW-E	04-10-002
196- 12-010	AMD	04-04-001	199- 08-350	NEW-P	04-18-015	199- 08-520	NEW-P	04-18-015
196- 12-020	AMD	04-04-001	199- 08-385	NEW-E	04-10-002	199- 08-525	NEW-E	04-10-002
196- 12-030	AMD	04-04-001	199- 08-385	NEW-P	04-18-015	199- 08-525	NEW-P	04-18-015
196- 12-045	AMD	04-04-001	199- 08-390	NEW-E	04-10-002	199- 08-535	NEW-E	04-10-002
196- 12-050	AMD	04-04-001	199- 08-390	NEW-P	04-18-015	199- 08-535	NEW-P	04-18-015
196- 12-055	NEW	04-04-001	199- 08-395	NEW-E	04-10-002	199- 08-540	NEW-E	04-10-002
196- 12-065	NEW	04-04-001	199- 08-395	NEW-P	04-18-015	199- 08-540	NEW-P	04-18-015
196- 16-006	NEW	04-04-001	199- 08-400	NEW-E	04-10-002	199- 08-545	NEW-E	04-10-002
196- 16-007	AMD	04-04-001	199- 08-400	NEW-P	04-18-015	199- 08-545	NEW-P	04-18-015
196- 16-010	AMD	04-04-001	199- 08-405	NEW-E	04-10-002	199- 08-550	NEW-E	04-10-002
196- 16-020	AMD	04-04-001	199- 08-405	NEW-P	04-18-015	199- 08-550	NEW-P	04-18-015
196- 16-031	AMD	04-04-001	199- 08-410	NEW-E	04-10-002	199- 08-555	NEW-E	04-10-002
196- 16-035	NEW	04-04-001	199- 08-410	NEW-P	04-18-015	199- 08-555	NEW-P	04-18-015
196- 20-005	NEW-P	04-04-027	199- 08-415	NEW-E	04-10-002	199- 08-565	NEW-E	04-10-002
196- 20-005	NEW	04-10-067	199- 08-415	NEW-P	04-18-015	199- 08-565	NEW-P	04-18-015
196- 20-010	AMD-P	04-04-027	199- 08-420	NEW-E	04-10-002	199- 08-570	NEW-E	04-10-002
196- 20-010	AMD	04-10-067	199- 08-420	NEW-P	04-18-015	199- 08-570	NEW-P	04-18-015
196- 20-020	AMD-P	04-04-027	199- 08-425	NEW-E	04-10-002	199- 08-580	NEW-E	04-10-002
196- 20-020	AMD	04-10-067	199- 08-425	NEW-P	04-18-015	199- 08-580	NEW-P	04-18-015
196- 20-030	AMD-P	04-04-027	199- 08-426	NEW-E	04-10-002	204- 74A	PREP	04-17-132
196- 20-030	AMD	04-10-067	199- 08-426	NEW-P	04-18-015	204- 91A	PREP	04-10-054
196- 21-005	NEW	04-04-001	199- 08-427	NEW-E	04-10-002	204- 91A-030	AMD-P	04-13-040
196- 21-010	AMD	04-04-001	199- 08-427	NEW-P	04-18-015	204- 91A-040	AMD-P	04-13-040
196- 21-020	AMD	04-04-001	199- 08-428	NEW-E	04-10-002	204- 91A-050	AMD-P	04-13-040
196- 21-030	AMD	04-04-001	199- 08-428	NEW-P	04-18-015	204- 91A-060	AMD-P	04-13-040
196- 23	PREP	04-10-011	199- 08-429	NEW-E	04-10-002	204- 91A-070	AMD-P	04-13-040
196- 23-070	AMD	04-04-001	199- 08-429	NEW-P	04-18-015	204- 91A-080	AMD-P	04-13-040
196- 24-041	REP	04-04-001	199- 08-430	NEW-E	04-10-002	204- 91A-090	AMD-P	04-13-040
196- 24-080	REP	04-04-001	199- 08-430	NEW-P	04-18-015	204- 91A-120	AMD-P	04-13-040
196- 24-085	REP	04-04-001	199- 08-435	NEW-E	04-10-002	204- 91A-130	AMD-P	04-13-040

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
204- 91A-140	AMD-P	04-13-040	208-690-130	NEW	04-15-005	220- 24-04000R	REP-E	04-18-022
204- 91A-170	AMD-P	04-13-040	208-690-140	NEW-E	04-07-182	220- 24-04000S	NEW-E	04-18-022
204- 96-010	AMD	04-07-012	208-690-140	NEW-P	04-11-110	220- 24-04000S	REP-E	04-18-022
208-680A-040	AMD-P	04-19-158	208-690-140	NEW	04-15-005	220- 24-04000S	REP-E	04-19-023
208-680E-025	NEW-P	04-19-158	208-690-150	NEW-E	04-07-182	220- 24-04000T	NEW-E	04-19-023
208-680F-020	AMD-P	04-19-158	208-690-150	NEW-P	04-11-110	220- 24-04000T	REP-E	04-19-023
208-680G-050	AMD-P	04-19-157	208-690-150	NEW	04-15-005	220- 32-05100A	NEW-E	04-15-133
208-690-010	NEW-E	04-07-182	208-690-160	NEW-E	04-07-182	220- 32-05100A	REP-E	04-15-133
208-690-010	NEW-P	04-11-110	208-690-160	NEW-P	04-11-110	220- 32-05100B	NEW-E	04-18-016
208-690-010	NEW	04-15-005	208-690-160	NEW	04-15-005	220- 32-05100B	REP-E	04-19-084
208-690-020	NEW-E	04-07-182	208-690-170	NEW-E	04-07-182	220- 32-05100C	NEW-E	04-19-084
208-690-020	NEW-P	04-11-110	208-690-170	NEW-P	04-11-110	220- 32-05100P	NEW-E	04-03-075
208-690-020	NEW	04-15-005	208-690-170	NEW	04-15-005	220- 32-05100P	REP-E	04-03-075
208-690-030	NEW-E	04-07-182	208-690-180	NEW-E	04-07-182	220- 32-05100P	REP-E	04-04-053
208-690-030	NEW-P	04-11-110	208-690-180	NEW-P	04-11-110	220- 32-05100P	REP-E	04-04-053
208-690-030	NEW	04-15-005	208-690-180	NEW	04-15-005	220- 32-05100Q	NEW-E	04-04-053
208-690-031	NEW-E	04-07-182	212- 17-060	AMD-E	04-11-061	220- 32-05100Q	REP-E	04-04-053
208-690-031	NEW-P	04-11-110	212- 17-480	NEW-E	04-11-061	220- 32-05100Q	REP-E	04-07-027
208-690-035	NEW-E	04-07-182	212- 17-485	NEW-E	04-11-061	220- 32-05100R	NEW-E	04-07-027
208-690-035	NEW-P	04-11-110	212- 17-490	NEW-E	04-11-061	220- 32-05100R	REP-E	04-07-027
208-690-035	NEW	04-15-005	212- 17-495	NEW-E	04-11-061	220- 32-05100S	NEW-E	04-10-064
208-690-040	NEW-E	04-07-182	212- 17-500	NEW-E	04-11-061	220- 32-05100S	REP-E	04-10-064
208-690-040	NEW-P	04-11-110	212- 17-505	NEW-E	04-11-061	220- 32-05100T	NEW-E	04-11-022
208-690-040	NEW	04-15-005	212- 17-510	NEW-E	04-11-061	220- 32-05100T	REP-E	04-11-022
208-690-045	NEW-E	04-07-182	212- 17-515	NEW-E	04-11-061	220- 32-05100T	REP-E	04-11-074
208-690-045	NEW-P	04-11-110	212- 17-520	NEW-E	04-11-061	220- 32-05100U	NEW-E	04-11-074
208-690-045	NEW	04-15-005	212- 17-525	NEW-E	04-11-061	220- 32-05100U	REP-E	04-11-074
208-690-050	NEW-E	04-07-182	212- 17-530	NEW-E	04-11-061	220- 32-05100U	REP-E	04-12-021
208-690-050	NEW-P	04-11-110	212- 17-535	NEW-E	04-11-061	220- 32-05100V	NEW-E	04-12-021
208-690-050	NEW	04-15-005	212- 17-540	NEW-E	04-11-061	220- 32-05100V	REP-E	04-12-021
208-690-060	NEW-E	04-07-182	212- 80	PREP	04-17-131	220- 32-05100W	NEW-E	04-13-065
208-690-060	NEW-P	04-11-110	220- 12-020	AMD	04-07-009	220- 32-05100W	REP-E	04-13-117
208-690-060	NEW	04-15-005	220- 16-270	AMD	04-07-009	220- 32-05100X	NEW-E	04-13-117
208-690-070	NEW-E	04-07-182	220- 16-470	AMD-X	04-12-073	220- 32-05100X	REP-E	04-13-117
208-690-070	NEW-P	04-11-110	220- 16-470	AMD	04-16-126	220- 32-05100X	REP-E	04-14-046
208-690-070	NEW	04-15-005	220- 16-470	AMD	04-16-126	220- 32-05100Y	NEW-E	04-14-046
208-690-070	NEW-E	04-07-182	220- 16-47000B	NEW-E	04-10-034	220- 32-05100Y	REP-E	04-14-046
208-690-075	NEW-E	04-07-182	220- 16-550	AMD	04-07-009	220- 32-05100Y	REP-E	04-15-051
208-690-075	NEW-P	04-11-110	220- 16-800	NEW	04-07-009	220- 32-05100Z	NEW-E	04-15-051
208-690-075	NEW	04-15-005	220- 16-800	NEW-W	04-14-085	220- 32-05100Z	REP-E	04-15-051
208-690-080	NEW-E	04-07-182	220- 16-810	NEW	04-07-009	220- 32-05100Z	REP-E	04-15-133
208-690-080	NEW-P	04-11-110	220- 16-810	NEW-W	04-14-085	220- 32-06000B	NEW-E	04-10-064
208-690-080	NEW	04-15-005	220- 16-820	NEW-W	04-14-085	220- 32-06000B	REP-E	04-10-064
208-690-090	NEW-E	04-07-182	220- 16-830	NEW-W	04-14-085	220- 33-01000A	NEW-E	04-08-011
208-690-090	NEW-P	04-11-110	220- 16-840	NEW-W	04-14-085	220- 33-01000A	REP-E	04-08-026
208-690-090	NEW	04-15-005	220- 16-840	NEW-W	04-14-085	220- 33-01000A	REP-E	04-08-026
208-690-090	NEW	04-15-005	220- 16-850	NEW-W	04-14-085	220- 33-01000B	NEW-E	04-08-026
208-690-100	NEW-E	04-07-182	220- 20-056	REP	04-10-108	220- 33-01000B	REP-E	04-09-021
208-690-100	NEW-P	04-11-110	220- 20-080	AMD	04-08-025	220- 33-01000B	REP-E	04-09-021
208-690-100	NEW	04-15-005	220- 20-100	AMD-W	04-14-085	220- 33-01000C	NEW-E	04-11-001
208-690-110	NEW-E	04-07-182	220- 22-40000F	NEW-E	04-13-024	220- 33-01000C	REP-E	04-11-001
208-690-110	NEW-P	04-11-110	220- 24-04000L	NEW-E	04-10-001	220- 33-01000D	NEW-E	04-11-075
208-690-110	NEW	04-15-005	220- 24-04000L	REP-E	04-10-001	220- 33-01000D	REP-E	04-11-075
208-690-112	NEW-E	04-07-182	220- 24-04000L	REP-E	04-11-010	220- 33-01000E	NEW-E	04-14-048
208-690-112	NEW-P	04-11-110	220- 24-04000L	REP-E	04-11-010	220- 33-01000E	REP-E	04-14-048
208-690-112	NEW	04-15-005	220- 24-04000M	NEW-E	04-11-052	220- 33-01000E	REP-E	04-14-048
208-690-115	NEW-E	04-07-182	220- 24-04000M	REP-E	04-11-052	220- 33-01000F	NEW-E	04-16-067
208-690-115	NEW-P	04-11-110	220- 24-04000M	REP-E	04-11-052	220- 33-01000F	REP-E	04-16-067
208-690-115	NEW	04-15-005	220- 24-04000N	NEW-E	04-12-011	220- 33-01000F	REP-E	04-16-067
208-690-120	NEW-E	04-07-182	220- 24-04000N	REP-E	04-12-011	220- 33-01000G	REP-E	04-17-069
208-690-120	NEW-P	04-11-110	220- 24-04000P	NEW-E	04-14-009	220- 33-01000G	NEW-E	04-17-091
208-690-120	NEW	04-15-005	220- 24-04000P	REP-E	04-14-009	220- 33-01000G	REP-E	04-17-091
208-690-130	NEW-E	04-07-182	220- 24-04000Q	NEW-E	04-14-092	220- 33-01000H	NEW-E	04-18-007
208-690-130	NEW-P	04-11-110	220- 24-04000Q	REP-E	04-14-092	220- 33-01000H	REP-E	04-18-007
			220- 24-04000Q	REP-E	04-15-086	220- 33-01000I	NEW-E	04-18-020
			220- 24-04000R	NEW-E	04-15-086	220- 33-01000I	REP-E	04-18-020
						220- 33-01000J	NEW-E	04-18-037

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-33-01000J	REP-E	04-19-083	220-47-603	NEW-E	04-16-072	220-52-04000W	REP-E	04-06-003
220-33-01000K	NEW-E	04-19-083	220-47-603	REP-E	04-17-028	220-52-04000X	NEW-E	04-06-003
220-33-01000Q	REP-E	04-04-071	220-47-604	NEW-E	04-17-028	220-52-04000X	REP-E	04-07-013
220-33-01000R	NEW-E	04-04-071	220-47-604	REP-E	04-18-008	220-52-04000Y	NEW-E	04-07-013
220-33-01000R	REP-E	04-04-071	220-47-605	NEW-E	04-18-008	220-52-04000Y	REP-E	04-07-019
220-33-01000S	NEW-E	04-06-002	220-47-605	REP-E	04-18-084	220-52-04000Z	NEW-E	04-07-019
220-33-01000S	REP-E	04-06-002	220-47-606	NEW-E	04-18-084	220-52-04600D	REP-E	04-03-049
220-33-01000S	REP-E	04-06-059	220-47-606	REP-E	04-19-066	220-52-04600F	REP-E	04-05-007
220-33-01000T	NEW-E	04-06-059	220-47-607	NEW-E	04-19-066	220-52-04600G	NEW-E	04-03-049
220-33-01000T	REP-E	04-07-008	220-48-01500T	NEW-E	04-07-029	220-52-04600G	REP-E	04-06-042
220-33-01000U	NEW-E	04-07-008	220-48-01500T	REP-E	04-14-047	220-52-04600H	NEW-E	04-05-007
220-33-01000U	REP-E	04-07-028	220-48-01500U	NEW-E	04-14-047	220-52-04600H	REP-E	04-06-013
220-33-01000V	NEW-E	04-07-028	220-48-029	AMD-P	04-13-005	220-52-04600I	NEW-E	04-06-013
220-33-01000V	REP-E	04-07-050	220-48-029	AMD	04-17-098	220-52-04600I	REP-E	04-07-013
220-33-01000W	NEW-E	04-07-050	220-48-02900D	NEW-E	04-05-056	220-52-04600J	NEW-E	04-06-042
220-33-01000W	REP-E	04-07-078	220-48-02900D	REP-E	04-13-055	220-52-04600J	REP-E	04-08-038
220-33-01000X	NEW-E	04-07-078	220-48-02900E	NEW-E	04-13-055	220-52-04600K	NEW-E	04-07-013
220-33-01000X	REP-E	04-07-118	220-48-02900F	NEW-E	04-14-007	220-52-04600K	REP-E	04-07-042
220-33-01000Y	NEW-E	04-07-118	220-48-032	AMD-P	04-13-005	220-52-04600L	NEW-E	04-07-042
220-33-01000Y	REP-E	04-07-169	220-48-032	AMD	04-17-098	220-52-04600L	REP-E	04-13-024
220-33-01000Z	NEW-E	04-07-169	220-48-03200C	NEW-E	04-05-056	220-52-04600M	NEW-E	04-08-038
220-33-01000Z	REP-E	04-08-011	220-48-03200C	REP-E	04-13-055	220-52-04600M	REP-E	04-08-038
220-33-03000U	NEW-E	04-09-018	220-48-03200D	NEW-E	04-13-055	220-52-04600N	NEW-E	04-13-024
220-33-03000U	REP-E	04-09-018	220-48-03200E	NEW-E	04-14-007	220-52-04600N	REP-E	04-13-024
220-33-04000U	REP-E	04-07-117	220-48-062	AMD-P	04-13-005	220-52-04600P	NEW-E	04-13-060
220-33-04000V	NEW-E	04-07-117	220-48-062	AMD	04-17-098	220-52-04600P	REP-E	04-13-060
220-33-04000V	REP-E	04-07-117	220-48-06200C	NEW-E	04-05-056	220-52-04600Q	NEW-E	04-19-082
220-33-070	NEW-W	04-10-074	220-48-06200C	REP-E	04-13-055	220-52-05100A	NEW-E	04-16-048
220-36-023	AMD-X	04-11-109	220-48-06200D	NEW-E	04-13-055	220-52-05100A	REP-E	04-16-073
220-36-023	AMD	04-16-013	220-49-020	AMD-P	04-13-005	220-52-05100B	NEW-E	04-16-073
220-40-027	AMD-X	04-11-109	220-49-020	AMD	04-17-098	220-52-05100B	REP-E	04-16-089
220-40-027	AMD	04-16-013	220-49-02000P	NEW-E	04-05-056	220-52-05100C	NEW-E	04-16-089
220-40-02700E	NEW-E	04-19-059	220-49-02000P	REP-E	04-13-055	220-52-05100C	REP-E	04-17-004
220-40-02700E	REP-E	04-19-059	220-49-02000Q	NEW-E	04-13-055	220-52-05100D	NEW-E	04-17-004
220-44-05000A	NEW-E	04-03-010C	220-49-023	AMD-P	04-13-163	220-52-05100D	REP-E	04-17-014
220-44-05000A	REP-E	04-12-012	220-49-023	AMD	04-17-089	220-52-05100E	NEW-E	04-17-014
220-44-05000B	NEW-E	04-12-012	220-49-056	AMD-P	04-13-005	220-52-05100E	REP-E	04-17-055
220-44-05000Z	REP-E	04-03-010C	220-49-056	AMD	04-17-098	220-52-05100F	NEW-E	04-17-055
220-47-301	AMD-X	04-12-129	220-49-05600C	NEW-E	04-05-056	220-52-05100F	REP-E	04-17-095
220-47-301	AMD	04-16-125	220-49-05600C	REP-E	04-13-055	220-52-05100G	NEW-E	04-17-095
220-47-302	AMD-X	04-12-129	220-49-05600D	NEW-E	04-13-055	220-52-05100G	REP-E	04-18-131
220-47-302	AMD	04-16-125	220-52-03000U	NEW-E	04-11-051	220-52-05100H	NEW-E	04-18-131
220-47-303	AMD-X	04-12-129	220-52-03000U	REP-E	04-11-051	220-52-05100H	REP-E	04-19-096
220-47-303	AMD	04-16-125	220-52-03000V	NEW-E	04-14-004	220-52-05100I	NEW-E	04-19-096
220-47-307	AMD-X	04-12-129	220-52-03000V	REP-E	04-14-004	220-52-05100P	NEW-E	04-09-007
220-47-307	AMD	04-16-125	220-52-03000W	NEW-E	04-16-031	220-52-05100P	REP-E	04-10-025
220-47-311	AMD-X	04-12-129	220-52-03000W	REP-E	04-16-031	220-52-05100Q	NEW-E	04-10-025
220-47-311	AMD	04-16-125	220-52-03000W	REP-E	04-16-127	220-52-05100Q	REP-E	04-11-044
220-47-325	AMD-X	04-12-129	220-52-03000W	REP-E	04-17-055	220-52-05100R	NEW-E	04-11-044
220-47-325	AMD	04-16-125	220-52-03000X	NEW-E	04-16-127	220-52-05100R	REP-E	04-13-007
220-47-401	AMD-X	04-12-129	220-52-03000X	REP-E	04-17-055	220-52-05100S	NEW-E	04-13-007
220-47-401	AMD	04-16-125	220-52-03000Y	NEW-E	04-18-052	220-52-05100S	REP-E	04-13-027
220-47-411	AMD-X	04-12-129	220-52-03000Y	REP-E	04-18-052	220-52-05100T	NEW-E	04-13-027
220-47-411	AMD	04-16-125	220-52-04000A	NEW-E	04-13-024	220-52-05100T	REP-E	04-13-082
220-47-428	AMD-X	04-12-129	220-52-04000A	REP-E	04-13-024	220-52-05100U	NEW-E	04-13-082
220-47-428	AMD	04-16-125	220-52-04000B	NEW-E	04-13-060	220-52-05100U	REP-E	04-14-058
220-47-430	REP-X	04-12-129	220-52-04000B	REP-E	04-13-060	220-52-05100V	NEW-E	04-14-058
220-47-430	REP	04-16-125	220-52-04000C	NEW-E	04-19-082	220-52-05100V	REP-E	04-15-024
220-47-601	NEW-E	04-16-030	220-52-04000U	REP-E	04-05-007	220-52-05100W	NEW-E	04-15-024
220-47-601	REP-E	04-16-049	220-52-04000V	NEW-E	04-05-007	220-52-05100W	REP-E	04-15-087
220-47-602	NEW-E	04-16-049	220-52-04000V	REP-E	04-05-014	220-52-05100X	NEW-E	04-15-087
220-47-602	REP-E	04-16-072	220-52-04000W	NEW-E	04-05-014	220-52-05100X	REP-E	04-15-132

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
220-52-05100Y	NEW-E	04-15-132	220-56-250	AMD-W	04-10-073	220-56-32500S	REP-E	04-13-034
220-52-05100Y	REP-E	04-16-022	220-56-25000F	NEW-E	04-07-005	220-56-32500T	NEW-E	04-13-034
220-52-05100Z	NEW-E	04-16-022	220-56-25000G	NEW-E	04-10-042	220-56-32500T	REP-E	04-13-093
220-52-05100Z	REP-E	04-16-048	220-56-25000G	REP-E	04-10-042	220-56-32500U	NEW-E	04-13-093
220-52-07100D	NEW-E	04-03-031	220-56-25500K	NEW-E	04-10-027	220-56-32500U	REP-E	04-15-023
220-52-07100D	REP-E	04-05-008	220-56-25500K	REP-E	04-10-043	220-56-32500V	NEW-E	04-15-023
220-52-07100E	NEW-E	04-05-008	220-56-25500L	NEW-E	04-10-043	220-56-326	AMD-P	04-19-117
220-52-07100E	REP-E	04-05-045	220-56-25500L	REP-E	04-12-002	220-56-330	AMD	04-07-009
220-52-07100F	NEW-E	04-05-045	220-56-25500M	NEW-E	04-12-002	220-56-330	AMD-P	04-19-117
220-52-07100F	REP-E	04-06-041	220-56-25500M	REP-E	04-12-032	220-56-33000J	NEW-E	04-13-004
220-52-07100G	NEW-E	04-06-041	220-56-25500N	NEW-E	04-12-032	220-56-33000J	REP-E	04-13-028
220-52-07100H	NEW-E	04-14-093	220-56-25500N	REP-E	04-13-026	220-56-33000K	NEW-E	04-13-008
220-52-07100H	REP-E	04-16-012	220-56-25500P	NEW-E	04-13-026	220-56-33000K	REP-E	04-18-072
220-52-07100I	NEW-E	04-16-012	220-56-25500P	REP-E	04-14-024	220-56-33000L	NEW-E	04-13-066
220-52-07100I	REP-E	04-17-071	220-56-25500Q	NEW-E	04-14-024	220-56-33000L	REP-E	04-13-066
220-52-07100J	NEW-E	04-17-071	220-56-25500Q	REP-E	04-16-004	220-56-33000M	NEW-E	04-18-072
220-52-073	AMD-P	04-13-033	220-56-25500R	NEW-E	04-16-004	220-56-33000M	REP-E	04-19-065
220-52-073	AMD	04-17-096	220-56-25500R	REP-E	04-16-004	220-56-33000N	NEW-E	04-19-065
220-52-07300J	REP-E	04-03-010B	220-56-267	AMD-P	04-13-005	220-56-335	AMD	04-07-009
220-52-07300K	NEW-E	04-03-010B	220-56-267	AMD	04-17-098	220-56-350	AMD	04-07-009
220-52-07300K	REP-E	04-03-074	220-56-26700B	NEW-E	04-05-057	220-56-350	AMD-P	04-19-117
220-52-07300L	NEW-E	04-03-074	220-56-26700B	REP-E	04-13-056	220-56-35000Q	NEW-E	04-03-010A
220-52-07300L	REP-E	04-06-012	220-56-26700C	NEW-E	04-13-056	220-56-35000Q	REP-E	04-06-035
220-55-061	NEW-P	04-05-068	220-56-270	AMD-P	04-13-005	220-56-35000R	NEW-E	04-06-035
220-55-061	NEW	04-08-063	220-56-270	AMD	04-17-098	220-56-35000R	REP-E	04-07-043
220-55-115	AMD-P	04-13-061	220-56-27000R	REP-E	04-07-116	220-56-35000S	NEW-E	04-07-043
220-55-115	AMD	04-17-097	220-56-27000R	REP-E	04-07-123	220-56-35000S	REP-E	04-09-006
220-56-100	AMD-W	04-05-060	220-56-27000S	NEW-E	04-05-057	220-56-35000T	NEW-E	04-09-006
220-56-100	AMD	04-07-009	220-56-27000S	REP-E	04-13-056	220-56-36000A	NEW-E	04-10-070
220-56-100	AMD-X	04-11-119	220-56-27000T	NEW-E	04-07-116	220-56-36000A	REP-E	04-10-070
220-56-10000C	NEW-E	04-10-034	220-56-27000T	REP-E	04-07-116	220-56-36000W	NEW-E	04-03-048
220-56-115	AMD	04-07-009	220-56-27000T	REP-E	04-07-123	220-56-36000W	REP-E	04-03-048
220-56-115	AMD-P	04-19-117	220-56-27000U	NEW-E	04-07-123	220-56-36000X	NEW-E	04-05-100
220-56-118	NEW	04-07-009	220-56-27000U	REP-E	04-07-123	220-56-36000X	REP-E	04-05-100
220-56-118	AMD-P	04-19-117	220-56-27000V	NEW-E	04-13-056	220-56-36000Y	NEW-E	04-07-097
220-56-123	AMD-X	04-11-119	220-56-282	AMD	04-07-009	220-56-36000Y	REP-E	04-07-097
220-56-128	AMD-X	04-11-119	220-56-282	AMD-P	04-19-117	220-56-36000Z	NEW-E	04-09-058
220-56-128	AMD-P	04-13-005	220-56-310	AMD	04-07-009	220-56-36000Z	REP-E	04-09-058
220-56-128	AMD	04-17-098	220-56-310	AMD-P	04-13-023	220-56-370	REP	04-07-009
220-56-128	AMD-P	04-19-117	220-56-310	AMD	04-17-088	220-56-380	AMD	04-07-009
220-56-12800H	NEW-E	04-10-034	220-56-310	AMD-P	04-19-117	220-56-380	AMD-P	04-19-117
220-56-129	AMD-P	04-19-117	220-56-31000V	NEW-E	04-18-041	220-56-38000G	NEW-E	04-03-010A
220-56-130	AMD-P	04-19-117	220-56-315	AMD	04-07-009	220-56-390	AMD-P	04-13-005
220-56-150	AMD	04-07-009	220-56-315	AMD-P	04-19-117	220-56-390	AMD	04-17-098
220-56-156	AMD-P	04-19-064	220-56-320	AMD-P	04-19-117	220-56-39000B	NEW-E	04-05-057
220-56-175	AMD	04-10-033	220-56-325	AMD	04-07-009	220-56-39000B	REP-E	04-13-056
220-56-180	AMD-X	04-11-119	220-56-325	AMD-P	04-19-117	220-56-39000C	NEW-E	04-13-056
220-56-18000C	NEW-E	04-10-034	220-56-32500K	NEW-E	04-09-020	220-56-410	AMD-P	04-13-005
220-56-195	AMD-X	04-11-119	220-56-32500K	REP-E	04-09-052	220-56-410	AMD	04-17-098
220-56-19500M	NEW-E	04-10-034	220-56-32500L	NEW-E	04-09-052	220-56-41000A	NEW-E	04-05-057
220-56-215	AMD	04-07-009	220-56-32500L	REP-E	04-09-102	220-56-41000A	REP-E	04-13-056
220-56-232	NEW-W	04-10-077	220-56-32500M	NEW-E	04-09-102	220-56-41000B	NEW-E	04-13-056
220-56-235	AMD	04-07-009	220-56-32500M	REP-E	04-10-028	220-69-210	AMD-P	04-13-193
220-56-235	AMD-W	04-10-073	220-56-32500N	NEW-E	04-10-028	220-69-210	AMD	04-17-096
220-56-235	AMD-P	04-13-005	220-56-32500N	REP-E	04-11-014	220-69-215	AMD-P	04-13-193
220-56-235	AMD	04-17-098	220-56-32500P	NEW-E	04-11-014	220-69-215	AMD	04-17-096
220-56-23500S	NEW-E	04-05-057	220-56-32500P	REP-E	04-11-077	220-69-220	AMD-P	04-13-193
220-56-23500S	REP-E	04-13-056	220-56-32500P	REP-E	04-11-077	220-69-220	AMD	04-17-096
220-56-23500T	NEW-E	04-07-006	220-56-32500Q	NEW-E	04-11-077	220-69-220	AMD	04-17-096
220-56-23500T	REP-E	04-07-006	220-56-32500Q	REP-E	04-12-036	220-69-23402	AMD-P	04-13-193
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			220-56-32500S	NEW-E	04-12-061	220-69-236	AMD	04-17-096

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220-69-240	AMD-P	04-13-193	220-120-050	REP	04-18-051	230-40-120	AMD-W	04-07-051
220-69-240	AMD	04-17-096	220-120-060	REP-P	04-13-141	230-40-120	AMD-P	04-15-048
220-69-241	AMD	04-05-028	220-120-060	REP	04-18-051	230-40-120	AMD	04-19-068
220-69-241	AMD-P	04-13-193	220-120-070	REP-P	04-13-141	230-40-554	AMD-P	04-19-095
220-69-241	AMD	04-17-096	220-120-070	REP	04-18-051	230-40-610	AMD-P	04-19-094
220-69-242	AMD-P	04-13-193	220-120-080	REP-P	04-13-141	230-40-625	AMD-P	04-11-089
220-69-242	AMD	04-17-096	220-120-080	REP	04-18-051	230-40-625	AMD	04-19-070
220-69-243	AMD-P	04-13-193	220-120-090	REP-P	04-13-141	230-40-625	AMD	04-19-137
220-69-243	AMD	04-17-096	220-120-090	REP	04-18-051	230-40-823	AMD	04-06-058
220-69-250	AMD-P	04-13-193	220-120-100	REP-P	04-13-141	230-40-825	AMD-P	04-11-089
220-69-250	AMD	04-17-096	220-120-100	REP	04-18-051	230-40-825	AMD-P	04-19-021
220-69-254	AMD-P	04-13-193	220-125-010	AMD	04-05-026	230-40-825	AMD	04-19-070
220-69-254	AMD	04-17-096	220-130-04000A	NEW-E	04-16-047	230-40-825	AMD	04-19-137
220-69-260	AMD-P	04-13-193	222-08-010	AMD	04-05-122	232-12-004	AMD-P	04-05-099
220-69-260	AMD	04-17-096	222-08-020	AMD	04-05-122	232-12-004	AMD	04-11-036
220-69-262	REP-P	04-13-193	222-08-020	DECOD	04-05-122	232-12-005	NEW-P	04-05-099
220-69-262	REP	04-17-096	222-08-030	AMD	04-05-122	232-12-005	NEW	04-11-036
220-69-264	AMD-P	04-13-193	222-08-030	DECOD	04-05-122	232-12-014	AMD-P	04-05-110
220-69-264	AMD	04-17-096	222-08-035	DECOD	04-05-122	232-12-014	AMD	04-11-036
220-69-26401	AMD-P	04-13-193	222-08-040	AMD	04-05-122	232-12-014	AMD	04-11-036
220-69-26401	AMD	04-17-096	222-08-050	NEW	04-05-122	232-12-019	AMD	04-07-009
220-69-26401A	NEW-E	04-19-097	222-08-060	NEW	04-05-122	232-12-021	AMD-E	04-17-060
220-69-270	AMD-P	04-13-193	222-08-070	NEW	04-05-122	232-12-047	AMD-P	04-05-106
220-69-270	AMD	04-17-096	222-08-080	NEW	04-05-122	232-12-047	AMD	04-11-036
220-69-274	AMD-P	04-13-193	222-08-090	NEW	04-05-122	232-12-054	AMD-P	04-05-106
220-69-274	AMD	04-17-096	222-08-100	NEW	04-05-122	232-12-054	AMD	04-11-036
220-69-280	AMD-P	04-13-193	222-08-120	NEW	04-05-122	232-12-064	AMD-P	04-05-099
220-69-280	AMD	04-17-096	222-08-130	NEW	04-05-122	232-12-064	AMD	04-11-036
220-69-28000A	NEW-E	04-19-097	222-08-140	RECOD	04-05-122	232-12-064	AMD	04-11-036
220-69-300	AMD-P	04-13-193	222-08-150	RECOD	04-05-122	232-12-068	AMD	04-07-009
220-69-300	AMD	04-17-096	222-08-160	RECOD	04-05-122	232-12-224	REP-P	04-13-038
220-72-01000B	NEW-E	04-08-037	222-12-090	AMD	04-05-087	232-12-224	REP-C	04-17-081
220-72-011	AMD-P	04-05-069	222-16-010	AMD	04-05-087	232-12-243	AMD-P	04-13-165
220-72-011	AMD-W	04-18-074	230-02-030	AMD-X	04-12-038	232-12-271	AMD-P	04-05-099
220-72-089	AMD-P	04-05-069	230-02-030	AMD	04-17-066	232-12-271	AMD	04-11-036
220-72-089	AMD-W	04-18-074	230-02-035	AMD-X	04-12-038	232-12-275	AMD-P	04-13-167
220-72-08900C	NEW-E	04-08-037	230-02-035	AMD	04-17-066	232-12-31500K	REP-E	04-08-065
220-72-090	AMD-P	04-05-069	230-02-205	AMD-P	04-15-049	232-12-31500L	NEW-E	04-08-065
220-72-090	AMD-W	04-18-074	230-02-205	AMD	04-19-069	232-12-31500L	REP-E	04-08-065
220-72-09000C	NEW-E	04-08-037	230-04-124	AMD-W	04-05-059	232-12-619	AMD	04-07-009
220-88B-030	AMD	04-05-027	230-04-124	AMD-W	04-05-059	232-12-619	AMD-X	04-11-119
220-88B-040	AMD	04-05-027	230-04-192	REP-P	04-05-078	232-12-619	AMD-P	04-13-094
220-88C-030	AMD-P	04-07-186	230-04-192	REP	04-09-028	232-12-619	AMD	04-19-012
220-88C-030	AMD	04-10-035	230-04-196	REP-P	04-05-078	232-12-619	AMD-P	04-19-117
220-88C-03000	NEW-E	04-10-041	230-04-196	REP	04-09-028	232-12-619	AMD-P	04-19-117
220-88C-040	AMD-P	04-07-186	230-04-208	NEW-P	04-17-124	232-12-61900V	NEW-E	04-10-034
220-88C-040	AMD	04-10-035	230-12-045	AMD-P	04-07-103	232-12-828	AMD-P	04-05-106
220-88C-04000	NEW-E	04-10-041	230-12-045	AMD	04-11-091	232-12-828	AMD	04-11-036
220-100-110	AMD-X	04-09-046	230-12-330	AMD-P	04-11-090	232-16-270	REP-P	04-13-168
220-100-110	AMD	04-14-006	230-12-340	AMD-P	04-11-090	232-16-270	REP	04-17-061
220-110-035	PREP	04-04-008	230-20-059	AMD	04-07-102	232-16-610	NEW-P	04-13-168
220-110-035	AMD-P	04-08-064	230-30-033	AMD-P	04-09-088	232-16-610	NEW	04-17-061
220-110-035	AMD-C	04-17-013	230-30-033	AMD	04-15-047	232-16-740	AMD-P	04-13-168
220-120-010	REP-P	04-13-141	230-30-033	AMD-P	04-19-093	232-16-740	AMD	04-17-061
220-120-010	REP	04-18-051	230-30-072	AMD-P	04-02-045	232-28-248	AMD-P	04-05-115
220-120-020	REP-P	04-13-141	230-30-072	AMD-W	04-15-108	232-28-248	AMD	04-11-036
220-120-020	REP	04-18-051	230-40-070	PREP	04-04-061	232-28-26600A	NEW-E	04-19-020
220-120-030	REP-P	04-13-141	230-40-070	AMD-P	04-07-147	232-28-271	AMD	04-03-026
220-120-030	REP	04-18-051	230-40-070	AMD-P	04-09-087	232-28-272	AMD-P	04-05-109
220-120-040	REP-P	04-13-141	230-40-070	AMD	04-11-092	232-28-272	AMD	04-11-036
			230-40-070	AMD	04-17-125	232-28-272	AMD-P	04-13-165
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232- 28-282	AMD-P	04-05-111	232- 28-61900G	REP-E	04-11-003	232- 28-61900T	NEW-E	04-08-049
232- 28-282	AMD	04-11-036	232- 28-61900G	NEW-E	04-16-023	232- 28-61900T	REP-E	04-08-049
232- 28-285	NEW-P	04-13-170	232- 28-61900G	REP-E	04-17-136	232- 28-61900T	NEW-E	04-14-008
232- 28-29100B	NEW-E	04-19-011	232- 28-61900H	NEW-E	04-04-028	232- 28-61900T	REP-E	04-14-091
232- 28-333	AMD-P	04-05-113	232- 28-61900H	REP-E	04-04-028	232- 28-61900U	NEW-E	04-09-047
232- 28-333	AMD-W	04-18-075	232- 28-61900H	REP-E	04-05-032	232- 28-61900U	REP-E	04-14-059
232- 28-335	AMD-P	04-05-114	232- 28-61900H	NEW-E	04-11-021	232- 28-61900V	NEW-E	04-09-019
232- 28-335	AMD	04-11-036	232- 28-61900H	REP-E	04-11-021	232- 28-61900V	REP-E	04-09-019
232- 28-337	AMD-P	04-05-116	232- 28-61900H	NEW-E	04-16-069	232- 28-61900V	NEW-E	04-14-049
232- 28-337	AMD	04-11-036	232- 28-61900H	REP-E	04-19-006	232- 28-61900W	NEW-E	04-09-023
232- 28-33700B	NEW-E	04-19-025	232- 28-61900I	NEW-E	04-04-060	232- 28-61900W	REP-E	04-09-023
232- 28-341	AMD-P	04-05-112	232- 28-61900I	NEW-E	04-11-050	232- 28-61900W	REP-E	04-09-103
232- 28-341	AMD	04-11-036	232- 28-61900I	REP-E	04-11-050	232- 28-61900W	NEW-E	04-14-057
232- 28-341	AMD-P	04-13-169	232- 28-61900I	NEW-E	04-16-041	232- 28-61900X	NEW-E	04-09-022
232- 28-351	AMD-P	04-05-107	232- 28-61900I	REP-E	04-16-041	232- 28-61900X	REP-E	04-09-022
232- 28-351	AMD	04-11-036	232- 28-61900J	NEW-E	04-05-015	232- 28-61900X	NEW-E	04-14-059
232- 28-352	AMD-P	04-05-108	232- 28-61900J	REP-E	04-05-015	232- 28-61900X	REP-E	04-15-022
232- 28-352	AMD	04-11-036	232- 28-61900J	NEW-E	04-11-076	232- 28-61900Y	NEW-E	04-09-048
232- 28-427	REP-P	04-13-171	232- 28-61900J	REP-E	04-11-076	232- 28-61900Y	REP-E	04-11-072
232- 28-427	REP	04-17-061	232- 28-61900J	NEW-E	04-16-068	232- 28-61900Y	REP-E	04-16-005
232- 28-428	NEW-P	04-13-171	232- 28-61900K	NEW-E	04-05-033	232- 28-61900Z	NEW-E	04-09-049
232- 28-428	NEW	04-17-061	232- 28-61900K	REP-E	04-05-033	232- 28-61900Z	REP-E	04-09-049
232- 28-515	AMD-P	04-13-166	232- 28-61900K	REP-E	04-07-026	232- 28-61900Z	REP-E	04-10-005
232- 28-515	AMD	04-17-061	232- 28-61900K	NEW-E	04-12-013	232- 28-61900Z	NEW-E	04-14-091
232- 28-619	AMD	04-07-009	232- 28-61900K	REP-E	04-12-013	232- 28-620	AMD-X	04-11-079
232- 28-619	AMD-X	04-11-069	232- 28-61900K	NEW-E	04-17-070	232- 28-620	AMD	04-16-006
232- 28-619	AMD-X	04-11-119	232- 28-61900K	REP-E	04-17-070	232- 28-62000P	NEW-E	04-10-034
232- 28-619	AMD-P	04-13-094	232- 28-61900L	NEW-E	04-05-048	232- 28-62000P	REP-E	04-13-142
232- 28-619	AMD	04-16-046	232- 28-61900L	REP-E	04-05-048	232- 28-62000Q	NEW-E	04-13-142
232- 28-619	AMD	04-19-012	232- 28-61900L	NEW-E	04-12-033	232- 28-62000Q	REP-E	04-15-110
232- 28-619	AMD-P	04-19-117	232- 28-61900L	REP-E	04-12-033	232- 28-62000R	NEW-E	04-15-110
232- 28-61900A	NEW-E	04-09-103	232- 28-61900L	NEW-E	04-17-137	232- 28-62000R	REP-E	04-17-059
232- 28-61900A	REP-E	04-09-103	232- 28-61900L	REP-E	04-17-137	232- 28-62000S	NEW-E	04-17-059
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232- 28-61900A	NEW-E	04-15-022	232- 28-61900M	REP-E	04-07-007	232- 28-62000T	NEW-E	04-18-021
232- 28-61900B	NEW-E	04-10-005	232- 28-61900M	NEW-E	04-12-060	232- 28-62000T	REP-E	04-18-021
232- 28-61900B	REP-E	04-10-005	232- 28-61900M	REP-E	04-14-049	232- 28-62000T	REP-E	04-18-053
232- 28-61900B	REP-E	04-10-036	232- 28-61900M	NEW-E	04-19-006	232- 28-62000U	NEW-E	04-18-053
232- 28-61900B	REP-E	04-15-044	232- 28-61900M	REP-E	04-19-118	232- 28-62000U	REP-E	04-18-053
232- 28-61900B	REP-E	04-15-044	232- 28-61900N	NEW-E	04-07-004	232- 28-62000U	REP-E	04-19-014
232- 28-61900C	NEW-E	04-10-034	232- 28-61900N	REP-E	04-07-004	232- 28-62000V	NEW-E	04-19-014
232- 28-61900C	REP-E	04-13-069	232- 28-61900N	NEW-E	04-13-035	232- 28-62000V	REP-E	04-19-014
232- 28-61900C	NEW-E	04-15-146	232- 28-61900N	REP-E	04-13-035	232- 28-62000V	REP-E	04-19-035
232- 28-61900C	REP-E	04-15-146	232- 28-61900N	NEW-E	04-19-063	232- 28-62000W	NEW-E	04-19-035
232- 28-61900D	NEW-E	04-10-036	232- 28-61900N	REP-E	04-07-026	232- 28-62000W	REP-E	04-19-035
232- 28-61900D	REP-E	04-10-036	232- 28-61900P	NEW-E	04-07-026	232- 28-621	AMD-X	04-11-079
232- 28-61900D	REP-E	04-11-002	232- 28-61900P	REP-E	04-09-049	232- 28-621	AMD	04-16-006
232- 28-61900D	NEW-E	04-16-005	232- 28-61900P	REP-E	04-13-054	232- 28-62100N	NEW-E	04-10-034
232- 28-61900D	REP-E	04-16-069	232- 28-61900P	NEW-E	04-19-118	232- 28-62100N	REP-E	04-13-068
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232- 28-61900E	REP-E	04-12-060	232- 28-61900Q	NEW-E	04-07-067	232- 28-62100P	REP-E	04-17-005
232- 28-61900E	NEW-E	04-16-011	232- 28-61900Q	REP-E	04-07-067	232- 28-62100Q	NEW-E	04-17-005
232- 28-61900E	REP-E	04-18-032	232- 28-61900Q	NEW-E	04-13-064	232- 28-62100Q	REP-E	04-17-005
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232- 28-61900F	NEW-E	04-11-002	232- 28-61900R	NEW-E	04-08-005	236- 12-290	AMD	04-18-064
232- 28-61900F	REP-E	04-11-073	232- 28-61900R	REP-E	04-08-005	236- 12-470	PREP	04-10-112
232- 28-61900F	NEW-E	04-16-021	232- 28-61900R	REP-E	04-08-013	236- 12-470	AMD-P	04-19-057
232- 28-61900F	REP-E	04-18-085	232- 28-61900R	NEW-E	04-13-069	236- 51-001	NEW	04-07-104
232- 28-61900G	NEW-E	04-03-047	232- 28-61900R	REP-E	04-16-021	236- 51-005	NEW	04-07-104
232- 28-61900G	REP-E	04-03-047	232- 28-61900S	NEW-E	04-08-013	236- 51-006	NEW	04-07-104
232- 28-61900G	REP-E	04-04-028	232- 28-61900S	NEW-E	04-13-164	236- 51-010	NEW	04-07-104

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236-51-115	NEW	04-07-104	246-101-201	AMD-E	04-16-099	246-232-060	AMD	04-04-055
236-51-120	NEW	04-07-104	246-101-301	PREP	04-12-119	246-233-001	AMD	04-04-055
236-51-200	NEW	04-07-104	246-101-301	AMD-E	04-16-099	246-233-005	NEW	04-04-055
236-51-205	NEW	04-07-104	246-215-001	AMD-P	04-16-109	246-233-015	NEW	04-04-055
236-51-210	NEW	04-07-104	246-215-005	NEW-P	04-16-109	246-233-020	AMD	04-04-055
236-51-215	NEW	04-07-104	246-215-010	REP-P	04-16-109	246-233-025	NEW	04-04-055
236-51-220	NEW	04-07-104	246-215-011	NEW-P	04-16-109	246-233-030	NEW	04-04-055
236-51-225	NEW	04-07-104	246-215-020	REP-P	04-16-109	246-233-035	NEW	04-04-055
236-51-300	NEW	04-07-104	246-215-021	NEW-P	04-16-109	246-233-040	NEW	04-04-055
236-51-302	NEW	04-07-104	246-215-030	REP-P	04-16-109	246-235-093	AMD	04-04-055
236-51-305	NEW	04-07-104	246-215-031	NEW-P	04-16-109	246-235-095	AMD	04-04-055
236-51-306	NEW	04-07-104	246-215-040	REP-P	04-16-109	246-235-097	AMD	04-04-055
236-51-310	NEW	04-07-104	246-215-041	NEW-P	04-16-109	246-239	PREP	04-18-092
236-51-320	NEW	04-07-104	246-215-050	REP-P	04-16-109	246-239-080	AMD	04-04-055
236-51-400	NEW	04-07-104	246-215-051	NEW-P	04-16-109	246-247-010	AMD-P	04-07-180
236-51-405	NEW	04-07-104	246-215-060	REP-P	04-16-109	246-247-010	AMD	04-18-094
236-51-410	NEW	04-07-104	246-215-061	NEW-P	04-16-109	246-247-040	AMD-P	04-07-180
236-51-500	NEW	04-07-104	246-215-070	REP-P	04-16-109	246-247-040	AMD	04-18-094
236-51-502	NEW	04-07-104	246-215-071	NEW-P	04-16-109	246-247-045	NEW-P	04-07-180
236-51-505	NEW	04-07-104	246-215-080	REP-P	04-16-109	246-247-045	NEW	04-18-094
236-51-510	NEW	04-07-104	246-215-081	NEW-P	04-16-109	246-247-075	AMD-W	04-02-067
236-51-515	NEW	04-07-104	246-215-090	REP-P	04-16-109	246-247-075	AMD-P	04-07-180
236-51-600	NEW	04-07-104	246-215-091	NEW-P	04-16-109	246-247-075	AMD	04-18-094
236-51-605	NEW	04-07-104	246-215-100	REP-P	04-16-109	246-247-080	AMD-P	04-07-180
236-51-610	NEW	04-07-104	246-215-110	REP-P	04-16-109	246-247-080	AMD	04-18-094
236-51-615	NEW	04-07-104	246-215-120	REP-P	04-16-109	246-247-085	AMD-P	04-07-180
236-51-620	NEW	04-07-104	246-215-121	NEW-P	04-16-109	246-247-085	AMD	04-18-094
236-51-700	NEW	04-07-104	246-215-130	REP-P	04-16-109	246-247-110	AMD-W	04-02-067
236-51-710	NEW	04-07-104	246-215-131	NEW-P	04-16-109	246-247-110	AMD-P	04-07-180
236-51-715	NEW	04-07-104	246-215-140	REP-P	04-16-109	246-247-110	AMD	04-18-094
236-51-720	NEW	04-07-104	246-215-141	NEW-P	04-16-109	246-247-120	AMD-W	04-02-067
236-51-725	NEW	04-07-104	246-215-150	REP-P	04-16-109	246-247-120	AMD-P	04-07-180
236-51-730	NEW	04-07-104	246-215-151	NEW-P	04-16-109	246-247-120	AMD	04-18-094
236-51-735	NEW	04-07-104	246-215-160	REP-P	04-16-109	246-247-130	AMD-W	04-02-067
236-51-740	NEW	04-07-104	246-215-170	REP-P	04-16-109	246-247-130	AMD-P	04-07-180
236-51-745	NEW	04-07-104	246-215-180	REP-P	04-16-109	246-247-130	AMD	04-18-094
242-02-210	AMD-P	04-18-111	246-215-181	NEW-P	04-16-109	246-254-053	AMD-P	04-07-181
242-02-230	AMD-P	04-18-111	246-215-190	REP-P	04-16-109	246-254-053	AMD	04-12-125
242-02-240	AMD-P	04-18-111	246-215-191	NEW-P	04-16-109	246-254-070	AMD-P	04-07-175
242-02-250	AMD-P	04-18-111	246-215-200	AMD-P	04-16-109	246-254-070	AMD	04-12-124
242-02-270	AMD-P	04-18-111	246-215-210	AMD-P	04-16-109	246-254-080	AMD-P	04-07-175
242-02-280	AMD-P	04-18-111	246-215-220	AMD-P	04-16-109	246-254-080	AMD	04-12-124
242-02-310	AMD-P	04-18-111	246-215-230	REP-P	04-16-109	246-254-090	AMD	04-04-055
242-02-320	AMD-P	04-18-111	246-215-240	AMD-P	04-16-109	246-254-090	AMD-P	04-07-175
242-02-340	AMD-P	04-18-111	246-215-250	REP-P	04-16-109	246-254-090	AMD	04-12-124
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242-02-893	AMD-P	04-18-111	246-215-260	AMD-P	04-16-109	246-254-100	AMD	04-12-124
246-01	PREP	04-06-043	246-215-270	REP-P	04-16-109	246-254-120	AMD-P	04-07-175
246-08	PREP	04-06-043	246-215-280	AMD-P	04-16-109	246-254-120	AMD	04-12-124
246-50-001	AMD-W	04-02-066	246-215-290	AMD-P	04-16-109	246-260	AMD-C	04-12-118
246-50-005	NEW-W	04-02-066	246-215-300	AMD-P	04-16-109	246-260-001	AMD-P	04-08-099
246-50-010	AMD-W	04-02-066	246-215-311	NEW-P	04-16-109	246-260-001	AMD	04-18-096
246-50-020	AMD-W	04-02-066	246-217-010	PREP-W	04-06-020	246-260-010	AMD-P	04-08-099
246-50-030	AMD-W	04-02-066	246-217-010	AMD-P	04-09-056	246-260-010	AMD	04-18-096
246-50-035	NEW-W	04-02-066	246-217-010	AMD-C	04-11-097	246-260-020	REP-P	04-08-099
246-50-040	REP-W	04-02-066	246-217-010	AMD	04-16-100	246-260-020	REP	04-18-096
246-50-990	AMD-W	04-02-066	246-217-015	PREP-W	04-06-020	246-260-021	NEW-P	04-08-099
246-100-166	PREP	04-15-148	246-220-010	AMD-P	04-19-159	246-260-021	NEW	04-18-096
246-101-015	PREP	04-12-119	246-221-010	AMD-P	04-19-159	246-260-030	REP-P	04-08-099
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246-260-031	NEW	04-18-096	246-260-201	NEW	04-18-096	246-310-132	REP-P	04-11-099
246-260-040	REP-P	04-08-099	246-260-210	REP-P	04-08-099	246-310-210	PREP	04-15-150
246-260-040	REP	04-18-096	246-260-210	REP	04-18-096	246-310-220	PREP	04-15-150
246-260-041	NEW-P	04-08-099	246-260-211	NEW-P	04-08-099	246-310-230	PREP	04-15-150
246-260-041	NEW	04-18-096	246-260-211	NEW	04-18-096	246-310-240	PREP	04-15-150
246-260-050	REP-P	04-08-099	246-260-220	REP-P	04-08-099	246-310-261	AMD-P	04-11-099
246-260-050	REP	04-18-096	246-260-220	REP	04-18-096	246-310-262	AMD-P	04-11-099
246-260-051	NEW-P	04-08-099	246-260-221	NEW-P	04-08-099	246-310-263	NEW-P	04-11-099
246-260-051	NEW	04-18-096	246-260-221	NEW	04-18-096	246-310-280	PREP	04-15-150
246-260-060	REP-P	04-08-099	246-260-230	REP-P	04-08-099	246-310-990	AMD-P	04-11-099
246-260-060	REP	04-18-096	246-260-230	REP	04-18-096	246-320-010	AMD	04-11-057
246-260-061	NEW-P	04-08-099	246-260-240	REP-P	04-08-099	246-320-370	NEW	04-11-057
246-260-061	NEW	04-18-096	246-260-240	REP	04-18-096	246-320-990	AMD-P	04-13-161
246-260-070	REP-P	04-08-099	246-260-250	REP-P	04-08-099	246-320-990	AMD	04-19-141
246-260-070	REP	04-18-096	246-260-250	REP	04-18-096	246-322-990	AMD-P	04-13-161
246-260-071	NEW-P	04-08-099	246-260-260	REP-P	04-08-099	246-322-990	AMD	04-19-141
246-260-071	NEW	04-18-096	246-260-260	REP	04-18-096	246-323-990	AMD-P	04-14-066
246-260-080	REP-P	04-08-099	246-260-999	NEW-P	04-08-099	246-323-990	AMD	04-19-140
246-260-080	REP	04-18-096	246-260-999	NEW	04-18-096	246-324-990	AMD-P	04-13-161
246-260-081	NEW-P	04-08-099	246-260-99901	NEW-P	04-08-099	246-324-990	AMD	04-19-141
246-260-081	NEW	04-18-096	246-260-99901	NEW	04-18-096	246-325-990	AMD-P	04-13-161
246-260-090	REP-P	04-08-099	246-260-99902	NEW-P	04-08-099	246-325-990	AMD	04-19-141
246-260-090	REP	04-18-096	246-260-99902	NEW	04-18-096	246-326-990	AMD-P	04-13-161
246-260-091	NEW-P	04-08-099	246-272B	PREP	04-03-010	246-326-990	AMD	04-19-141
246-260-091	NEW	04-18-096	246-282-990	AMD-P	04-11-098	246-329-990	AMD-P	04-13-161
246-260-100	REP-P	04-08-099	246-282-990	AMD	04-15-154	246-329-990	AMD	04-19-141
246-260-100	REP	04-18-096	246-290	PREP	04-06-044	246-335-990	PREP	04-09-054
246-260-101	NEW-P	04-08-099	246-290-010	AMD	04-04-056	246-335-990	AMD-P	04-13-160
246-260-101	NEW	04-18-096	246-290-025	AMD	04-04-056	246-335-990	AMD	04-19-142
246-260-110	REP-P	04-08-099	246-290-130	AMD	04-04-056	246-360-001	AMD-P	04-12-117
246-260-110	REP	04-18-096	246-290-300	AMD	04-04-056	246-360-010	AMD-P	04-12-117
246-260-111	NEW-P	04-08-099	246-290-310	AMD	04-04-056	246-360-020	AMD-P	04-12-117
246-260-111	NEW	04-18-096	246-290-320	AMD	04-04-056	246-360-030	AMD-P	04-12-117
246-260-120	REP-P	04-08-099	246-290-480	AMD	04-04-056	246-360-035	NEW-P	04-12-117
246-260-120	REP	04-18-096	246-290-601	AMD	04-04-056	246-360-040	AMD-P	04-12-117
246-260-121	NEW-P	04-08-099	246-290-630	AMD	04-04-056	246-360-050	AMD-P	04-12-117
246-260-121	NEW	04-18-096	246-290-660	AMD	04-04-056	246-360-070	AMD-P	04-12-117
246-260-130	REP-P	04-08-099	246-290-664	AMD	04-04-056	246-360-080	AMD-P	04-12-117
246-260-130	REP	04-18-096	246-290-666	AMD	04-04-056	246-360-090	AMD-P	04-12-117
246-260-131	NEW-P	04-08-099	246-290-72010	AMD	04-04-056	246-360-100	AMD-P	04-12-117
246-260-131	NEW	04-18-096	246-290-72012	AMD	04-04-056	246-360-110	AMD-P	04-12-117
246-260-140	REP-P	04-08-099	246-290-990	AMD-P	04-06-046	246-360-120	AMD-P	04-12-117
246-260-140	REP	04-18-096	246-290-990	AMD-C	04-10-013	246-360-130	AMD-P	04-12-117
246-260-141	NEW-P	04-08-099	246-290-990	AMD	04-12-123	246-360-140	AMD-P	04-12-117
246-260-141	NEW	04-18-096	246-292	PREP	04-13-051	246-360-150	AMD-P	04-12-117
246-260-150	REP-P	04-08-099	246-292-160	AMD-P	04-06-046	246-360-160	AMD-P	04-12-117
246-260-150	REP	04-18-096	246-292-160	AMD-C	04-10-013	246-360-180	AMD-P	04-12-117
246-260-151	NEW-P	04-08-099	246-292-160	AMD	04-12-123	246-360-200	AMD-P	04-12-117
246-260-151	NEW	04-18-096	246-294	PREP	04-15-147	246-360-220	NEW-P	04-12-117
246-260-160	REP-P	04-08-099	246-294-001	AMD	04-06-047	246-360-230	NEW-P	04-12-117
246-260-160	REP	04-18-096	246-294-010	AMD	04-06-047	246-360-500	AMD-P	04-12-117
246-260-170	REP-P	04-08-099	246-294-020	AMD	04-06-047	246-360-990	AMD-P	04-13-161
246-260-170	REP	04-18-096	246-294-030	AMD	04-06-047	246-360-990	AMD	04-19-141
246-260-171	NEW-P	04-08-099	246-294-040	AMD	04-06-047	246-802-060	PREP	04-15-149
246-260-171	NEW	04-18-096	246-294-050	AMD	04-06-047	246-808-190	PREP	04-02-064
246-260-181	NEW-P	04-08-099	246-294-060	AMD	04-06-047	246-808-535	PREP	04-02-064
246-260-181	NEW	04-18-096	246-294-070	AMD	04-06-047	246-809	PREP	04-17-052
246-260-191	NEW-P	04-08-099	246-294-080	AMD	04-06-047	246-809	PREP	04-17-053
246-260-191	NEW	04-18-096	246-294-090	AMD	04-06-047	246-809-610	AMD	04-06-010
246-260-200	REP-P	04-08-099	246-310-010	AMD-X	04-10-014	246-809-620	AMD	04-06-010
246-260-200	REP	04-18-096	246-310-010	PREP	04-15-150	246-809-630	AMD	04-06-010

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246-809-720	NEW	04-06-011	246-840-900	AMD	04-13-053	246-888-090	RECOD-P	04-08-097
246-812	PREP	04-12-120	246-840-905	NEW-P	04-09-057	246-888-090	DECOD	04-18-095
246-815-020	AMD-P	04-12-122	246-840-905	NEW	04-13-053	246-888-090	RECOD	04-18-095
246-815-050	AMD-P	04-12-122	246-840-910	AMD-E	04-06-009	246-888-100	DECOD-P	04-08-097
246-815-100	AMD-P	04-12-122	246-840-910	AMD-P	04-10-078	246-888-100	RECOD-P	04-08-097
246-815-110	AMD-P	04-12-122	246-840-910	AMD	04-14-065	246-888-100	DECOD	04-18-095
246-815-115	AMD-P	04-12-122	246-840-930	AMD-E	04-06-009	246-888-100	RECOD	04-18-095
246-815-990	AMD-P	04-18-093	246-840-930	AMD-P	04-10-078	246-888-110	DECOD-P	04-08-097
246-817-135	PREP	04-08-096	246-840-930	AMD	04-14-065	246-888-110	DECOD	04-18-095
246-817-180	PREP	04-15-151	246-840-940	AMD-E	04-06-009	246-889-050	PREP	04-18-091
246-817-440	PREP	04-08-095	246-840-940	AMD-P	04-10-078	246-915-010	AMD-P	04-08-046
246-817-560	PREP	04-09-055	246-840-940	AMD	04-14-065	246-915-010	AMD	04-13-052
246-828-030	REP	04-02-068	246-840-990	AMD	04-04-054	246-915-040	PREP	04-07-195
246-828-045	AMD	04-02-068	246-841-405	AMD-E	04-06-008	246-915-050	PREP	04-07-178
246-828-055	REP	04-02-068	246-841-405	AMD-P	04-10-079	246-915-078	AMD-P	04-08-046
246-828-061	REP	04-02-068	246-841-405	AMD	04-14-064	246-915-078	AMD	04-13-052
246-828-070	REP	04-02-068	246-847	PREP	04-11-094	246-915-085	AMD-P	04-03-104
246-828-075	AMD	04-02-068	246-847-080	PREP	04-11-096	246-915-085	AMD	04-08-101
246-828-090	AMD	04-02-068	246-847-115	PREP	04-11-096	246-915-100	PREP	04-07-173
246-828-095	AMD	04-02-068	246-847-190	PREP	04-11-095	246-915-105	PREP	04-07-174
246-828-100	AMD	04-02-068	246-851-160	REP-P	04-15-153	246-915-120	PREP	04-07-176
246-828-105	AMD	04-02-068	246-851-170	AMD-P	04-15-153	246-915-140	AMD-P	04-08-046
246-828-220	AMD	04-02-068	246-851-570	NEW	04-05-004	246-915-140	AMD	04-13-052
246-828-270	AMD	04-02-068	246-851-580	NEW-P	04-06-045	246-915-160	AMD-P	04-08-046
246-828-290	AMD	04-02-068	246-851-580	NEW	04-12-127	246-915-160	AMD	04-13-052
246-828-320	AMD	04-02-068	246-851-590	NEW-P	04-06-045	246-915-180	PREP	04-07-177
246-828-330	AMD	04-02-068	246-851-590	NEW	04-12-127	246-915-182	NEW-P	04-03-119
246-828-350	AMD	04-02-068	246-851-600	NEW	04-05-004	246-915-182	NEW	04-08-102
246-828-500	AMD	04-02-068	246-851-610	NEW-P	04-06-045	246-915-210	AMD-P	04-03-107
246-828-500	PREP	04-13-050	246-851-610	NEW	04-12-127	246-915-210	AMD	04-08-100
246-828-510	PREP	04-13-050	246-873-090	PREP-W	04-07-010	246-915-220	AMD-P	04-03-107
246-828-530	PREP	04-13-050	246-887-160	AMD-X	04-03-105	246-915-220	AMD	04-08-100
246-828-550	AMD	04-02-068	246-887-160	AMD	04-13-162	246-915-230	AMD-P	04-03-107
246-828-550	PREP	04-13-050	246-888-010	AMD-P	04-08-097	246-915-230	AMD	04-08-100
246-828-990	AMD	04-02-068	246-888-010	AMD	04-18-095	246-915-240	AMD-P	04-03-107
246-834-990	AMD-P	04-15-152	246-888-020	AMD-P	04-08-097	246-915-240	AMD	04-08-100
246-840-010	AMD-E	04-05-043	246-888-020	AMD	04-18-095	246-915-250	AMD-P	04-03-107
246-840-010	AMD-P	04-09-057	246-888-030	AMD-P	04-08-097	246-915-250	AMD	04-08-100
246-840-010	AMD	04-13-053	246-888-030	AMD	04-18-095	246-915-260	AMD-P	04-03-107
246-840-700	AMD-E	04-06-009	246-888-040	RECOD-P	04-08-097	246-915-260	AMD	04-08-100
246-840-700	AMD-P	04-10-078	246-888-040	REP-P	04-08-097	246-915-270	AMD-P	04-03-107
246-840-700	AMD	04-14-065	246-888-040	REP	04-18-095	246-915-270	AMD	04-08-100
246-840-840	AMD-E	04-05-043	246-888-045	RECOD	04-18-095	246-915-280	AMD-P	04-03-107
246-840-840	AMD-P	04-09-057	246-888-050	DECOD-P	04-08-097	246-915-280	AMD	04-08-100
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246-840-850	AMD-E	04-05-043	246-888-050	DECOD	04-18-095	246-918-120	AMD	04-11-100
246-840-850	AMD-P	04-09-057	246-888-050	RECOD	04-18-095	246-919-110	AMD	04-04-067
246-840-850	AMD	04-13-053	246-888-060	DECOD-P	04-08-097	246-919-320	AMD	04-04-067
246-840-860	AMD-E	04-05-043	246-888-060	RECOD-P	04-08-097	246-919-330	AMD-W	04-04-078
246-840-860	AMD-P	04-09-057	246-888-060	DECOD	04-18-095	246-919-360	AMD	04-04-067
246-840-860	AMD	04-13-053	246-888-060	RECOD	04-18-095	246-919-480	PREP	04-03-106
246-840-870	AMD-E	04-05-043	246-888-070	AMD-P	04-08-097	246-924-040	PREP	04-17-130
246-840-870	AMD-P	04-09-057	246-888-070	DECOD-P	04-08-097	246-924-060	PREP	04-17-130
246-840-870	AMD	04-13-053	246-888-070	RECOD-P	04-08-097	246-924-070	PREP	04-17-130
246-840-880	AMD-E	04-05-043	246-888-070	AMD	04-18-095	246-924-080	PREP	04-17-130
246-840-880	AMD-P	04-09-057	246-888-070	DECOD	04-18-095	246-924-090	PREP	04-17-130
246-840-880	AMD	04-13-053	246-888-070	RECOD	04-18-095	246-924-095	PREP	04-17-130
246-840-890	AMD-E	04-05-043	246-888-080	DECOD-P	04-08-097	246-924-100	PREP	04-17-130
246-840-890	AMD-P	04-09-057	246-888-080	RECOD-P	04-08-097	246-924-150	PREP	04-17-130
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246-924-515	NEW-P	04-08-098	251-05-040	AMD-P	04-11-115	251-30-020	DECOD-P	04-07-188
246-930-010	PREP-W	04-10-012	251-05-040	AMD	04-15-020	251-30-020	RECOD-P	04-07-188
246-930-010	PREP	04-13-158	251-06-010	AMD-P	04-11-115	251-30-020	AMD	04-11-045
246-930-030	PREP-W	04-10-012	251-06-010	AMD	04-15-020	251-30-020	DECOD	04-11-045
246-930-040	PREP-W	04-10-012	251-06-020	AMD-P	04-11-115	251-30-020	RECOD	04-11-045
246-930-040	PREP	04-13-159	251-06-020	AMD	04-15-020	251-30-030	AMD-P	04-07-188
246-930-050	PREP-W	04-10-012	251-06-090	AMD-P	04-11-115	251-30-030	DECOD-P	04-07-188
246-930-050	PREP	04-13-159	251-06-090	AMD	04-15-020	251-30-030	RECOD-P	04-07-188
246-930-060	PREP	04-13-158	251-07-100	AMD-P	04-11-115	251-30-030	AMD	04-11-045
246-930-075	PREP-W	04-10-012	251-07-100	AMD	04-15-020	251-30-030	DECOD	04-11-045
246-930-075	PREP	04-13-159	251-08-005	AMD-P	04-11-115	251-30-030	RECOD	04-11-045
246-930-200	PREP-W	04-10-012	251-08-005	AMD	04-15-020	251-30-032	NEW-P	04-07-188
246-930-310	PREP-W	04-10-012	251-08-007	AMD-P	04-11-115	251-30-032	NEW	04-11-045
246-930-320	PREP-W	04-10-012	251-08-007	AMD	04-15-020	251-30-034	NEW-P	04-07-188
246-930-320	PREP	04-13-158	251-08-031	AMD-P	04-11-115	251-30-034	NEW	04-11-045
246-930-330	PREP-W	04-10-012	251-08-031	AMD	04-15-020	251-30-040	REP-P	04-07-188
246-930-330	PREP	04-13-159	251-08-070	AMD-P	04-11-115	251-30-040	REP	04-11-045
246-930-410	PREP-W	04-10-012	251-08-070	AMD	04-15-020	251-30-050	REP-P	04-07-188
246-976-010	AMD-X	04-18-097	251-08-100	AMD-E	04-16-054	251-30-050	REP	04-11-045
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246-976-171	AMD	04-08-103	251-08-100	AMD	04-19-027	251-30-055	AMD	04-11-045
246-976-930	AMD	04-08-103	251-08-112	AMD-P	04-11-115	251-30-057	AMD-P	04-07-188
246-976-935	AMD-P	04-07-179	251-08-112	AMD	04-15-020	251-30-057	AMD	04-11-045
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250-65	PREP	04-08-059	251-09-080	AMD	04-15-020	257-01-040	NEW-P	04-15-131
250-65	AMD-P	04-16-077	251-09-090	AMD-P	04-11-115	257-01-060	NEW-P	04-15-131
250-65	AMD-E	04-16-078	251-09-090	AMD	04-15-020	257-02-020	NEW-P	04-15-131
250-65-061	NEW-E	04-16-078	251-09-094	AMD-P	04-11-115	257-02-040	NEW-P	04-15-131
250-65-062	NEW-E	04-16-078	251-09-094	AMD	04-15-020	257-02-060	NEW-P	04-15-131
250-65-063	NEW-E	04-16-078	251-09-100	AMD-P	04-11-115	257-02-080	NEW-P	04-15-131
250-65-064	NEW-E	04-16-078	251-09-100	AMD	04-15-020	257-02-100	NEW-P	04-15-131
250-65-070	NEW-P	04-16-077	251-10-025	AMD-E	04-16-054	257-02-120	NEW-P	04-15-131
250-65-080	NEW-P	04-16-077	251-10-025	AMD-P	04-16-114	257-02-140	NEW-P	04-15-131
250-65-090	NEW-P	04-16-077	251-10-025	AMD	04-19-027	257-02-160	NEW-P	04-15-131
250-65-100	NEW-P	04-16-077	251-14-015	NEW-W	04-07-187	257-02-180	NEW-P	04-15-131
250-65-110	NEW-P	04-16-077	251-19-070	AMD-P	04-11-115	257-02-200	NEW-P	04-15-131
250-65-120	NEW-P	04-16-077	251-19-070	AMD	04-15-020	257-05-020	NEW-P	04-17-138
250-65-130	NEW-P	04-16-077	251-19-140	AMD-P	04-11-115	257-05-040	NEW-P	04-17-138
251-01-160	AMD-P	04-11-115	251-19-140	AMD	04-15-020	257-05-060	NEW-P	04-17-138
251-01-160	AMD	04-15-020	251-22-060	AMD-E	04-16-054	257-05-080	NEW-P	04-17-138
251-01-201	AMD-P	04-11-115	251-22-060	AMD-P	04-16-114	257-05-100	NEW-P	04-17-138
251-01-201	AMD	04-15-020	251-22-060	AMD	04-19-027	257-05-120	NEW-P	04-17-138
251-01-305	AMD-P	04-11-115	251-22-165	AMD-P	04-11-115	257-05-130	NEW-P	04-17-138
251-01-305	AMD	04-15-020	251-22-165	AMD	04-15-020	257-05-132	NEW-P	04-17-138
251-01-310	AMD-P	04-11-115	251-22-200	AMD-E	04-16-054	257-05-134	NEW-P	04-17-138
251-01-310	AMD	04-15-020	251-22-200	AMD-P	04-16-114	257-05-140	NEW-P	04-17-138
251-01-382	AMD-P	04-11-115	251-22-200	AMD	04-19-027	257-05-160	NEW-P	04-17-138
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251-04-030	AMD-P	04-11-115	251-22-240	AMD	04-15-020	257-05-200	NEW-P	04-17-138
251-04-030	AMD	04-15-020	251-23-010	AMD-P	04-11-115	257-05-220	NEW-P	04-17-138
251-04-050	REP-P	04-11-115	251-23-010	AMD	04-15-020	257-05-240	NEW-P	04-17-138
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251-04-060	AMD	04-15-020	251-30-010	AMD-P	04-07-188	260-08-600	REP	04-05-089
251-04-070	AMD-P	04-11-115	251-30-010	DECOD-P	04-07-188	260-08-610	REP	04-05-089
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260-14-040	AMD-E	04-11-056	260-49-080	NEW-E	04-11-056	284-03-060	AMD-P	04-11-107
260-14-040	AMD-P	04-18-098	260-49-080	NEW-P	04-18-098	284-03-060	AMD	04-15-157
260-14-040	AMD-E	04-19-030	260-49-080	NEW-E	04-19-030	284-03-065	NEW-P	04-11-107
260-14-050	PREP	04-10-047	260-49-090	NEW-E	04-11-056	284-03-065	NEW	04-15-157
260-14-050	AMD-P	04-16-035	260-49-090	NEW-P	04-18-098	284-03-070	AMD-P	04-11-107
260-14-050	AMD	04-19-046	260-49-090	NEW-E	04-19-030	284-03-070	AMD	04-15-157
260-16-065	NEW	04-05-091	260-49-100	NEW-E	04-11-056	284-03-075	NEW-P	04-11-107
260-24-510	AMD-P	04-07-144	260-49-100	NEW-P	04-18-098	284-03-075	NEW	04-15-157
260-24-510	AMD-E	04-09-053	260-49-100	NEW-E	04-19-030	284-03-080	REP-P	04-11-107
260-24-510	AMD-W	04-10-006	260-60-350	AMD	04-05-093	284-03-080	REP	04-15-157
260-24-510	AMD-P	04-14-101	260-60-360	AMD	04-05-093	284-03-090	REP-P	04-11-107
260-24-510	AMD-E	04-15-038	260-70-545	NEW	04-05-094	284-03-090	REP	04-15-157
260-24-510	AMD	04-17-082	260-70-630	AMD	04-05-095	284-03-100	AMD-P	04-11-107
260-24-650	AMD-P	04-04-045	260-72-020	AMD-P	04-18-098	284-03-100	AMD	04-15-157
260-24-650	AMD	04-07-074	260-72-030	REP-P	04-18-098	284-03-105	NEW-P	04-11-107
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260-32-200	PREP	04-10-007	260-75-020	AMD-P	04-16-034	284-03-110	REP-P	04-11-107
260-32-200	REP-P	04-16-033	260-75-020	AMD	04-19-045	284-03-110	REP	04-15-157
260-32-200	REP	04-19-044	260-75-030	AMD-P	04-16-034	284-03-120	REP-P	04-11-107
260-36-030	AMD-P	04-11-071	260-75-030	AMD	04-19-045	284-03-120	REP	04-15-157
260-36-030	AMD	04-15-039	260-88	PREP	04-10-015	284-03-130	REP-P	04-11-107
260-36-120	AMD-P	04-04-046	260-88-010	AMD	04-05-096	284-03-130	REP	04-15-157
260-36-120	AMD	04-07-075	260-88-010	AMD-P	04-16-036	284-03-140	REP-P	04-11-107
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260-40-100	AMD	04-09-026	263-12-01501	AMD-P	04-11-117	284-03-990	REP-P	04-11-107
260-40-160	AMD-P	04-04-047	263-12-01501	AMD-S	04-16-008	284-03-990	REP	04-15-157
260-40-160	AMD	04-07-076	263-12-01501	AMD-W	04-16-096	284-03-99001	REP-P	04-11-107
260-48	PREP	04-10-048	263-12-01501	AMD	04-16-097	284-03-99001	REP	04-15-157
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260-48-620	AMD	04-07-077	263-12-020	AMD-P	04-11-117	284-17-200	PREP	04-15-155
260-48-700	AMD-E	04-11-056	263-12-020	AMD	04-16-009	284-17-210	PREP	04-15-155
260-48-700	AMD-P	04-18-098	263-12-050	AMD-P	04-11-117	284-17-220	PREP	04-15-155
260-48-700	AMD-E	04-19-030	263-12-050	AMD	04-16-009	284-17-230	PREP	04-15-155
260-48-710	AMD-P	04-18-098	263-12-105	NEW-P	04-11-117	284-17-235	PREP	04-15-155
260-48-720	AMD-P	04-18-098	263-12-106	NEW-P	04-11-117	284-17-240	PREP	04-15-155
260-48-890	AMD-P	04-04-048	263-12-106	NEW	04-16-009	284-17-250	PREP	04-15-155
260-48-890	AMD	04-07-077	263-12-117	AMD-P	04-11-117	284-17-260	PREP	04-15-155
260-48-900	AMD-P	04-04-048	263-12-117	AMD	04-16-009	284-17-270	PREP	04-15-155
260-48-900	AMD	04-07-077	284-03	AMD-P	04-11-107	284-17-275	PREP	04-15-155
260-48-910	AMD-P	04-04-048	284-03	AMD	04-15-157	284-17-280	PREP	04-15-155
260-48-910	AMD	04-07-077	284-03-005	NEW-P	04-11-107	284-17-290	PREP	04-15-155
260-49-010	NEW-E	04-11-056	284-03-005	NEW	04-15-157	284-17-300	PREP	04-15-155
260-49-010	NEW-P	04-18-098	284-03-010	AMD-P	04-11-107	284-17-320	PREP	04-15-155
260-49-010	NEW-E	04-19-030	284-03-010	AMD	04-15-157	284-17B-005	NEW-P	04-15-156
260-49-020	NEW-E	04-11-056	284-03-015	NEW-P	04-11-107	284-17B-010	NEW-P	04-15-156
260-49-020	NEW-P	04-18-098	284-03-015	NEW	04-15-157	284-17B-015	NEW-P	04-15-156
260-49-020	NEW-E	04-19-030	284-03-020	AMD-P	04-11-107	284-17B-020	NEW-P	04-15-156
260-49-030	NEW-E	04-11-056	284-03-020	AMD	04-15-157	284-17B-025	NEW-P	04-15-156
260-49-030	NEW-P	04-18-098	284-03-025	NEW-P	04-11-107	284-17B-030	NEW-P	04-15-156
260-49-030	NEW-E	04-19-030	284-03-025	NEW	04-15-157	284-17B-035	NEW-P	04-15-156
260-49-040	NEW-E	04-11-056	284-03-030	AMD-P	04-11-107	284-17B-040	NEW-P	04-15-156
260-49-040	NEW-P	04-18-098	284-03-030	AMD	04-15-157	284-17B-045	NEW-P	04-15-156
260-49-040	NEW-E	04-19-030	284-03-035	NEW-P	04-11-107	284-17B-050	NEW-P	04-15-156
260-49-050	NEW-E	04-11-056	284-03-035	NEW	04-15-157	284-17B-055	NEW-P	04-15-156
260-49-050	NEW-P	04-18-098	284-03-040	AMD-P	04-11-107	284-17B-060	NEW-P	04-15-156
260-49-050	NEW-E	04-19-030	284-03-040	AMD	04-15-157	284-17B-065	NEW-P	04-15-156
260-49-060	NEW-E	04-11-056	284-03-045	NEW-P	04-11-107	284-17B-070	NEW-P	04-15-156
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284- 24A-033	NEW-P	04-17-127	296- 17-310041	NEW-P	04-14-081	296- 20-01502	NEW-E	04-13-063
284- 24A-045	AMD-P	04-17-127	296- 17-310042	NEW-P	04-14-081	296- 20-01502	PREP	04-13-131
284- 24A-050	AMD-P	04-17-127	296- 17-310043	NEW-P	04-14-081	296- 20-01502	NEW-P	04-17-093
284- 24A-055	AMD-P	04-17-127	296- 17-310044	NEW-P	04-14-081	296- 20-02704	AMD-P	04-03-082
284- 24A-065	AMD-P	04-17-127	296- 17-310045	NEW-P	04-14-081	296- 20-02704	AMD	04-08-040
284- 43	PREP	04-17-126	296- 17-310046	NEW-P	04-14-081	296- 20-02705	AMD-P	04-03-082
284- 53-005	AMD-P	04-17-128	296- 17-310047	NEW-P	04-14-081	296- 20-02705	AMD	04-08-040
284- 53-010	AMD-P	04-17-128	296- 17-31009	AMD-P	04-13-128	296- 20-03011	AMD-P	04-03-082
284- 74-400	NEW	04-04-070	296- 17-31009	AMD	04-18-025	296- 20-03011	AMD	04-08-040
284- 74-410	NEW	04-04-070	296- 17-31013	AMD-P	04-07-122	296- 20-03012	AMD-P	04-03-082
284- 74-420	NEW	04-04-070	296- 17-31013	AMD	04-13-017	296- 20-03012	AMD	04-08-040
284- 74-430	NEW	04-04-070	296- 17-31013	AMD-P	04-13-128	296- 20-06101	AMD-E	04-13-063
284- 74-440	NEW	04-04-070	296- 17-31013	AMD-P	04-14-081	296- 20-06101	PREP	04-13-131
284- 74-450	NEW	04-04-070	296- 17-31013	AMD	04-18-025	296- 20-06101	AMD-P	04-17-093
284- 74-460	NEW	04-04-070	296- 17-31014	AMD-P	04-13-128	296- 20-135	AMD-P	04-05-075
287- 01-030	AMD	04-03-114	296- 17-31014	AMD	04-18-025	296- 20-135	AMD	04-09-100
287- 02-030	AMD	04-03-114	296- 17-31024	AMD-P	04-13-128	296- 20-200	AMD	04-04-029
287- 02-130	AMD	04-03-114	296- 17-31024	AMD	04-18-025	296- 20-2010	NEW	04-04-029
288- 02-010	NEW-X	04-14-019	296- 17-31025	AMD-P	04-13-128	296- 20-2015	NEW	04-04-029
288- 02-010	NEW	04-19-032	296- 17-31025	AMD	04-18-025	296- 20-2020	NEW-W	04-10-072
288- 02-020	NEW-X	04-14-019	296- 17-31030	NEW-P	04-14-081	296- 20-2025	NEW	04-04-029
288- 02-020	NEW	04-19-032	296- 17-31031	NEW-P	04-14-081	296- 20-2030	NEW	04-04-029
288- 02-030	NEW-X	04-14-019	296- 17-31032	NEW-P	04-14-081	296- 20-210	REP	04-04-029
288- 02-030	NEW	04-19-032	296- 17-31033	NEW-P	04-14-081	296- 23-220	AMD-P	04-05-075
288- 02-030	NEW	04-19-032	296- 17-517	AMD-P	04-14-081	296- 23-220	AMD	04-09-100
292- 10-040	AMD-X	04-12-005	296- 17-52002	AMD-P	04-14-081	296- 23-230	AMD-P	04-05-075
292-110-060	AMD-P	04-12-077	296- 17-52102	AMD-P	04-14-081	296- 23-230	AMD	04-09-100
292-110-060	AMD	04-18-019	296- 17-52150	AMD-P	04-14-081	296- 23-240	AMD-E	04-13-063
296- 05	PREP	04-15-134	296- 17-527	AMD-P	04-13-128	296- 23-240	PREP	04-13-131
296- 05-007	AMD-P	04-04-014	296- 17-527	AMD	04-18-025	296- 23-240	AMD-P	04-17-093
296- 05-007	AMD	04-10-032	296- 17-644	AMD-W	04-06-060	296- 23-241	NEW-E	04-13-063
296- 05-008	NEW-P	04-04-014	296- 17-64999	AMD-P	04-13-128	296- 23-241	PREP	04-13-131
296- 05-008	NEW	04-10-032	296- 17-64999	AMD	04-18-025	296- 23-241	NEW-P	04-17-093
296- 14-400	AMD-E	04-13-063	296- 17-67701	NEW-P	04-07-122	296- 23-255	REP	04-04-029
296- 14-400	PREP	04-13-131	296- 17-67701	NEW	04-13-017	296- 23-260	REP	04-04-029
296- 14-400	AMD-P	04-17-093	296- 17-72202	AMD-P	04-13-128	296- 23-265	REP	04-04-029
296- 14-4121	NEW-P	04-14-082	296- 17-72202	AMD	04-18-025	296- 23-26501	REP	04-04-029
296- 14-4122	NEW-P	04-14-082	296- 17-855	AMD-P	04-19-033	296- 23-26502	REP	04-04-029
296- 14-4123	NEW-P	04-14-082	296- 17-870	AMD-P	04-07-121	296- 23-26503	REP	04-04-029
296- 14-4124	NEW-P	04-14-082	296- 17-870	AMD	04-10-045	296- 23-26504	REP	04-04-029
296- 14-4125	NEW-P	04-14-082	296- 17-875	AMD-P	04-19-033	296- 23-26505	REP	04-04-029
296- 14-4126	NEW-P	04-14-082	296- 17-880	AMD-P	04-19-033	296- 23-26506	REP	04-04-029
296- 14-4127	NEW-P	04-14-082	296- 17-885	AMD-P	04-19-033	296- 23-267	REP	04-04-029
296- 14-4128	NEW-P	04-14-082	296- 17-890	AMD-P	04-19-033	296- 23-270	REP	04-04-029
296- 14-4129	NEW-P	04-14-082	296- 17-895	AMD-P	04-07-122	296- 23-302	NEW	04-04-029
296- 16	PREP	04-15-103	296- 17-895	AMD	04-13-017	296- 23-307	NEW	04-04-029
296- 16-010	REP-P	04-19-106	296- 17-895	AMD-P	04-19-033	296- 23-312	NEW	04-04-029
296- 16-100	NEW-P	04-19-106	296- 17-895	AMD-P	04-19-033	296- 23-317	NEW	04-04-029
296- 16-110	NEW-P	04-19-106	296- 17-89502	AMD-P	04-19-055	296- 23-322	NEW	04-04-029
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296- 16-140	NEW-P	04-19-106	296- 19A-210	AMD	04-08-045	296- 23-342	NEW	04-04-029
296- 16-150	NEW-P	04-19-106	296- 19A-480	AMD-S	04-03-035	296- 23-347	NEW	04-04-029
296- 16-160	NEW-P	04-19-106	296- 19A-480	AMD	04-08-045	296- 23-347	NEW	04-04-029
296- 16-170	NEW-P	04-19-106	296- 20-01002	AMD-P	04-03-082	296- 23-352	NEW	04-04-029
296- 17	PREP	04-04-098	296- 20-01002	AMD	04-08-040	296- 23-357	NEW	04-04-029
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296- 17	PREP	04-09-098	296- 20-01002	PREP	04-13-131	296- 23-367	NEW	04-04-029
296- 17	PREP	04-13-130	296- 20-01002	AMD-P	04-17-093	296- 23-372	NEW	04-04-029

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296-23-377	NEW	04-04-029	296-24-15007	REP-P	04-03-085	296-24-19003	REP-P	04-03-085
296-23-381	NEW	04-04-029	296-24-15007	REP	04-14-028	296-24-19003	REP	04-14-028
296-23-382	NEW	04-04-029	296-24-15009	REP-P	04-03-085	296-24-19005	REP-P	04-03-085
296-23-387	NEW	04-04-029	296-24-15009	REP	04-14-028	296-24-19005	REP	04-14-028
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296-24	PREP	04-05-074	296-24-165	REP	04-14-028	296-24-19007	REP	04-14-028
296-24	PREP	04-06-078	296-24-16501	REP-P	04-03-085	296-24-19009	REP-P	04-03-085
296-24	PREP	04-07-154	296-24-16501	REP	04-14-028	296-24-19009	REP	04-14-028
296-24	PREP	04-07-157	296-24-16503	REP-P	04-03-085	296-24-19011	REP-P	04-03-085
296-24	PREP	04-08-090	296-24-16503	REP	04-14-028	296-24-19011	REP	04-14-028
296-24	PREP	04-11-062	296-24-16505	REP-P	04-03-085	296-24-19013	REP-P	04-03-085
296-24	PREP-W	04-18-044	296-24-16505	REP	04-14-028	296-24-19013	REP	04-14-028
296-24-012	AMD	04-07-161	296-24-16507	REP-P	04-03-085	296-24-19015	REP-P	04-03-085
296-24-110	REP-P	04-03-102	296-24-16507	REP	04-14-028	296-24-19015	REP	04-14-028
296-24-110	REP	04-15-105	296-24-16509	REP-P	04-03-085	296-24-195	REP-P	04-03-085
296-24-11001	REP-P	04-03-102	296-24-16509	REP	04-14-028	296-24-195	REP	04-14-028
296-24-11001	REP	04-15-105	296-24-16509	REP	04-14-028	296-24-19501	REP-P	04-03-085
296-24-11003	REP-P	04-03-102	296-24-16511	REP-P	04-03-085	296-24-19501	REP	04-14-028
296-24-11003	REP	04-15-105	296-24-16511	REP	04-14-028	296-24-19503	REP-P	04-03-085
296-24-11005	REP-P	04-03-102	296-24-16513	REP-P	04-03-085	296-24-19503	REP	04-14-028
296-24-11005	REP	04-15-105	296-24-16513	REP	04-14-028	296-24-19503	REP	04-14-028
296-24-11007	REP-P	04-03-102	296-24-16515	REP-P	04-03-085	296-24-19505	REP-P	04-03-085
296-24-11007	REP	04-15-105	296-24-16515	REP	04-14-028	296-24-19505	REP	04-14-028
296-24-11009	REP-P	04-03-102	296-24-16517	REP-P	04-03-085	296-24-19507	REP-P	04-03-085
296-24-11009	REP	04-15-105	296-24-16517	REP	04-14-028	296-24-19507	REP	04-14-028
296-24-11011	REP-P	04-03-102	296-24-16519	REP-P	04-03-085	296-24-19509	REP-P	04-03-085
296-24-11011	REP	04-15-105	296-24-16519	REP	04-14-028	296-24-19509	REP	04-14-028
296-24-11013	REP-P	04-03-102	296-24-16521	REP-P	04-03-085	296-24-19511	REP-P	04-03-085
296-24-11013	REP	04-15-105	296-24-16521	REP	04-14-028	296-24-19511	REP	04-14-028
296-24-11015	REP-P	04-03-102	296-24-16523	REP-P	04-03-085	296-24-19513	REP-P	04-03-085
296-24-11015	REP	04-15-105	296-24-16523	REP	04-14-028	296-24-19513	REP	04-14-028
296-24-11017	REP-P	04-03-102	296-24-16525	REP-P	04-03-085	296-24-19514	REP-P	04-03-085
296-24-11017	REP	04-15-105	296-24-16525	REP	04-14-028	296-24-19514	REP	04-14-028
296-24-119	REP-P	04-03-102	296-24-16527	REP-P	04-03-085	296-24-19517	REP-P	04-03-085
296-24-119	REP	04-15-105	296-24-16527	REP	04-14-028	296-24-19517	REP	04-14-028
296-24-120	REP	04-07-161	296-24-16529	REP-P	04-03-085	296-24-197	REP-P	04-03-085
296-24-135	REP-X	04-12-069	296-24-16529	REP	04-14-028	296-24-197	REP	04-14-028
296-24-135	REP	04-18-080	296-24-16531	REP-P	04-03-085	296-24-200	REP-P	04-03-085
296-24-13501	REP-X	04-12-069	296-24-16531	REP	04-14-028	296-24-200	REP	04-14-028
296-24-13501	REP	04-18-080	296-24-16533	REP-P	04-03-085	296-24-20001	REP-P	04-03-085
296-24-140	REP-X	04-12-069	296-24-16533	REP	04-14-028	296-24-20001	REP	04-14-028
296-24-140	REP	04-18-080	296-24-16535	REP-P	04-03-085	296-24-20003	REP-P	04-03-085
296-24-14001	REP-X	04-12-069	296-24-16535	REP	04-14-028	296-24-20003	REP	04-14-028
296-24-14001	REP	04-18-080	296-24-16537	REP-P	04-03-085	296-24-20005	REP-P	04-03-085
296-24-14003	REP-X	04-12-069	296-24-16537	REP	04-14-028	296-24-20005	REP	04-14-028
296-24-14003	REP	04-18-080	296-24-16539	REP-P	04-03-085	296-24-20007	REP-P	04-03-085
296-24-14005	REP-X	04-12-069	296-24-16539	REP	04-14-028	296-24-20007	REP	04-14-028
296-24-14005	REP	04-18-080	296-24-180	REP-P	04-03-085	296-24-20009	REP-P	04-03-085
296-24-14007	REP-X	04-12-069	296-24-180	REP	04-14-028	296-24-20009	REP	04-14-028
296-24-14007	REP	04-18-080	296-24-18001	REP-P	04-03-085	296-24-20011	REP-P	04-03-085
296-24-14009	REP-X	04-12-069	296-24-18001	REP	04-14-028	296-24-20011	REP	04-14-028
296-24-14009	REP	04-18-080	296-24-18003	REP-P	04-03-085	296-24-20013	REP-P	04-03-085
296-24-14011	REP-X	04-12-069	296-24-18003	REP	04-14-028	296-24-20013	REP	04-14-028
296-24-14011	REP	04-18-080	296-24-18005	REP-P	04-03-085	296-24-20015	REP-P	04-03-085
296-24-150	REP-P	04-03-085	296-24-18005	REP	04-14-028	296-24-20015	REP	04-14-028
296-24-150	REP	04-14-028	296-24-18007	REP-P	04-03-085	296-24-20017	REP-P	04-03-085
296-24-15001	REP-P	04-03-085	296-24-18007	REP	04-14-028	296-24-20017	REP	04-14-028
296-24-15001	REP	04-14-028	296-24-18009	REP-P	04-03-085	296-24-20019	REP-P	04-03-085
296-24-15003	REP-P	04-03-085	296-24-18009	REP	04-14-028	296-24-20019	REP	04-14-028
296-24-15003	REP	04-14-028	296-24-190	REP-P	04-03-085	296-24-20021	REP-P	04-03-085
296-24-15005	REP-P	04-03-085	296-24-190	REP	04-14-028	296-24-20021	REP	04-14-028
296-24-15005	REP	04-14-028	296-24-19001	REP-P	04-03-085	296-24-205	REP-P	04-03-085
296-24-15005	REP	04-14-028	296-24-19001	REP	04-14-028	296-24-205	REP	04-14-028

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296-24-20501	REP	04-14-028	296-24-23011	REP	04-19-051	296-24-980	AMD	04-18-080
296-24-20503	REP-P	04-03-085	296-24-23013	REP-P	04-08-039	296-30-081	PREP	04-04-099
296-24-20503	REP	04-14-028	296-24-23013	REP	04-19-051	296-30-081	AMD-P	04-08-091
296-24-20505	REP-P	04-03-085	296-24-23015	REP-P	04-08-039	296-30-081	AMD	04-14-069
296-24-20505	REP	04-14-028	296-24-23015	REP	04-19-051	296-30-090	AMD-P	04-17-093
296-24-20507	REP-P	04-03-085	296-24-23017	REP-P	04-08-039	296-30-090	AMD-E	04-18-112
296-24-20507	REP	04-14-028	296-24-23017	REP	04-19-051	296-31-070	AMD-P	04-08-091
296-24-20509	REP-P	04-03-085	296-24-23019	REP-P	04-08-039	296-31-070	AMD	04-14-069
296-24-20509	REP	04-14-028	296-24-23019	REP	04-19-051	296-37-510	AMD-X	04-11-065
296-24-20511	REP-P	04-03-085	296-24-23021	REP-P	04-08-039	296-37-510	AMD	04-18-078
296-24-20511	REP	04-14-028	296-24-23021	REP	04-19-051	296-37-515	AMD-X	04-11-065
296-24-20513	REP-P	04-03-085	296-24-23023	REP-P	04-08-039	296-37-515	AMD	04-18-078
296-24-20513	REP	04-14-028	296-24-23023	REP	04-19-051	296-37-570	AMD-X	04-11-065
296-24-20515	REP-P	04-03-085	296-24-23025	REP-P	04-08-039	296-37-570	AMD	04-18-078
296-24-20515	REP	04-14-028	296-24-23025	REP	04-19-051	296-37-575	AMD	04-10-026
296-24-20517	REP-P	04-03-085	296-24-23027	REP-P	04-08-039	296-37-575	AMD	04-10-026
296-24-20517	REP	04-14-028	296-24-23027	REP	04-19-051	296-37-595	NEW-X	04-11-065
296-24-20519	REP-P	04-03-085	296-24-23029	REP-P	04-08-039	296-37-595	NEW	04-18-078
296-24-20519	REP	04-14-028	296-24-23029	REP	04-19-051	296-45-125	AMD	04-07-160
296-24-20521	REP-P	04-03-085	296-24-23031	REP-P	04-08-039	296-45-175	AMD-P	04-03-102
296-24-20521	REP	04-14-028	296-24-23031	REP	04-19-051	296-45-175	AMD	04-15-105
296-24-20523	REP-P	04-03-085	296-24-23033	REP-P	04-08-039	296-46B-010	AMD-P	04-08-088
296-24-20523	REP	04-14-028	296-24-23033	REP	04-19-051	296-46B-010	AMD	04-12-049
296-24-20525	REP-P	04-03-085	296-24-23035	REP-P	04-08-039	296-46B-020	AMD-P	04-08-088
296-24-20525	REP	04-14-028	296-24-23035	REP	04-19-051	296-46B-020	AMD	04-12-049
296-24-20527	REP-P	04-03-085	296-24-23037	REP-P	04-08-039	296-46B-030	AMD-P	04-08-088
296-24-20527	REP	04-14-028	296-24-23037	REP	04-19-051	296-46B-030	AMD	04-12-049
296-24-20529	REP-P	04-03-085	296-24-233	AMD-P	04-12-071	296-46B-110	AMD-P	04-08-088
296-24-20529	REP	04-14-028	296-24-260	REP	04-09-099	296-46B-110	AMD	04-12-049
296-24-20531	REP-P	04-03-085	296-24-33009	AMD-X	04-12-069	296-46B-210	AMD-P	04-08-088
296-24-20531	REP	04-14-028	296-24-33009	AMD	04-18-080	296-46B-210	AMD	04-12-049
296-24-20533	REP-P	04-03-085	296-24-37013	AMD-X	04-12-069	296-46B-250	AMD-P	04-08-088
296-24-20533	REP	04-14-028	296-24-37013	AMD	04-18-080	296-46B-250	AMD	04-12-049
296-24-20699	REP-P	04-03-085	296-24-47511	AMD-P	04-08-039	296-46B-300	AMD-P	04-08-088
296-24-20699	REP	04-14-028	296-24-47511	AMD	04-19-051	296-46B-300	AMD	04-12-049
296-24-20700	REP-P	04-03-085	296-24-56527	AMD	04-07-161	296-46B-314	AMD-P	04-08-088
296-24-20700	REP	04-14-028	296-24-61703	AMD	04-07-161	296-46B-314	AMD	04-12-049
296-24-20710	REP-P	04-03-085	296-24-63399	AMD	04-07-161	296-46B-334	AMD-P	04-08-088
296-24-20710	REP	04-14-028	296-24-67509	PREP	04-07-155	296-46B-334	AMD	04-12-049
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296-24-20720	REP	04-14-028	296-24-69003	AMD	04-14-028	296-46B-410	AMD	04-12-049
296-24-20730	REP-P	04-03-085	296-24-75011	AMD	04-07-161	296-46B-430	AMD-P	04-08-088
296-24-20730	REP	04-14-028	296-24-860	REP-P	04-14-027	296-46B-430	AMD	04-12-049
296-24-21701	REP-P	04-12-071	296-24-86005	REP-P	04-14-027	296-46B-900	AMD-P	04-08-088
296-24-21703	REP-P	04-12-071	296-24-86010	REP-P	04-14-027	296-46B-900	AMD	04-12-049
296-24-21707	REP-P	04-12-071	296-24-86015	REP-P	04-14-027	296-46B-900	PREP	04-14-088
296-24-21709	REP-P	04-12-071	296-24-86020	REP-P	04-14-027	296-46B-900	AMD-E	04-16-076
296-24-21711	REP-P	04-12-071	296-24-861	REP-P	04-14-027	296-46B-900	AMD-P	04-17-094
296-24-21713	REP-P	04-12-071	296-24-86105	REP-P	04-14-027	296-46B-905	AMD-P	04-08-088
296-24-230	REP-P	04-08-039	296-24-86110	REP-P	04-14-027	296-46B-905	AMD	04-12-049
296-24-230	REP	04-19-051	296-24-86115	REP-P	04-14-027	296-46B-905	PREP	04-14-088
296-24-23001	REP-P	04-08-039	296-24-86120	REP-P	04-14-027	296-46B-905	AMD-P	04-17-094
296-24-23001	REP	04-19-051	296-24-86125	REP-P	04-14-027	296-46B-910	AMD-P	04-08-088
296-24-23003	REP-P	04-08-039	296-24-86130	REP-P	04-14-027	296-46B-910	AMD	04-12-049
296-24-23003	REP	04-19-051	296-24-88020	AMD-P	04-03-085	296-46B-911	AMD-P	04-08-088
296-24-23005	REP-P	04-08-039	296-24-88020	AMD	04-14-028	296-46B-911	AMD	04-12-049
296-24-23005	REP	04-19-051	296-24-90003	AMD-P	04-03-085	296-46B-915	AMD-P	04-08-088
296-24-23007	REP-P	04-08-039	296-24-90003	AMD	04-14-028	296-46B-915	AMD	04-12-049
296-24-23007	REP	04-19-051	296-24-95603	AMD	04-07-161	296-46B-915	PREP	04-14-088
296-24-23009	REP-P	04-08-039	296-24-975	AMD-P	04-03-102	296-46B-915	AMD-P	04-17-094
296-24-23009	REP	04-19-051	296-24-975	AMD	04-15-105	296-46B-920	AMD-P	04-08-088
						296-46B-920	AMD	04-12-049

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296-46B-925	AMD-P	04-08-088	296-62-07113	REP-P	04-15-107	296-62-07246	REP-P	04-15-107
296-46B-925	AMD	04-12-049	296-62-07115	REP-P	04-15-107	296-62-07247	REP-P	04-15-107
296-46B-925	PREP	04-14-088	296-62-07117	REP-P	04-15-107	296-62-07248	REP-P	04-15-107
296-46B-925	AMD-P	04-17-094	296-62-07130	REP-P	04-15-107	296-62-07251	REP-P	04-15-107
296-46B-930	AMD-P	04-08-088	296-62-07131	REP-P	04-15-107	296-62-07253	REP-P	04-15-107
296-46B-930	AMD	04-12-049	296-62-07132	REP-P	04-15-107	296-62-07255	REP-P	04-15-107
296-46B-935	AMD-P	04-08-088	296-62-07133	REP-P	04-15-107	296-62-07257	REP-P	04-15-107
296-46B-935	AMD	04-12-049	296-62-07150	REP-P	04-15-107	296-62-07260	REP-P	04-15-107
296-46B-940	AMD-P	04-08-088	296-62-07151	REP-P	04-15-107	296-62-07261	REP-P	04-15-107
296-46B-940	AMD	04-12-049	296-62-07152	REP-P	04-15-107	296-62-07263	REP-P	04-15-107
296-46B-945	AMD-P	04-08-088	296-62-07153	REP-P	04-15-107	296-62-07265	REP-P	04-15-107
296-46B-945	AMD	04-12-049	296-62-07154	REP-P	04-15-107	296-62-07267	REP-P	04-15-107
296-46B-950	AMD-P	04-08-088	296-62-07155	REP-P	04-15-107	296-62-07269	REP-P	04-15-107
296-46B-950	AMD	04-12-049	296-62-07156	REP-P	04-15-107	296-62-07271	REP-P	04-15-107
296-46B-970	AMD-P	04-08-088	296-62-07160	REP-P	04-15-107	296-62-07273	REP-P	04-15-107
296-46B-970	AMD	04-12-049	296-62-07161	REP-P	04-15-107	296-62-07275	REP-P	04-15-107
296-46B-970	PREP	04-14-088	296-62-07162	REP-P	04-15-107	296-62-07277	REP-P	04-15-107
296-46B-970	AMD-E	04-16-076	296-62-07170	REP-P	04-15-107	296-62-07279	REP-P	04-15-107
296-46B-970	AMD-P	04-17-094	296-62-07171	REP-P	04-15-107	296-62-07281	REP-P	04-15-107
296-46B-990	AMD-P	04-08-088	296-62-07172	REP-P	04-15-107	296-62-07283	REP-P	04-15-107
296-46B-990	AMD	04-12-049	296-62-07175	REP-P	04-15-107	296-62-07285	REP-P	04-15-107
296-46B-995	AMD-P	04-08-088	296-62-07176	REP-P	04-15-107	296-62-07287	REP-P	04-15-107
296-46B-995	AMD	04-12-049	296-62-07177	REP-P	04-15-107	296-62-07289	REP-P	04-15-107
296-46B-999	AMD-P	04-08-088	296-62-07178	REP-P	04-15-107	296-62-07291	REP-P	04-15-107
296-46B-999	AMD	04-12-049	296-62-07179	REP-P	04-15-107	296-62-07293	REP-P	04-15-107
296-54-573	AMD-P	04-03-085	296-62-07182	REP-P	04-15-107	296-62-07295	REP-P	04-15-107
296-54-573	AMD	04-14-028	296-62-07184	REP-P	04-15-107	296-62-07314	AMD	04-10-026
296-54-57310	AMD-P	04-03-102	296-62-07186	REP-P	04-15-107	296-62-07329	AMD	04-10-026
296-54-57310	AMD	04-15-105	296-62-07188	REP-P	04-15-107	296-62-07336	AMD	04-10-026
296-56	PREP	04-07-154	296-62-07190	REP-P	04-15-107	296-62-07342	AMD	04-10-026
296-56-60115	AMD-X	04-05-072	296-62-07192	REP-P	04-15-107	296-62-07347	REP-P	04-18-077
296-56-60115	AMD	04-11-066	296-62-07194	REP-P	04-15-107	296-62-07375	AMD	04-10-026
296-56-60243	AMD-X	04-05-072	296-62-07201	REP-P	04-15-107	296-62-07427	AMD	04-10-026
296-56-60243	AMD	04-11-066	296-62-07202	REP-P	04-15-107	296-62-07460	AMD	04-10-026
296-59-130	AMD-P	04-03-085	296-62-07203	REP-P	04-15-107	296-62-07470	AMD	04-10-026
296-59-130	AMD	04-14-028	296-62-07205	REP-P	04-15-107	296-62-075	REP-P	04-15-107
296-62	PREP	04-05-073	296-62-07206	REP-P	04-15-107	296-62-07501	REP-P	04-15-107
296-62	PREP	04-07-155	296-62-07208	REP-P	04-15-107	296-62-07503	REP-P	04-15-107
296-62	PREP	04-07-156	296-62-07209	REP-P	04-15-107	296-62-07505	REP-P	04-15-107
296-62	PREP	04-09-097	296-62-07210	REP-P	04-15-107	296-62-07507	REP-P	04-15-107
296-62-052	REP	04-10-026	296-62-07212	REP-P	04-15-107	296-62-07507	REP-P	04-15-107
296-62-05201	REP	04-10-026	296-62-07213	REP-P	04-15-107	296-62-07509	REP-P	04-15-107
296-62-05203	REP	04-10-026	296-62-07214	REP-P	04-15-107	296-62-07510	REP-P	04-15-107
296-62-05205	REP	04-10-026	296-62-07217	REP-P	04-15-107	296-62-07511	REP-P	04-15-107
296-62-05207	REP	04-10-026	296-62-07218	REP-P	04-15-107	296-62-07513	REP-P	04-15-107
296-62-05209	REP	04-10-026	296-62-07219	REP-P	04-15-107	296-62-07515	REP-P	04-15-107
296-62-05213	REP	04-10-026	296-62-07222	REP-P	04-15-107	296-62-07521	AMD	04-10-026
296-62-05215	REP	04-10-026	296-62-07223	REP-P	04-15-107	296-62-07523	AMD-P	04-15-106
296-62-05217	REP	04-10-026	296-62-07224	REP-P	04-15-107	296-62-07540	AMD	04-10-026
296-62-05219	REP	04-10-026	296-62-07225	REP-P	04-15-107	296-62-07631	AMD	04-10-026
296-62-05221	REP	04-10-026	296-62-07225	REP-P	04-15-107	296-62-07727	AMD	04-10-026
296-62-05221	REP	04-10-026	296-62-07230	REP-P	04-15-107	296-62-08001	REP-P	04-15-107
296-62-05223	REP	04-10-026	296-62-07231	REP-P	04-15-107	296-62-08050	REP-P	04-15-107
296-62-05305	AMD-P	04-07-159	296-62-07233	REP-P	04-15-107	296-62-09015	REP-P	04-15-107
296-62-05305	AMD	04-14-026	296-62-07234	REP-P	04-15-107	296-62-09017	REP-P	04-15-107
296-62-071	REP-P	04-15-107	296-62-07235	REP-P	04-15-107	296-62-09019	REP-P	04-15-107
296-62-07101	REP-P	04-15-107	296-62-07236	REP-P	04-15-107	296-62-09021	REP-P	04-15-107
296-62-07102	REP-P	04-15-107	296-62-07238	REP-P	04-15-107	296-62-09023	REP-P	04-15-107
296-62-07103	REP-P	04-15-107	296-62-07239	REP-P	04-15-107	296-62-09024	REP-P	04-15-107
296-62-07105	REP-P	04-15-107	296-62-07240	REP-P	04-15-107	296-62-09025	REP-P	04-15-107
296-62-07107	REP-P	04-15-107	296-62-07242	REP-P	04-15-107	296-62-09026	REP-P	04-15-107
296-62-07109	REP-P	04-15-107	296-62-07243	REP-P	04-15-107	296-62-09027	REP-P	04-15-107
296-62-07111	REP-P	04-15-107	296-62-07245	REP-P	04-15-107	296-62-09029	REP-P	04-15-107

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296-62-09033	REP-P	04-15-107	296-62-3040	REP-P	04-15-107	296-62-31445	REP-P	04-15-107
296-62-09035	REP-P	04-15-107	296-62-30405	REP-P	04-15-107	296-62-31450	REP-P	04-15-107
296-62-09037	REP-P	04-15-107	296-62-30410	REP-P	04-15-107	296-62-31455	REP-P	04-15-107
296-62-09039	REP-P	04-15-107	296-62-30415	REP-P	04-15-107	296-62-31460	REP-P	04-15-107
296-62-09041	AMD	04-10-026	296-62-30420	REP-P	04-15-107	296-62-31465	REP-P	04-15-107
296-62-09041	REP-P	04-15-107	296-62-30425	REP-P	04-15-107	296-62-31470	REP-P	04-15-107
296-62-09043	REP-P	04-15-107	296-62-30430	REP-P	04-15-107	296-62-3152	REP-P	04-15-107
296-62-09045	REP-P	04-15-107	296-62-30435	REP-P	04-15-107	296-62-3160	REP-P	04-15-107
296-62-09047	REP-P	04-15-107	296-62-30440	REP-P	04-15-107	296-62-3170	REP-P	04-15-107
296-62-09049	REP-P	04-15-107	296-62-30445	REP-P	04-15-107	296-62-3180	REP-P	04-15-107
296-62-09051	REP-P	04-15-107	296-62-30450	REP-P	04-15-107	296-62-3190	REP-P	04-15-107
296-62-09053	REP-P	04-15-107	296-62-30455	REP-P	04-15-107	296-62-3195	REP-P	04-15-107
296-62-09055	REP-P	04-15-107	296-62-30460	REP-P	04-15-107	296-62-40019	AMD	04-10-026
296-62-141	AMD	04-03-081	296-62-30465	REP-P	04-15-107	296-65	PREP	04-05-073
296-62-141	REP-P	04-15-107	296-62-3050	REP-P	04-15-107	296-78-540	AMD	04-07-160
296-62-14100	REP-P	04-15-107	296-62-30505	REP-P	04-15-107	296-78-56511	AMD-P	04-03-085
296-62-14105	REP-P	04-15-107	296-62-30510	REP-P	04-15-107	296-78-56511	AMD	04-14-028
296-62-14110	REP-P	04-15-107	296-62-30515	REP-P	04-15-107	296-78-590	AMD-P	04-03-085
296-62-14115	REP-P	04-15-107	296-62-30520	REP-P	04-15-107	296-78-590	AMD	04-14-028
296-62-14120	REP-P	04-15-107	296-62-30525	REP-P	04-15-107	296-78-605	AMD-P	04-03-085
296-62-14125	REP-P	04-15-107	296-62-30530	REP-P	04-15-107	296-78-605	AMD	04-14-028
296-62-14130	REP-P	04-15-107	296-62-30535	REP-P	04-15-107	296-78-615	AMD-P	04-03-085
296-62-14135	REP-P	04-15-107	296-62-3060	REP-P	04-15-107	296-78-615	AMD	04-14-028
296-62-14140	REP-P	04-15-107	296-62-30605	REP-P	04-15-107	296-78-650	AMD-P	04-03-085
296-62-14145	REP-P	04-15-107	296-62-30610	REP-P	04-15-107	296-78-650	AMD	04-14-028
296-62-14150	REP-P	04-15-107	296-62-30615	REP-P	04-15-107	296-78-660	AMD-P	04-03-085
296-62-14155	REP-P	04-15-107	296-62-3070	REP-P	04-15-107	296-78-660	AMD	04-14-028
296-62-14170	REP-P	04-15-107	296-62-30705	REP-P	04-15-107	296-78-665	AMD-P	04-03-085
296-62-14171	REP-P	04-15-107	296-62-30710	REP-P	04-15-107	296-78-665	AMD	04-14-028
296-62-14172	REP-P	04-15-107	296-62-30715	REP-P	04-15-107	296-78-690	AMD-P	04-03-085
296-62-14173	REP-P	04-15-107	296-62-3080	REP-P	04-15-107	296-78-690	AMD	04-14-028
296-62-14174	REP-P	04-15-107	296-62-3090	REP-P	04-15-107	296-78-70503	AMD-P	04-03-085
296-62-14175	REP-P	04-15-107	296-62-30905	REP-P	04-15-107	296-78-70503	AMD	04-14-028
296-62-14176	REP-P	04-15-107	296-62-30910	REP-P	04-15-107	296-78-710	PREP	04-06-078
296-62-14533	AMD	04-10-026	296-62-30915	REP-P	04-15-107	296-78-710	PREP-W	04-18-044
296-62-20023	AMD	04-10-026	296-62-30920	REP-P	04-15-107	296-78-71001	AMD-X	04-12-069
296-62-300	AMD	04-02-053	296-62-30925	REP-P	04-15-107	296-78-71001	AMD	04-18-080
296-62-300	REP-P	04-15-107	296-62-30930	REP-P	04-15-107	296-78-71007	AMD-P	04-03-085
296-62-30001	REP-P	04-15-107	296-62-30935	REP-P	04-15-107	296-78-71007	AMD	04-14-028
296-62-30003	REP-P	04-15-107	296-62-30940	REP-P	04-15-107	296-78-71017	AMD-P	04-03-085
296-62-3010	REP-P	04-15-107	296-62-3100	REP-P	04-15-107	296-78-71017	AMD	04-14-028
296-62-30105	REP-P	04-15-107	296-62-31005	REP-P	04-15-107	296-78-71505	AMD-P	04-03-085
296-62-30110	REP-P	04-15-107	296-62-31110	REP-P	04-15-107	296-78-71505	AMD	04-14-028
296-62-30115	REP-P	04-15-107	296-62-3120	REP-P	04-15-107	296-79-030	AMD-P	04-03-085
296-62-30120	REP-P	04-15-107	296-62-3130	REP-P	04-15-107	296-79-030	AMD	04-14-028
296-62-30125	REP-P	04-15-107	296-62-31305	REP-P	04-15-107	296-79-220	AMD-P	04-03-102
296-62-30130	REP-P	04-15-107	296-62-31310	REP-P	04-15-107	296-79-220	AMD	04-15-105
296-62-30135	REP-P	04-15-107	296-62-31315	REP-P	04-15-107	296-96-00500	AMD-P	04-08-087
296-62-30140	REP-P	04-15-107	296-62-31320	REP-P	04-15-107	296-96-00500	AMD	04-12-047
296-62-30145	REP-P	04-15-107	296-62-31325	REP-P	04-15-107	296-96-00600	AMD-P	04-08-087
296-62-3020	REP-P	04-15-107	296-62-31330	REP-P	04-15-107	296-96-00600	AMD	04-12-047
296-62-30205	REP-P	04-15-107	296-62-31335	REP-P	04-15-107	296-96-00650	AMD-P	04-08-087
296-62-30210	REP-P	04-15-107	296-62-3138	REP-P	04-15-107	296-96-00650	AMD	04-12-047
296-62-30215	REP-P	04-15-107	296-62-3140	REP-P	04-15-107	296-96-00700	AMD-P	04-08-087
296-62-30220	REP-P	04-15-107	296-62-31405	REP-P	04-15-107	296-96-00700	AMD	04-12-047
296-62-30225	REP-P	04-15-107	296-62-31410	REP-P	04-15-107	296-96-00800	AMD-P	04-08-087
296-62-30230	REP-P	04-15-107	296-62-31415	REP-P	04-15-107	296-96-00800	AMD	04-12-047
296-62-30235	REP-P	04-15-107	296-62-31420	REP-P	04-15-107	296-96-00805	NEW-P	04-08-087
296-62-3030	REP-P	04-15-107	296-62-31425	REP-P	04-15-107	296-96-00805	NEW	04-12-047
296-62-30305	REP-P	04-15-107	296-62-31430	REP-P	04-15-107	296-96-00900	NEW-P	04-08-087
296-62-30310	REP-P	04-15-107	296-62-31435	REP-P	04-15-107	296-96-00900	NEW	04-12-047

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296-96-00902	NEW	04-12-047	296-96-02277	AMD	04-12-047	296-96-05160	AMD	04-12-047
296-96-00903	NEW-P	04-08-087	296-96-02278	AMD-P	04-08-087	296-96-05170	AMD-P	04-08-087
296-96-00903	NEW	04-12-047	296-96-02278	AMD	04-12-047	296-96-05170	AMD	04-12-047
296-96-00904	NEW-P	04-08-087	296-96-02280	AMD-P	04-08-087	296-96-05230	AMD-P	04-08-087
296-96-00904	NEW	04-12-047	296-96-02280	AMD	04-12-047	296-96-05230	AMD	04-12-047
296-96-00906	NEW-P	04-08-087	296-96-02281	AMD-P	04-08-087	296-96-05290	AMD-P	04-08-087
296-96-00906	NEW	04-12-047	296-96-02281	AMD	04-12-047	296-96-05290	AMD	04-12-047
296-96-00910	NEW-P	04-08-087	296-96-02282	NEW-P	04-08-087	296-96-07010	AMD-P	04-08-087
296-96-00910	NEW	04-12-047	296-96-02282	NEW	04-12-047	296-96-07010	AMD	04-12-047
296-96-00912	NEW-P	04-08-087	296-96-02283	NEW-P	04-08-087	296-96-07021	NEW-P	04-08-087
296-96-00912	NEW	04-12-047	296-96-02283	NEW	04-12-047	296-96-07021	NEW	04-12-047
296-96-00914	NEW-P	04-08-087	296-96-02285	NEW-P	04-08-087	296-96-07024	NEW-P	04-08-087
296-96-00914	NEW	04-12-047	296-96-02285	NEW	04-12-047	296-96-07024	NEW	04-12-047
296-96-00916	NEW-P	04-08-087	296-96-02290	NEW-P	04-08-087	296-96-07080	AMD-P	04-08-087
296-96-00916	NEW	04-12-047	296-96-02290	NEW	04-12-047	296-96-07080	AMD	04-12-047
296-96-00918	NEW-P	04-08-087	296-96-02310	AMD-P	04-08-087	296-96-07100	AMD-P	04-08-087
296-96-00918	NEW	04-12-047	296-96-02310	AMD	04-12-047	296-96-07100	AMD	04-12-047
296-96-00920	NEW-P	04-08-087	296-96-02315	AMD-P	04-08-087	296-96-07170	AMD-P	04-08-087
296-96-00920	NEW	04-12-047	296-96-02315	AMD	04-12-047	296-96-07170	AMD	04-12-047
296-96-00922	NEW-P	04-08-087	296-96-02317	NEW-P	04-08-087	296-96-07180	AMD-P	04-08-087
296-96-00922	NEW	04-12-047	296-96-02317	NEW	04-12-047	296-96-07180	AMD	04-12-047
296-96-00924	NEW-P	04-08-087	296-96-02318	NEW-P	04-08-087	296-96-07190	AMD-P	04-08-087
296-96-00924	NEW	04-12-047	296-96-02318	NEW	04-12-047	296-96-07190	AMD	04-12-047
296-96-00926	NEW-P	04-08-087	296-96-02320	AMD-P	04-08-087	296-96-07200	AMD-P	04-08-087
296-96-00926	NEW	04-12-047	296-96-02320	AMD	04-12-047	296-96-07200	AMD	04-12-047
296-96-00930	NEW-P	04-08-087	296-96-02325	AMD-P	04-08-087	296-96-07215	NEW-P	04-08-087
296-96-00930	NEW	04-12-047	296-96-02325	AMD	04-12-047	296-96-07215	NEW	04-12-047
296-96-01000	AMD-P	04-08-087	296-96-02330	AMD-P	04-08-087	296-96-07230	AMD-P	04-08-087
296-96-01000	AMD	04-12-047	296-96-02330	AMD	04-12-047	296-96-07230	AMD	04-12-047
296-96-01005	AMD-P	04-08-087	296-96-02340	AMD-P	04-08-087	296-96-07250	AMD-P	04-08-087
296-96-01005	AMD	04-12-047	296-96-02340	AMD	04-12-047	296-96-07250	AMD	04-12-047
296-96-01006	NEW-P	04-08-087	296-96-02350	AMD-P	04-08-087	296-96-08010	AMD-P	04-08-087
296-96-01006	NEW	04-12-047	296-96-02350	AMD	04-12-047	296-96-08010	AMD	04-12-047
296-96-01007	NEW-P	04-08-087	296-96-02355	AMD-P	04-11-063	296-96-08020	AMD-P	04-08-087
296-96-01007	NEW	04-12-047	296-96-02355	AMD	04-15-104	296-96-08020	AMD	04-12-047
296-96-01009	NEW-P	04-08-087	296-96-02360	AMD-P	04-08-087	296-96-08022	NEW-P	04-08-087
296-96-01009	NEW	04-12-047	296-96-02360	AMD	04-12-047	296-96-08022	NEW	04-12-047
296-96-01010	AMD-P	04-08-087	296-96-02361	NEW-P	04-08-087	296-96-08024	NEW-P	04-08-087
296-96-01010	AMD	04-12-047	296-96-02361	NEW	04-12-047	296-96-08024	NEW	04-12-047
296-96-01027	AMD-P	04-08-087	296-96-02362	NEW-P	04-08-087	296-96-08030	AMD-P	04-08-087
296-96-01027	AMD	04-12-047	296-96-02362	NEW	04-12-047	296-96-08030	AMD	04-12-047
296-96-01035	AMD-P	04-08-087	296-96-02363	NEW-P	04-08-087	296-96-08050	AMD-P	04-08-087
296-96-01035	AMD	04-12-047	296-96-02363	NEW	04-12-047	296-96-08050	AMD	04-12-047
296-96-01070	AMD-P	04-08-087	296-96-02364	NEW-P	04-08-087	296-96-08060	AMD-P	04-08-087
296-96-01070	AMD	04-12-047	296-96-02364	NEW	04-12-047	296-96-08060	AMD	04-12-047
296-96-01075	NEW-P	04-08-087	296-96-02365	REP-P	04-08-087	296-96-08090	AMD-P	04-08-087
296-96-01075	NEW	04-12-047	296-96-02365	REP	04-12-047	296-96-08090	AMD	04-12-047
296-96-01080	REP-P	04-08-087	296-96-02366	NEW-P	04-08-087	296-96-08100	AMD-P	04-08-087
296-96-01080	REP	04-12-047	296-96-02366	NEW	04-12-047	296-96-08100	AMD	04-12-047
296-96-02230	NEW-P	04-08-087	296-96-02367	NEW-P	04-08-087	296-96-08110	AMD-P	04-08-087
296-96-02230	NEW	04-12-047	296-96-02367	NEW	04-12-047	296-96-08110	AMD	04-12-047
296-96-02232	NEW-P	04-08-087	296-96-02370	NEW-P	04-08-087	296-96-08140	AMD-P	04-08-087
296-96-02232	NEW	04-12-047	296-96-02370	NEW	04-12-047	296-96-08140	AMD	04-12-047
296-96-02235	NEW-P	04-08-087	296-96-02371	NEW-P	04-08-087	296-96-08150	AMD-P	04-08-087
296-96-02235	NEW	04-12-047	296-96-02371	NEW	04-12-047	296-96-08150	AMD	04-12-047
296-96-02240	AMD-P	04-08-087	296-96-05010	AMD-P	04-08-087	296-96-08160	AMD-P	04-08-087
296-96-02240	AMD	04-12-047	296-96-05010	AMD	04-12-047	296-96-08160	AMD	04-12-047
296-96-02275	AMD-P	04-08-087	296-96-05030	AMD-P	04-08-087	296-96-08170	AMD-P	04-08-087
296-96-02275	AMD	04-12-047	296-96-05030	AMD	04-12-047	296-96-08170	AMD	04-12-047
296-96-02276	NEW-P	04-08-087	296-96-05070	AMD-P	04-08-087	296-96-08175	AMD-P	04-08-087
296-96-02276	NEW	04-12-047	296-96-05070	AMD	04-12-047	296-96-08175	AMD	04-12-047

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-96-08180	AMD-P	04-08-087	296-96-13161	NEW-P	04-08-087	296-127	PREP	04-06-063
296-96-08180	AMD	04-12-047	296-96-13161	NEW	04-12-047	296-127-011	AMD-X	04-03-083
296-96-08190	AMD-P	04-08-087	296-96-13167	NEW-P	04-08-087	296-127-011	AMD	04-10-083
296-96-08190	AMD	04-12-047	296-96-13167	NEW	04-12-047	296-127-01377	AMD-P	04-12-068
296-96-08200	AMD-P	04-08-087	296-96-13169	NEW-P	04-08-087	296-127-01377	AMD	04-16-094
296-96-08200	AMD	04-12-047	296-96-13169	NEW	04-12-047	296-150C	PREP	04-13-132
296-96-08215	NEW-P	04-08-087	296-96-13171	NEW-P	04-08-087	296-150C-3000	AMD-P	04-08-092
296-96-08215	NEW	04-12-047	296-96-13171	NEW	04-12-047	296-150C-3000	AMD	04-12-048
296-96-08220	AMD-P	04-08-087	296-96-14045	AMD-P	04-08-087	296-150F	PREP	04-13-132
296-96-08220	AMD	04-12-047	296-96-14045	AMD	04-12-047	296-150F-3000	AMD-P	04-08-092
296-96-08230	AMD-P	04-08-087	296-96-14060	AMD-P	04-08-087	296-150F-3000	AMD	04-12-048
296-96-08230	AMD	04-12-047	296-96-14060	AMD	04-12-047	296-150M	PREP	04-13-132
296-96-08250	AMD-P	04-08-087	296-96-14070	AMD-P	04-08-087	296-150M-3000	AMD-P	04-08-092
296-96-08250	AMD	04-12-047	296-96-14070	AMD	04-12-047	296-150M-3000	AMD	04-12-048
296-96-09002	AMD-P	04-08-087	296-96-14080	AMD-P	04-08-087	296-150P	PREP	04-13-132
296-96-09002	AMD	04-12-047	296-96-14080	AMD	04-12-047	296-150P-3000	AMD-P	04-08-092
296-96-09003	NEW-P	04-08-087	296-96-16040	AMD-P	04-08-087	296-150P-3000	AMD	04-12-048
296-96-09003	NEW	04-12-047	296-96-16040	AMD	04-12-047	296-150R	PREP	04-13-132
296-96-09004	NEW-P	04-08-087	296-96-16150	AMD-P	04-08-087	296-150R-3000	AMD-P	04-08-092
296-96-09004	NEW	04-12-047	296-96-16150	AMD	04-12-047	296-150R-3000	AMD	04-12-048
296-96-10002	NEW-P	04-08-087	296-96-23100	AMD-P	04-08-087	296-150T	PREP	04-13-132
296-96-10002	NEW	04-12-047	296-96-23100	AMD	04-12-047	296-150T-3000	AMD-P	04-08-092
296-96-11000	REP-P	04-08-087	296-96-23101	AMD-P	04-08-087	296-150T-3000	AMD	04-12-048
296-96-11000	REP	04-12-047	296-96-23101	AMD	04-12-047	296-150V	PREP	04-13-132
296-96-11001	AMD-P	04-08-087	296-96-23117	NEW-P	04-08-087	296-150V-3000	AMD-P	04-08-092
296-96-11001	AMD	04-12-047	296-96-23117	NEW	04-12-047	296-150V-3000	AMD	04-12-048
296-96-11016	AMD-P	04-08-087	296-96-23118	NEW-P	04-08-087	296-155	PREP	04-03-084
296-96-11016	AMD	04-12-047	296-96-23118	NEW	04-12-047	296-155	PREP	04-05-074
296-96-11019	AMD-P	04-08-087	296-96-23119	NEW-P	04-08-087	296-155	PREP	04-11-062
296-96-11019	AMD	04-12-047	296-96-23119	NEW	04-12-047	296-155-120	AMD	04-07-160
296-96-11022	AMD-P	04-08-087	296-96-23151	AMD-P	04-08-087	296-155-165	AMD-P	04-14-083
296-96-11022	AMD	04-12-047	296-96-23151	AMD	04-12-047	296-155-17331	AMD	04-10-026
296-96-11045	AMD-P	04-08-087	296-96-23240	AMD-P	04-08-087	296-155-174	AMD	04-10-026
296-96-11045	AMD	04-12-047	296-96-23240	AMD	04-12-047	296-155-200	AMD-P	04-14-083
296-96-11057	AMD-P	04-08-087	296-96-23270	AMD-P	04-08-087	296-155-300	REP-X	04-12-069
296-96-11057	AMD	04-12-047	296-96-23270	AMD	04-12-047	296-155-300	AMD-P	04-14-083
296-96-11078	AMD-P	04-08-087	296-96-23287	AMD-P	04-08-087	296-155-300	REP	04-18-080
296-96-11078	AMD	04-12-047	296-96-23287	AMD	04-12-047	296-155-305	AMD-P	04-14-083
296-96-11080	NEW-P	04-08-087	296-96-23303	NEW-P	04-11-063	296-155-310	AMD-P	04-14-083
296-96-11080	NEW	04-12-047	296-96-23303	NEW	04-15-104	296-155-315	AMD-P	04-14-083
296-96-13135	NEW-P	04-08-087	296-96-23610	AMD-P	04-08-087	296-155-429	AMD-P	04-03-102
296-96-13135	NEW	04-12-047	296-96-23610	AMD	04-12-047	296-155-429	AMD	04-15-105
296-96-13139	NEW-P	04-08-087	296-104	PREP	04-08-114	296-155-481	REP-P	04-14-027
296-96-13139	NEW	04-12-047	296-104-010	AMD-P	04-17-100	296-155-482	REP-P	04-14-027
296-96-13143	NEW-P	04-08-087	296-104-050	AMD-P	04-17-100	296-155-483	REP-P	04-14-027
296-96-13143	NEW	04-12-047	296-104-100	AMD-P	04-17-100	296-155-484	REP-P	04-14-027
296-96-13145	NEW-P	04-08-087	296-104-102	AMD-P	04-17-100	296-155-485	REP-P	04-14-027
296-96-13145	NEW	04-12-047	296-104-140	AMD-P	04-17-100	296-155-487	AMD-P	04-03-085
296-96-13147	NEW-P	04-08-087	296-104-200	AMD-P	04-17-100	296-155-487	REP-P	04-14-027
296-96-13147	NEW	04-12-047	296-104-300	AMD-P	04-17-100	296-155-487	AMD	04-14-028
296-96-13149	NEW-P	04-08-087	296-104-301	NEW-P	04-17-100	296-155-488	AMD-P	04-03-085
296-96-13149	NEW	04-12-047	296-104-302	NEW-P	04-17-100	296-155-488	REP-P	04-14-027
296-96-13151	NEW-P	04-08-087	296-104-303	NEW-P	04-17-100	296-155-488	AMD	04-14-028
296-96-13151	NEW	04-12-047	296-104-405	AMD-P	04-17-100	296-155-489	REP-P	04-14-027
296-96-13153	NEW-P	04-08-087	296-104-502	AMD-P	04-17-100	296-155-490	REP-P	04-14-027
296-96-13153	NEW	04-12-047	296-104-520	AMD-P	04-17-100	296-155-493	REP-P	04-14-027
296-96-13155	NEW-P	04-08-087	296-104-700	AMD-P	04-08-115	296-155-494	REP-P	04-14-027
296-96-13155	NEW	04-12-047	296-104-700	AMD	04-13-044	296-155-496	REP-P	04-14-027
296-96-13157	NEW-P	04-08-087	296-104-700	AMD-P	04-17-100	296-155-497	REP-P	04-14-027
296-96-13157	NEW	04-12-047	296-104-701	AMD-P	04-17-100	296-155-498	REP-P	04-14-027
296-96-13159	NEW-P	04-08-087	296-115-050	AMD-P	04-03-085	296-155-525	AMD-P	04-03-085
296-96-13159	NEW	04-12-047	296-115-050	AMD	04-14-028	296-155-525	AMD	04-14-028

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-155-575	REP	04-09-099	296-302-040	REP-P	04-03-085	296-307-03925	REP	04-07-160
296-155-576	REP	04-09-099	296-302-040	REP	04-14-028	296-307-061	AMD-P	04-15-107
296-155-610	AMD-E	04-10-107	296-302-045	REP-P	04-03-085	296-307-07013	AMD-P	04-15-107
296-155-610	AMD-P	04-14-083	296-302-045	REP	04-14-028	296-307-11015	AMD-P	04-15-107
296-155-610	AMD-E	04-19-013	296-302-050	REP-P	04-03-085	296-307-13045	AMD-P	04-15-107
296-155-615	AMD-P	04-14-083	296-302-050	REP	04-14-028	296-307-14505	AMD-X	04-07-162
296-155-617	PREP	04-07-154	296-302-05501	REP-P	04-03-085	296-307-14505	AMD	04-13-129
296-155-617	REP-P	04-12-071	296-302-05501	REP	04-14-028	296-307-14510	AMD-X	04-07-162
296-155-61701	REP-P	04-12-071	296-302-05503	REP-P	04-03-085	296-307-14510	AMD	04-13-129
296-155-61703	REP-P	04-12-071	296-302-05503	REP	04-14-028	296-307-16340	AMD-P	04-15-107
296-155-61705	REP-P	04-12-071	296-302-060	REP-P	04-03-085	296-307-45010	AMD-P	04-15-107
296-155-61707	REP-P	04-12-071	296-302-060	REP	04-14-028	296-307-45035	AMD-P	04-15-107
296-155-61709	REP-P	04-12-071	296-302-065	REP-P	04-03-085	296-307-45045	AMD-P	04-15-107
296-155-61711	REP-P	04-12-071	296-302-065	REP	04-14-028	296-307-452	REP-P	04-15-107
296-155-61713	REP-P	04-12-071	296-302-06501	REP-P	04-03-085	296-307-45210	REP-P	04-15-107
296-155-655	AMD-P	04-14-083	296-302-06501	REP	04-14-028	296-307-45220	REP-P	04-15-107
296-155-682	AMD-P	04-03-085	296-302-06503	REP-P	04-03-085	296-307-45230	REP-P	04-15-107
296-155-682	AMD	04-14-028	296-302-06503	REP	04-14-028	296-307-45240	REP-P	04-15-107
296-200A-900	AMD-P	04-08-092	296-302-06505	REP-P	04-03-085	296-307-45400	REP-P	04-15-107
296-200A-900	AMD	04-12-048	296-302-06505	REP	04-14-028	296-307-45410	REP-P	04-15-107
296-301-020	AMD-P	04-03-085	296-302-06507	REP-P	04-03-085	296-307-45420	REP-P	04-15-107
296-301-020	PREP	04-06-078	296-302-06507	REP	04-14-028	296-307-45430	REP-P	04-15-107
296-301-020	AMD-X	04-12-069	296-302-06509	REP-P	04-03-085	296-307-45440	REP-P	04-15-107
296-301-020	AMD	04-14-028	296-302-06509	REP	04-14-028	296-307-45450	REP-P	04-15-107
296-301-020	PREP-W	04-18-044	296-302-06511	REP-P	04-03-085	296-307-45600	REP-P	04-15-107
296-301-020	AMD	04-18-080	296-302-06511	REP	04-14-028	296-307-45610	REP-P	04-15-107
296-301-170	AMD-P	04-03-085	296-302-06513	REP-P	04-03-085	296-307-45620	REP-P	04-15-107
296-301-170	AMD	04-14-028	296-302-06513	REP	04-14-028	296-307-45800	REP-P	04-15-107
296-302-010	REP-P	04-03-085	296-302-06515	REP-P	04-03-085	296-307-46000	REP-P	04-15-107
296-302-010	REP	04-14-028	296-302-06515	REP	04-14-028	296-307-50025	AMD-P	04-15-107
296-302-015	REP-P	04-03-085	296-302-06517	REP-P	04-03-085	296-307-50029	AMD-P	04-15-107
296-302-015	REP	04-14-028	296-302-06517	REP	04-14-028	296-307-550	AMD-P	04-15-107
296-302-020	REP-P	04-03-085	296-302-06519	REP-P	04-03-085	296-307-55015	AMD-P	04-15-107
296-302-020	REP	04-14-028	296-302-06519	REP	04-14-028	296-307-55030	AMD-P	04-15-107
296-302-025	REP-P	04-03-085	296-302-06521	REP-P	04-03-085	296-307-55035	AMD-P	04-15-107
296-302-025	REP	04-14-028	296-302-06521	REP	04-14-028	296-307-55060	AMD-P	04-15-107
296-302-02501	REP-P	04-03-085	296-302-06523	REP-P	04-03-085	296-307-560	AMD-P	04-15-107
296-302-02501	REP	04-14-028	296-302-06523	REP	04-14-028	296-307-56025	AMD-P	04-15-107
296-302-02503	REP-P	04-03-085	296-302-06525	REP-P	04-03-085	296-307-56050	AMD-P	04-15-107
296-302-02503	REP	04-14-028	296-302-06525	REP	04-14-028	296-307-594	NEW-P	04-15-107
296-302-02505	REP-P	04-03-085	296-302-06527	REP-P	04-03-085	296-307-596	NEW-P	04-15-107
296-302-02505	REP	04-14-028	296-302-06527	REP	04-14-028	296-307-59605	NEW-P	04-15-107
296-302-02507	REP-P	04-03-085	296-302-06529	REP-P	04-03-085	296-307-598	NEW-P	04-15-107
296-302-02507	REP	04-14-028	296-302-06529	REP	04-14-028	296-307-59805	NEW-P	04-15-107
296-302-02509	REP-P	04-03-085	296-302-06531	REP-P	04-03-085	296-307-59810	NEW-P	04-15-107
296-302-02509	REP	04-14-028	296-302-06531	REP	04-14-028	296-307-600	NEW-P	04-15-107
296-302-02511	REP-P	04-03-085	296-303-030	AMD-P	04-03-085	296-307-60005	NEW-P	04-15-107
296-302-02511	REP	04-14-028	296-303-030	AMD	04-14-028	296-307-60010	NEW-P	04-15-107
296-302-02513	REP-P	04-03-085	296-305-01515	AMD	04-07-160	296-307-602	NEW-P	04-15-107
296-302-02513	REP	04-14-028	296-305-02501	AMD	04-10-026	296-307-60205	NEW-P	04-15-107
296-302-02515	REP-P	04-03-085	296-305-04501	PREP	04-08-090	296-307-604	NEW-P	04-15-107
296-302-02515	REP	04-14-028	296-305-04501	PREP	04-11-062	296-307-60405	NEW-P	04-15-107
296-302-02517	REP-P	04-03-085	296-305-06519	AMD-P	04-03-085	296-307-606	NEW-P	04-15-107
296-302-02517	REP	04-14-028	296-305-06519	AMD	04-14-028	296-307-60605	NEW-P	04-15-107
296-302-02519	REP-P	04-03-085	296-307	PREP	04-09-097	296-307-608	NEW-P	04-15-107
296-302-02519	REP	04-14-028	296-307-018	AMD-P	04-15-107	296-307-60805	NEW-P	04-15-107
296-302-03001	REP-P	04-03-085	296-307-039	AMD	04-07-160	296-307-610	NEW-P	04-15-107
296-302-03001	REP	04-14-028	296-307-039	AMD-P	04-15-107	296-307-61005	NEW-P	04-15-107
296-302-03003	REP-P	04-03-085	296-307-03905	AMD	04-07-160	296-307-61010	NEW-P	04-15-107
296-302-03003	REP	04-14-028	296-307-03910	REP	04-07-160	296-307-61015	NEW-P	04-15-107
296-302-035	REP-P	04-03-085	296-307-03915	REP	04-07-160	296-307-612	NEW-P	04-15-107
296-302-035	REP	04-14-028	296-307-03920	AMD-P	04-15-107	296-307-61205	NEW-P	04-15-107

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-307-61210	NEW-P	04-15-107	296-307-64804	NEW-P	04-15-107	296-307-70425	NEW-P	04-15-107
296-307-614	NEW-P	04-15-107	296-307-650	NEW-P	04-15-107	296-307-70430	NEW-P	04-15-107
296-307-61405	NEW-P	04-15-107	296-307-65002	NEW-P	04-15-107	296-307-70435	NEW-P	04-15-107
296-307-616	NEW-P	04-15-107	296-307-65004	NEW-P	04-15-107	296-307-70440	NEW-P	04-15-107
296-307-61605	NEW-P	04-15-107	296-307-65006	NEW-P	04-15-107	296-307-70445	NEW-P	04-15-107
296-307-61610	NEW-P	04-15-107	296-307-65008	NEW-P	04-15-107	296-307-70450	NEW-P	04-15-107
296-307-61615	NEW-P	04-15-107	296-307-65010	NEW-P	04-15-107	296-307-70455	NEW-P	04-15-107
296-307-618	NEW-P	04-15-107	296-307-65012	NEW-P	04-15-107	296-307-70460	NEW-P	04-15-107
296-307-61805	NEW-P	04-15-107	296-307-65014	NEW-P	04-15-107	296-307-70465	NEW-P	04-15-107
296-307-620	NEW-P	04-15-107	296-307-65016	NEW-P	04-15-107	296-307-70470	NEW-P	04-15-107
296-307-62005	NEW-P	04-15-107	296-307-65018	NEW-P	04-15-107	296-307-70475	NEW-P	04-15-107
296-307-62010	NEW-P	04-15-107	296-307-65020	NEW-P	04-15-107	296-307-70480	NEW-P	04-15-107
296-307-62015	NEW-P	04-15-107	296-307-65022	NEW-P	04-15-107	296-400A	PREP	04-16-093
296-307-62020	NEW-P	04-15-107	296-307-65024	NEW-P	04-15-107	296-400A-005	AMD-P	04-08-089
296-307-622	NEW-P	04-15-107	296-307-652	NEW-P	04-15-107	296-400A-005	AMD	04-12-046
296-307-624	NEW-P	04-15-107	296-307-65202	NEW-P	04-15-107	296-400A-020	AMD-P	04-08-089
296-307-626	NEW-P	04-15-107	296-307-65204	NEW-P	04-15-107	296-400A-020	AMD	04-12-046
296-307-62605	NEW-P	04-15-107	296-307-654	NEW-P	04-15-107	296-400A-021	AMD-P	04-08-089
296-307-62610	NEW-P	04-15-107	296-307-65402	NEW-P	04-15-107	296-400A-021	AMD	04-12-046
296-307-62615	NEW-P	04-15-107	296-307-65404	NEW-P	04-15-107	296-400A-023	NEW-P	04-08-089
296-307-62620	NEW-P	04-15-107	296-307-656	NEW-P	04-15-107	296-400A-023	NEW	04-12-046
296-307-62625	NEW-P	04-15-107	296-307-686	NEW-P	04-15-107	296-400A-026	AMD-P	04-08-089
296-307-628	NEW-P	04-15-107	296-307-688	NEW-P	04-15-107	296-400A-026	AMD	04-12-046
296-307-630	NEW-P	04-15-107	296-307-68805	NEW-P	04-15-107	296-400A-028	NEW-P	04-08-089
296-307-632	NEW-P	04-15-107	296-307-68810	NEW-P	04-15-107	296-400A-028	NEW	04-12-046
296-307-63205	NEW-P	04-15-107	296-307-690	NEW-P	04-15-107	296-400A-029	NEW-P	04-08-089
296-307-63210	NEW-P	04-15-107	296-307-69005	NEW-P	04-15-107	296-400A-029	NEW	04-12-046
296-307-63215	NEW-P	04-15-107	296-307-69010	NEW-P	04-15-107	296-400A-030	AMD-P	04-08-089
296-307-63220	NEW-P	04-15-107	296-307-69015	NEW-P	04-15-107	296-400A-030	AMD	04-12-046
296-307-63225	NEW-P	04-15-107	296-307-692	NEW-P	04-15-107	296-400A-031	AMD-P	04-08-089
296-307-63230	NEW-P	04-15-107	296-307-69205	NEW-P	04-15-107	296-400A-031	AMD	04-12-046
296-307-63235	NEW-P	04-15-107	296-307-69210	NEW-P	04-15-107	296-400A-035	AMD-P	04-08-089
296-307-63240	NEW-P	04-15-107	296-307-694	NEW-P	04-15-107	296-400A-035	AMD	04-12-046
296-307-634	NEW-P	04-15-107	296-307-69405	NEW-P	04-15-107	296-400A-045	AMD-P	04-08-089
296-307-63405	NEW-P	04-15-107	296-307-69410	NEW-P	04-15-107	296-400A-045	AMD	04-12-046
296-307-63410	NEW-P	04-15-107	296-307-69415	NEW-P	04-15-107	296-400A-120	AMD-P	04-08-089
296-307-63415	NEW-P	04-15-107	296-307-69420	NEW-P	04-15-107	296-400A-120	AMD	04-12-046
296-307-636	NEW-P	04-15-107	296-307-69425	NEW-P	04-15-107	296-400A-121	AMD-P	04-08-089
296-307-63605	NEW-P	04-15-107	296-307-69430	NEW-P	04-15-107	296-400A-121	AMD	04-12-046
296-307-63610	NEW-P	04-15-107	296-307-69435	NEW-P	04-15-107	296-400A-122	AMD-P	04-08-089
296-307-63615	NEW-P	04-15-107	296-307-69440	NEW-P	04-15-107	296-400A-122	AMD	04-12-046
296-307-63620	NEW-P	04-15-107	296-307-696	NEW-P	04-15-107	296-400A-130	AMD-P	04-08-089
296-307-63625	NEW-P	04-15-107	296-307-69605	NEW-P	04-15-107	296-400A-130	AMD	04-12-046
296-307-63630	NEW-P	04-15-107	296-307-69610	NEW-P	04-15-107	296-400A-135	NEW-P	04-08-089
296-307-63635	NEW-P	04-15-107	296-307-69615	NEW-P	04-15-107	296-400A-135	NEW	04-12-046
296-307-638	NEW-P	04-15-107	296-307-69620	NEW-P	04-15-107	296-400A-140	AMD-P	04-08-089
296-307-63805	NEW-P	04-15-107	296-307-69625	NEW-P	04-15-107	296-400A-140	AMD	04-12-046
296-307-63810	NEW-P	04-15-107	296-307-69630	NEW-P	04-15-107	296-400A-150	NEW-P	04-08-089
296-307-63815	NEW-P	04-15-107	296-307-698	NEW-P	04-15-107	296-400A-150	NEW	04-12-046
296-307-63820	NEW-P	04-15-107	296-307-69805	NEW-P	04-15-107	296-400A-155	NEW-P	04-08-089
296-307-63825	NEW-P	04-15-107	296-307-69810	NEW-P	04-15-107	296-400A-155	NEW	04-12-046
296-307-640	NEW-P	04-15-107	296-307-69815	NEW-P	04-15-107	296-400A-300	AMD-P	04-08-089
296-307-642	NEW-P	04-15-107	296-307-69820	NEW-P	04-15-107	296-400A-300	AMD	04-12-046
296-307-644	NEW-P	04-15-107	296-307-69825	NEW-P	04-15-107	296-400A-400	AMD-P	04-08-089
296-307-64402	NEW-P	04-15-107	296-307-69830	NEW-P	04-15-107	296-400A-400	AMD	04-12-046
296-307-64404	NEW-P	04-15-107	296-307-700	NEW-P	04-15-107	296-400A-425	AMD-P	04-08-089
296-307-64406	NEW-P	04-15-107	296-307-70005	NEW-P	04-15-107	296-400A-425	AMD	04-12-046
296-307-646	NEW-P	04-15-107	296-307-702	NEW-P	04-15-107	296-800	PREP	04-07-157
296-307-64602	NEW-P	04-15-107	296-307-704	NEW-P	04-15-107	296-800-11045	PREP	04-06-078
296-307-64604	NEW-P	04-15-107	296-307-70410	NEW-P	04-15-107	296-800-11045	AMD-X	04-12-069
296-307-648	NEW-P	04-15-107	296-307-70415	NEW-P	04-15-107	296-800-11045	PREP-W	04-18-044
296-307-64802	NEW-P	04-15-107	296-307-70420	NEW-P	04-15-107	296-800-11045	AMD	04-18-080

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-800-150	AMD	04-07-160	296-803-50020	NEW	04-15-105	296-806-20024	NEW	04-14-028
296-800-15005	AMD	04-07-160	296-803-50025	NEW-P	04-03-102	296-806-20026	NEW-P	04-03-085
296-800-15010	REP	04-07-160	296-803-50025	NEW	04-15-105	296-806-20026	NEW	04-14-028
296-800-15015	REP	04-07-160	296-803-50030	NEW-P	04-03-102	296-806-20028	NEW-P	04-03-085
296-800-15025	REP	04-07-160	296-803-50030	NEW	04-15-105	296-806-20028	NEW	04-14-028
296-800-17005	AMD	04-10-026	296-803-50035	NEW-P	04-03-102	296-806-20030	NEW-P	04-03-085
296-800-180	AMD	04-10-026	296-803-50035	NEW	04-15-105	296-806-20030	NEW	04-14-028
296-800-310	AMD-W	04-11-058	296-803-50040	NEW-P	04-03-102	296-806-20032	NEW-P	04-03-085
296-800-31010	AMD-W	04-11-058	296-803-50040	NEW	04-15-105	296-806-20032	NEW	04-14-028
296-800-31020	AMD-W	04-11-058	296-803-50045	NEW-P	04-03-102	296-806-20034	NEW-P	04-03-085
296-800-31070	AMD-W	04-11-058	296-803-50045	NEW	04-15-105	296-806-20034	NEW	04-14-028
296-800-35052	PREP	04-06-078	296-803-50050	NEW-P	04-03-102	296-806-20036	NEW-P	04-03-085
296-800-35052	AMD-X	04-12-069	296-803-50050	NEW	04-15-105	296-806-20036	NEW	04-14-028
296-800-35052	PREP-W	04-18-044	296-803-50055	NEW-P	04-03-102	296-806-20038	NEW-P	04-03-085
296-800-35052	AMD	04-18-080	296-803-50055	NEW	04-15-105	296-806-20038	NEW	04-14-028
296-800-370	AMD-W	04-11-058	296-803-50060	NEW-P	04-03-102	296-806-20040	NEW-P	04-03-085
296-802-100	NEW	04-10-026	296-803-50060	NEW	04-15-105	296-806-20040	NEW	04-14-028
296-802-200	NEW	04-10-026	296-803-600	NEW-P	04-03-102	296-806-20042	NEW-P	04-03-085
296-802-20005	NEW	04-10-026	296-803-600	NEW	04-15-105	296-806-20042	NEW	04-14-028
296-802-20010	NEW	04-10-026	296-803-60005	NEW-P	04-03-102	296-806-20044	NEW-P	04-03-085
296-802-20015	NEW	04-10-026	296-803-60005	NEW	04-15-105	296-806-20044	NEW	04-14-028
296-802-300	NEW	04-10-026	296-803-60010	NEW-P	04-03-102	296-806-20046	NEW-P	04-03-085
296-802-30005	NEW	04-10-026	296-803-60010	NEW	04-15-105	296-806-20046	NEW	04-14-028
296-802-400	NEW	04-10-026	296-803-60015	NEW-P	04-03-102	296-806-20048	NEW-P	04-03-085
296-802-40005	NEW	04-10-026	296-803-60015	NEW	04-15-105	296-806-20048	NEW	04-14-028
296-802-40010	NEW	04-10-026	296-803-700	NEW-P	04-03-102	296-806-20050	NEW-P	04-03-085
296-802-40015	NEW	04-10-026	296-803-700	NEW	04-15-105	296-806-20050	NEW	04-14-028
296-802-500	NEW	04-10-026	296-803-70005	NEW-P	04-03-102	296-806-20052	NEW-P	04-03-085
296-802-50005	NEW	04-10-026	296-803-70005	NEW	04-15-105	296-806-20052	NEW	04-14-028
296-802-50010	NEW	04-10-026	296-803-70010	NEW-P	04-03-102	296-806-20054	NEW-P	04-03-085
296-802-600	NEW	04-10-026	296-803-70010	NEW	04-15-105	296-806-20054	NEW	04-14-028
296-802-60005	NEW	04-10-026	296-803-70015	NEW-P	04-03-102	296-806-20056	NEW-P	04-03-085
296-802-900	NEW	04-10-026	296-803-70015	NEW	04-15-105	296-806-20056	NEW	04-14-028
296-803-100	NEW-P	04-03-102	296-803-800	NEW-P	04-03-102	296-806-20058	NEW-P	04-03-085
296-803-100	NEW	04-15-105	296-803-800	NEW	04-15-105	296-806-20058	NEW	04-14-028
296-803-200	NEW-P	04-03-102	296-806-100	NEW-P	04-03-085	296-806-300	NEW-P	04-03-085
296-803-200	NEW	04-15-105	296-806-100	NEW	04-14-028	296-806-300	NEW-W	04-18-073
296-803-20005	NEW-P	04-03-102	296-806-200	NEW-P	04-03-085	296-806-30002	NEW-P	04-03-085
296-803-20005	NEW	04-15-105	296-806-200	NEW	04-14-028	296-806-30002	NEW	04-14-028
296-803-300	NEW-P	04-03-102	296-806-20002	NEW-P	04-03-085	296-806-30004	NEW-P	04-03-085
296-803-300	NEW	04-15-105	296-806-20002	NEW	04-14-028	296-806-30004	NEW	04-14-028
296-803-30005	NEW-P	04-03-102	296-806-20004	NEW-P	04-03-085	296-806-30006	NEW-P	04-03-085
296-803-30005	NEW	04-15-105	296-806-20004	NEW	04-14-028	296-806-30006	NEW	04-14-028
296-803-400	NEW-P	04-03-102	296-806-20006	NEW-P	04-03-085	296-806-30008	NEW-P	04-03-085
296-803-400	NEW	04-15-105	296-806-20006	NEW	04-14-028	296-806-30008	NEW	04-14-028
296-803-40005	NEW-P	04-03-102	296-806-20008	NEW-P	04-03-085	296-806-30010	NEW-P	04-03-085
296-803-40005	NEW	04-15-105	296-806-20008	NEW	04-14-028	296-806-30010	NEW	04-14-028
296-803-40010	NEW-P	04-03-102	296-806-20010	NEW-P	04-03-085	296-806-30012	NEW-P	04-03-085
296-803-40010	NEW	04-15-105	296-806-20010	NEW	04-14-028	296-806-30012	NEW	04-14-028
296-803-40015	NEW-P	04-03-102	296-806-20012	NEW-P	04-03-085	296-806-30014	NEW-P	04-03-085
296-803-40015	NEW	04-15-105	296-806-20012	NEW	04-14-028	296-806-30014	NEW	04-14-028
296-803-40020	NEW-P	04-03-102	296-806-20014	NEW-P	04-03-085	296-806-30016	NEW-P	04-03-085
296-803-40020	NEW	04-15-105	296-806-20014	NEW	04-14-028	296-806-30016	NEW	04-14-028
296-803-500	NEW-P	04-03-102	296-806-20016	NEW-P	04-03-085	296-806-30018	NEW-P	04-03-085
296-803-500	NEW	04-15-105	296-806-20016	NEW	04-14-028	296-806-30018	NEW	04-14-028
296-803-50005	NEW-P	04-03-102	296-806-20018	NEW-P	04-03-085	296-806-30020	NEW-P	04-03-085
296-803-50005	NEW	04-15-105	296-806-20018	NEW	04-14-028	296-806-30020	NEW	04-14-028
296-803-50010	NEW-P	04-03-102	296-806-20020	NEW-P	04-03-085	296-806-30022	NEW-P	04-03-085
296-803-50010	NEW	04-15-105	296-806-20020	NEW	04-14-028	296-806-30022	NEW	04-14-028
296-803-50015	NEW-P	04-03-102	296-806-20022	NEW-P	04-03-085	296-806-30024	NEW-P	04-03-085
296-803-50015	NEW	04-15-105	296-806-20022	NEW	04-14-028	296-806-30024	NEW	04-14-028
296-803-50020	NEW-P	04-03-102	296-806-20024	NEW-P	04-03-085	296-806-30026	NEW-P	04-03-085

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-806-47506	NEW	04-14-028	296-806-48058	NEW	04-14-028	296-809-60002	NEW	04-03-081
296-806-47508	NEW-P	04-03-085	296-806-48060	NEW-P	04-03-085	296-809-60004	NEW	04-03-081
296-806-47508	NEW	04-14-028	296-806-48060	NEW	04-14-028	296-809-700	NEW	04-03-081
296-806-480	NEW-P	04-03-085	296-806-48062	NEW-P	04-03-085	296-809-70002	NEW	04-03-081
296-806-480	NEW	04-14-028	296-806-48062	NEW	04-14-028	296-809-70004	NEW	04-03-081
296-806-48002	NEW-P	04-03-085	296-806-48064	NEW-P	04-03-085	296-809-800	NEW	04-03-081
296-806-48002	NEW	04-14-028	296-806-48064	NEW	04-14-028	296-816-100	NEW-P	04-07-159
296-806-48004	NEW-P	04-03-085	296-806-48066	NEW-P	04-03-085	296-816-100	NEW	04-14-026
296-806-48004	NEW	04-14-028	296-806-48066	NEW	04-14-028	296-816-200	NEW-P	04-07-159
296-806-48006	NEW-P	04-03-085	296-806-48068	NEW-P	04-03-085	296-816-200	NEW	04-14-026
296-806-48006	NEW	04-14-028	296-806-48068	NEW	04-14-028	296-816-20005	NEW-P	04-07-159
296-806-48008	NEW-P	04-03-085	296-806-48070	NEW-P	04-03-085	296-816-20005	NEW	04-14-026
296-806-48008	NEW	04-14-028	296-806-48070	NEW	04-14-028	296-816-20010	NEW-P	04-07-159
296-806-48010	NEW-P	04-03-085	296-806-48072	NEW-P	04-03-085	296-816-20010	NEW	04-14-026
296-806-48010	NEW	04-14-028	296-806-48072	NEW	04-14-028	296-816-20015	NEW-P	04-07-159
296-806-48012	NEW-P	04-03-085	296-806-48074	NEW-P	04-03-085	296-816-20015	NEW	04-14-026
296-806-48012	NEW	04-14-028	296-806-48074	NEW	04-14-028	296-816-20020	NEW-P	04-07-159
296-806-48014	NEW-P	04-03-085	296-806-48076	NEW-P	04-03-085	296-816-20020	NEW	04-14-026
296-806-48014	NEW	04-14-028	296-806-48076	NEW	04-14-028	296-816-300	NEW-P	04-07-159
296-806-48016	NEW-P	04-03-085	296-806-48078	NEW-P	04-03-085	296-816-300	NEW	04-14-026
296-806-48016	NEW	04-14-028	296-806-48078	NEW	04-14-028	296-823-100	AMD-X	04-07-158
296-806-48018	NEW-P	04-03-085	296-806-48080	NEW-P	04-03-085	296-823-100	AMD	04-12-070
296-806-48018	NEW	04-14-028	296-806-48080	NEW	04-14-028	296-823-11010	AMD-X	04-07-158
296-806-48020	NEW-P	04-03-085	296-806-48082	NEW-P	04-03-085	296-823-11010	AMD	04-12-070
296-806-48020	NEW	04-14-028	296-806-48082	NEW	04-14-028	296-823-12010	AMD-X	04-07-158
296-806-48022	NEW-P	04-03-085	296-806-48084	NEW-P	04-03-085	296-823-12010	AMD	04-12-070
296-806-48022	NEW	04-14-028	296-806-48084	NEW	04-14-028	296-823-13005	AMD-X	04-07-158
296-806-48024	NEW-P	04-03-085	296-806-48086	NEW-P	04-03-085	296-823-13005	AMD	04-12-070
296-806-48024	NEW	04-14-028	296-806-48086	NEW	04-14-028	296-823-14005	AMD-X	04-07-158
296-806-48026	NEW-P	04-03-085	296-806-48088	NEW-P	04-03-085	296-823-14005	AMD	04-12-070
296-806-48026	NEW	04-14-028	296-806-48088	NEW	04-14-028	296-823-14015	AMD-X	04-07-158
296-806-48028	NEW-P	04-03-085	296-806-485	NEW-P	04-03-085	296-823-14015	AMD	04-12-070
296-806-48028	NEW	04-14-028	296-806-485	NEW	04-14-028	296-823-14025	AMD-X	04-07-158
296-806-48030	NEW-P	04-03-085	296-806-48502	NEW-P	04-03-085	296-823-14025	AMD	04-12-070
296-806-48030	NEW	04-14-028	296-806-48502	NEW	04-14-028	296-823-14050	AMD-X	04-07-158
296-806-48032	NEW-P	04-03-085	296-806-500	NEW-P	04-03-085	296-823-14050	AMD	04-12-070
296-806-48032	NEW	04-14-028	296-806-500	NEW	04-14-028	296-823-14060	AMD-X	04-07-158
296-806-48034	NEW-P	04-03-085	296-809-100	NEW	04-03-081	296-823-14060	AMD	04-12-070
296-806-48034	NEW	04-14-028	296-809-200	NEW	04-03-081	296-823-14065	AMD-X	04-07-158
296-806-48036	NEW-P	04-03-085	296-809-20002	NEW	04-03-081	296-823-14065	AMD	04-12-070
296-806-48036	NEW	04-14-028	296-809-20004	NEW	04-03-081	296-823-15010	AMD-X	04-07-158
296-806-48038	NEW-P	04-03-085	296-809-20006	NEW	04-03-081	296-823-15010	AMD	04-12-070
296-806-48038	NEW	04-14-028	296-809-300	NEW	04-03-081	296-823-15015	AMD-X	04-07-158
296-806-48040	NEW-P	04-03-085	296-809-30002	NEW	04-03-081	296-823-15015	AMD	04-12-070
296-806-48040	NEW	04-14-028	296-809-30004	NEW	04-03-081	296-823-15020	AMD-X	04-07-158
296-806-48042	NEW-P	04-03-085	296-809-400	NEW	04-03-081	296-823-15020	AMD	04-12-070
296-806-48042	NEW	04-14-028	296-809-40002	NEW	04-03-081	296-823-160	AMD-X	04-07-158
296-806-48044	NEW-P	04-03-085	296-809-40004	NEW	04-03-081	296-823-160	AMD	04-12-070
296-806-48044	NEW	04-14-028	296-809-500	NEW	04-03-081	296-823-16005	AMD-X	04-07-158
296-806-48046	NEW-P	04-03-085	296-809-50002	NEW	04-03-081	296-823-16005	AMD	04-12-070
296-806-48046	NEW	04-14-028	296-809-50004	NEW	04-03-081	296-823-16010	AMD-X	04-07-158
296-806-48048	NEW-P	04-03-085	296-809-50006	NEW	04-03-081	296-823-16010	AMD	04-12-070
296-806-48048	NEW	04-14-028	296-809-50008	NEW	04-03-081	296-823-16015	AMD-X	04-07-158
296-806-48050	NEW-P	04-03-085	296-809-50010	NEW	04-03-081	296-823-16015	AMD	04-12-070
296-806-48050	NEW	04-14-028	296-809-50012	NEW	04-03-081	296-823-16025	AMD-X	04-07-158
296-806-48052	NEW-P	04-03-085	296-809-50014	NEW	04-03-081	296-823-16025	AMD	04-12-070
296-806-48052	NEW	04-14-028	296-809-50016	NEW	04-03-081	296-823-16030	AMD-X	04-07-158
296-806-48054	NEW-P	04-03-085	296-809-50018	NEW	04-03-081	296-823-16030	AMD	04-12-070
296-806-48054	NEW	04-14-028	296-809-50020	NEW	04-03-081	296-823-17010	AMD-X	04-07-158
296-806-48056	NEW-P	04-03-085	296-809-50022	NEW	04-03-081	296-823-17010	AMD	04-12-070
296-806-48056	NEW	04-14-028	296-809-50024	NEW	04-03-081	296-823-180	AMD-X	04-07-158
296-806-48058	NEW-P	04-03-085	296-809-600	NEW	04-03-081	296-823-180	AMD	04-12-070

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-823-18015	AMD-X	04-07-158	296-843-19005	NEW	04-02-053	296-863-20010	NEW	04-19-051
296-823-18015	AMD	04-12-070	296-843-200	NEW	04-02-053	296-863-20015	NEW-P	04-08-039
296-823-18045	AMD-X	04-07-158	296-843-20005	NEW	04-02-053	296-863-20015	NEW	04-19-051
296-823-18045	AMD	04-12-070	296-843-20010	NEW	04-02-053	296-863-20020	NEW-P	04-08-039
296-823-18050	AMD-X	04-07-158	296-843-20015	NEW	04-02-053	296-863-20020	NEW	04-19-051
296-823-18050	AMD	04-12-070	296-843-20020	NEW	04-02-053	296-863-20025	NEW-P	04-08-039
296-823-18055	AMD-X	04-07-158	296-843-20025	NEW	04-02-053	296-863-20025	NEW	04-19-051
296-823-18055	AMD	04-12-070	296-843-20030	NEW	04-02-053	296-863-20030	NEW-P	04-08-039
296-823-200	AMD-X	04-07-158	296-843-20035	NEW	04-02-053	296-863-20030	NEW	04-19-051
296-823-200	AMD	04-12-070	296-843-210	NEW	04-02-053	296-863-20035	NEW-P	04-08-039
296-829-100	NEW	04-09-099	296-843-21005	NEW	04-02-053	296-863-20035	NEW	04-19-051
296-829-200	NEW	04-09-099	296-843-220	NEW	04-02-053	296-863-20040	NEW-P	04-08-039
296-829-20005	NEW	04-09-099	296-843-22005	NEW	04-02-053	296-863-20040	NEW	04-19-051
296-829-20010	NEW	04-09-099	296-843-22010	NEW	04-02-053	296-863-300	NEW-P	04-08-039
296-829-300	NEW	04-09-099	296-843-300	NEW	04-02-053	296-863-300	NEW	04-19-051
296-829-30005	NEW	04-09-099	296-848-100	NEW-P	04-18-077	296-863-30005	NEW-P	04-08-039
296-829-30010	NEW	04-09-099	296-848-200	NEW-P	04-18-077	296-863-30005	NEW	04-19-051
296-829-400	NEW	04-09-099	296-848-20010	NEW-P	04-18-077	296-863-30010	NEW-P	04-08-039
296-829-40005	NEW	04-09-099	296-848-20025	NEW-P	04-18-077	296-863-30010	NEW	04-19-051
296-829-40010	NEW	04-09-099	296-848-20060	NEW-P	04-18-077	296-863-30015	NEW-P	04-08-039
296-829-40015	NEW	04-09-099	296-848-20070	NEW-P	04-18-077	296-863-30015	NEW	04-19-051
296-829-40020	NEW	04-09-099	296-848-20090	NEW-P	04-18-077	296-863-30020	NEW-P	04-08-039
296-829-500	NEW	04-09-099	296-848-300	NEW-P	04-18-077	296-863-30020	NEW	04-19-051
296-841	PREP	04-07-155	296-848-30005	NEW-P	04-18-077	296-863-30025	NEW-P	04-08-039
296-841	PREP	04-07-156	296-848-30010	NEW-P	04-18-077	296-863-30025	NEW	04-19-051
296-841-100	AMD-X	04-11-064	296-848-30030	NEW-P	04-18-077	296-863-30030	NEW-P	04-08-039
296-841-100	AMD	04-18-079	296-848-30080	NEW-P	04-18-077	296-863-30030	NEW	04-19-051
296-841-20005	AMD-X	04-11-064	296-848-400	NEW-P	04-18-077	296-863-30035	NEW-P	04-08-039
296-841-20005	AMD	04-18-079	296-848-40005	NEW-P	04-18-077	296-863-30035	NEW	04-19-051
296-841-20010	AMD-X	04-11-064	296-848-40020	NEW-P	04-18-077	296-863-30040	NEW-P	04-08-039
296-841-20010	AMD	04-18-079	296-848-40025	NEW-P	04-18-077	296-863-30040	NEW	04-19-051
296-841-20020	AMD-X	04-11-064	296-848-40030	NEW-P	04-18-077	296-863-400	NEW-P	04-08-039
296-841-20020	AMD	04-18-079	296-848-40040	NEW-P	04-18-077	296-863-400	NEW	04-19-051
296-841-20025	NEW-X	04-11-064	296-848-40045	NEW-P	04-18-077	296-863-40005	NEW-P	04-08-039
296-841-20025	NEW	04-18-079	296-848-500	NEW-P	04-18-077	296-863-40005	NEW	04-19-051
296-841-300	AMD-X	04-11-064	296-849-100	NEW-P	04-15-106	296-863-40010	NEW-P	04-08-039
296-841-300	AMD	04-18-079	296-849-110	NEW-P	04-15-106	296-863-40010	NEW	04-19-051
296-843-100	NEW	04-02-053	296-849-11010	NEW-P	04-15-106	296-863-40015	NEW-P	04-08-039
296-843-110	NEW	04-02-053	296-849-11020	NEW-P	04-15-106	296-863-40015	NEW	04-19-051
296-843-11005	NEW	04-02-053	296-849-11030	NEW-P	04-15-106	296-863-40020	NEW-P	04-08-039
296-843-11010	NEW	04-02-053	296-849-11040	NEW-P	04-15-106	296-863-40020	NEW	04-19-051
296-843-120	NEW	04-02-053	296-849-11050	NEW-P	04-15-106	296-863-40025	NEW-P	04-08-039
296-843-12005	NEW	04-02-053	296-849-11065	NEW-P	04-15-106	296-863-40025	NEW	04-19-051
296-843-130	NEW	04-02-053	296-849-11070	NEW-P	04-15-106	296-863-40030	NEW-P	04-08-039
296-843-13005	NEW	04-02-053	296-849-11090	NEW-P	04-15-106	296-863-40030	NEW	04-19-051
296-843-13010	NEW	04-02-053	296-849-120	NEW-P	04-15-106	296-863-40035	NEW-P	04-08-039
296-843-140	NEW	04-02-053	296-849-12010	NEW-P	04-15-106	296-863-40035	NEW	04-19-051
296-843-14005	NEW	04-02-053	296-849-12030	NEW-P	04-15-106	296-863-40040	NEW-P	04-08-039
296-843-150	NEW	04-02-053	296-849-12050	NEW-P	04-15-106	296-863-40040	NEW	04-19-051
296-843-15005	NEW	04-02-053	296-849-12080	NEW-P	04-15-106	296-863-40045	NEW-P	04-08-039
296-843-15010	NEW	04-02-053	296-849-130	NEW-P	04-15-106	296-863-40045	NEW	04-19-051
296-843-15015	NEW	04-02-053	296-849-13005	NEW-P	04-15-106	296-863-40050	NEW-P	04-08-039
296-843-160	NEW	04-02-053	296-849-13020	NEW-P	04-15-106	296-863-40050	NEW	04-19-051
296-843-16005	NEW	04-02-053	296-849-13045	NEW-P	04-15-106	296-863-40055	NEW-P	04-08-039
296-843-170	NEW	04-02-053	296-849-190	NEW-P	04-15-106	296-863-40055	NEW	04-19-051
296-843-17005	NEW	04-02-053	296-863-10005	NEW-P	04-08-039	296-863-40060	NEW-P	04-08-039
296-843-180	NEW	04-02-053	296-863-10005	NEW	04-19-051	296-863-40060	NEW	04-19-051
296-843-18005	NEW	04-02-053	296-863-200	NEW-P	04-08-039	296-863-40065	NEW-P	04-08-039
296-843-18010	NEW	04-02-053	296-863-200	NEW	04-19-051	296-863-40065	NEW	04-19-051
296-843-18015	NEW	04-02-053	296-863-20005	NEW-P	04-08-039	296-863-500	NEW-P	04-08-039
296-843-18020	NEW	04-02-053	296-863-20005	NEW	04-19-051	296-863-500	NEW	04-19-051
296-843-190	NEW	04-02-053	296-863-20010	NEW-P	04-08-039	296-863-50005	NEW-P	04-08-039

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-863-50005	NEW	04-19-051	296-874-20054	NEW-P	04-14-027	308- 13-150	PREP	04-06-030
296-863-600	NEW-P	04-08-039	296-874-20056	NEW-P	04-14-027	308- 13-150	AMD-P	04-13-143
296-863-600	NEW	04-19-051	296-874-20058	NEW-P	04-14-027	308- 13-150	AMD	04-17-026
296-863-60005	NEW-P	04-08-039	296-874-20060	NEW-P	04-14-027	308- 14-010	NEW-P	04-14-073
296-863-60005	NEW	04-19-051	296-874-20062	NEW-P	04-14-027	308- 14-010	NEW	04-17-072
296-863-60010	NEW-P	04-08-039	296-874-20064	NEW-P	04-14-027	308- 14-085	AMD-P	04-14-073
296-863-60010	NEW	04-19-051	296-874-20066	NEW-P	04-14-027	308- 14-085	AMD	04-17-072
296-863-60015	NEW-P	04-08-039	296-874-20068	NEW-P	04-14-027	308- 14-085	AMD-E	04-19-038
296-863-60015	NEW	04-19-051	296-874-20070	NEW-P	04-14-027	308- 14-085	AMD-P	04-19-160
296-863-700	NEW-P	04-08-039	296-874-20072	NEW-P	04-14-027	308- 14-090	AMD-P	04-14-073
296-863-700	NEW	04-19-051	296-874-20074	NEW-P	04-14-027	308- 14-090	AMD	04-17-072
296-864-100	NEW-P	04-12-071	296-874-20076	NEW-P	04-14-027	308- 14-115	NEW-P	04-14-073
296-864-200	NEW-P	04-12-071	296-874-300	NEW-P	04-14-027	308- 14-115	NEW	04-17-072
296-864-20005	NEW-P	04-12-071	296-874-30002	NEW-P	04-14-027	308- 14-130	AMD-P	04-14-073
296-864-20010	NEW-P	04-12-071	296-874-30004	NEW-P	04-14-027	308- 14-130	AMD	04-17-072
296-864-20015	NEW-P	04-12-071	296-874-30006	NEW-P	04-14-027	308- 14-135	AMD-P	04-14-073
296-864-300	NEW-P	04-12-071	296-874-30008	NEW-P	04-14-027	308- 14-135	AMD	04-17-072
296-864-30005	NEW-P	04-12-071	296-874-30010	NEW-P	04-14-027	308- 14-190	NEW-P	04-14-073
296-864-30010	NEW-P	04-12-071	296-874-30012	NEW-P	04-14-027	308- 14-190	NEW	04-17-072
296-864-30015	NEW-P	04-12-071	296-874-30014	NEW-P	04-14-027	308- 14-200	AMD-P	04-14-074
296-864-400	NEW-P	04-12-071	296-874-30016	NEW-P	04-14-027	308- 14-200	AMD	04-17-073
296-864-40005	NEW-P	04-12-071	296-874-30018	NEW-P	04-14-027	308- 15	PREP	04-04-050
296-864-40010	NEW-P	04-12-071	296-874-30020	NEW-P	04-14-027	308- 15-010	AMD-P	04-19-071
296-864-40015	NEW-P	04-12-071	296-874-30022	NEW-P	04-14-027	308- 15-020	AMD-P	04-19-071
296-864-40020	NEW-P	04-12-071	296-874-30024	NEW-P	04-14-027	308- 15-030	AMD-P	04-19-071
296-864-500	NEW-P	04-12-071	296-874-30026	NEW-P	04-14-027	308- 15-040	AMD-P	04-19-071
296-864-50005	NEW-P	04-12-071	296-874-30028	NEW-P	04-14-027	308- 15-050	AMD-P	04-19-071
296-864-50010	NEW-P	04-12-071	296-874-30030	NEW-P	04-14-027	308- 15-053	NEW-P	04-19-071
296-864-50015	NEW-P	04-12-071	296-874-30032	NEW-P	04-14-027	308- 15-055	NEW-P	04-19-071
296-864-50020	NEW-P	04-12-071	296-874-30034	NEW-P	04-14-027	308- 15-057	NEW-P	04-19-071
296-864-600	NEW-P	04-12-071	296-874-30036	NEW-P	04-14-027	308- 15-060	AMD-P	04-19-071
296-864-60005	NEW-P	04-12-071	296-874-30038	NEW-P	04-14-027	308- 15-070	AMD-P	04-19-071
296-864-60010	NEW-P	04-12-071	296-874-30040	NEW-P	04-14-027	308- 15-075	AMD-P	04-19-071
296-864-700	NEW-P	04-12-071	296-874-30042	NEW-P	04-14-027	308- 15-080	AMD-P	04-19-071
296-874-100	NEW-P	04-14-027	296-874-30044	NEW-P	04-14-027	308- 15-090	REP-P	04-19-071
296-874-200	NEW-P	04-14-027	296-874-30046	NEW-P	04-14-027	308- 15-100	AMD-P	04-19-071
296-874-20002	NEW-P	04-14-027	296-874-400	NEW-P	04-14-027	308- 15-101	AMD-P	04-19-071
296-874-20004	NEW-P	04-14-027	296-874-40002	NEW-P	04-14-027	308- 15-102	REP-P	04-19-071
296-874-20006	NEW-P	04-14-027	296-874-40004	NEW-P	04-14-027	308- 15-103	AMD-P	04-19-071
296-874-20008	NEW-P	04-14-027	296-874-40006	NEW-P	04-14-027	308- 15-140	AMD-P	04-19-071
296-874-20010	NEW-P	04-14-027	296-874-40008	NEW-P	04-14-027	308- 15-150	AMD-P	04-19-071
296-874-20012	NEW-P	04-14-027	296-874-40010	NEW-P	04-14-027	308- 17-150	AMD-P	04-07-032
296-874-20014	NEW-P	04-14-027	296-874-40012	NEW-P	04-14-027	308- 17-150	AMD	04-12-024
296-874-20016	NEW-P	04-14-027	296-874-40014	NEW-P	04-14-027	308- 18-150	AMD-P	04-07-031
296-874-20018	NEW-P	04-14-027	296-874-40016	NEW-P	04-14-027	308- 18-150	AMD	04-12-023
296-874-20020	NEW-P	04-14-027	296-874-40018	NEW-P	04-14-027	308- 20	PREP	04-16-116
296-874-20022	NEW-P	04-14-027	296-874-40020	NEW-P	04-14-027	308- 20-010	AMD	04-05-005
296-874-20024	NEW-P	04-14-027	296-874-40022	NEW-P	04-14-027	308- 20-040	AMD	04-05-005
296-874-20026	NEW-P	04-14-027	296-874-40024	NEW-P	04-14-027	308- 20-055	NEW	04-05-005
296-874-20028	NEW-P	04-14-027	296-874-40026	NEW-P	04-14-027	308- 20-090	AMD	04-05-005
296-874-20030	NEW-P	04-14-027	296-874-40028	NEW-P	04-14-027	308- 20-101	NEW	04-05-005
296-874-20032	NEW-P	04-14-027	296-874-40030	NEW-P	04-14-027	308- 20-110	AMD	04-05-005
296-874-20034	NEW-P	04-14-027	296-874-40032	NEW-P	04-14-027	308- 20-550	AMD	04-05-005
296-874-20036	NEW-P	04-14-027	296-874-40034	NEW-P	04-14-027	308- 20-555	NEW	04-05-005
296-874-20038	NEW-P	04-14-027	296-874-40036	NEW-P	04-14-027	308- 29-045	AMD-P	04-14-070
296-874-20040	NEW-P	04-14-027	296-874-40038	NEW-P	04-14-027	308- 29-045	AMD	04-18-043
296-874-20042	NEW-P	04-14-027	296-874-40040	NEW-P	04-14-027	308- 56A	PREP	04-05-121
296-874-20044	NEW-P	04-14-027	296-874-40042	NEW-P	04-14-027	308- 56A-020	AMD-P	04-04-006
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326- 20-048	NEW	04-08-093	356- 05-375	AMD	04-15-018	356- 30-143	AMD	04-15-018
326- 20-050	AMD-P	04-02-043	356- 05-477	AMD-P	04-11-114	356- 30-260	AMD-P	04-11-114
326- 20-050	AMD	04-08-093	356- 05-477	AMD	04-15-018	356- 30-260	AMD	04-15-018
326- 20-070	AMD-P	04-02-043	356- 05-479	AMD-P	04-11-114	356- 30-330	AMD-P	04-08-119
326- 20-070	AMD	04-08-093	356- 05-479	AMD	04-15-018	356- 30-330	AMD	04-11-046
326- 20-080	AMD-P	04-02-043	356- 06-003	AMD-P	04-11-114	356- 39-010	AMD-P	04-11-114
326- 20-080	AMD	04-08-093	356- 06-003	AMD	04-15-018	356- 39-010	AMD	04-15-018
326- 20-092	AMD-P	04-02-041	356- 06-040	AMD-P	04-11-114	356- 39-020	AMD-P	04-11-114
326- 20-092	AMD	04-08-075	356- 06-040	AMD	04-15-018	356- 39-020	AMD	04-15-018
326- 20-094	AMD-P	04-02-041	356- 06-065	AMD-P	04-11-114	356- 46-070	AMD-P	04-11-114
326- 20-094	AMD	04-08-075	356- 06-065	AMD	04-15-018	356- 46-070	AMD	04-15-018
326- 20-095	AMD-P	04-02-041	356- 06-080	REP-P	04-11-114	356- 46-090	AMD-P	04-11-114
326- 20-095	AMD	04-08-075	356- 06-080	REP	04-15-018	356- 46-090	AMD	04-15-018
326- 20-096	AMD-P	04-02-041	356- 06-100	AMD-P	04-11-114	356- 46-100	AMD-P	04-11-114
326- 20-096	AMD	04-08-075	356- 06-100	AMD	04-15-018	356- 46-100	AMD	04-15-018
326- 20-098	AMD-P	04-02-041	356- 06-110	AMD-P	04-11-114	356- 46-125	AMD-P	04-11-114
326- 20-098	AMD	04-08-075	356- 06-110	AMD	04-15-018	356- 46-125	AMD	04-15-018
326- 20-110	AMD-P	04-02-043	356- 06-120	AMD-P	04-11-114	356- 56-010	AMD-P	04-11-114
326- 20-110	AMD	04-08-093	356- 06-120	AMD	04-15-018	356- 56-010	AMD	04-15-018
326- 20-120	AMD-P	04-02-043	356- 07-040	AMD-P	04-11-114	356- 56-035	AMD-P	04-11-114
326- 20-120	AMD	04-08-093	356- 07-040	AMD	04-15-018	356- 56-035	AMD	04-15-018
326- 20-125	AMD-P	04-02-042	356- 09-040	AMD-P	04-11-114	356- 56-070	AMD-P	04-11-114
326- 20-125	AMD	04-08-074	356- 09-040	AMD	04-15-018	356- 56-070	AMD	04-15-018
326- 20-160	AMD-P	04-02-043	356- 10-020	AMD-P	04-11-114	356- 60-010	AMD-P	04-07-188

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356-60-010	DECOD-P	04-07-188	357-01-160	NEW-P	04-13-179	357-04-080	NEW-P	04-13-180
356-60-010	RECOD-P	04-07-188	357-01-165	NEW-P	04-13-179	357-04-085	NEW-P	04-13-180
356-60-010	AMD	04-11-045	357-01-170	NEW-P	04-13-179	357-04-090	NEW-P	04-13-180
356-60-010	DECOD	04-11-045	357-01-175	NEW-P	04-13-179	357-04-095	NEW-P	04-13-180
356-60-010	RECOD	04-11-045	357-01-180	NEW-P	04-13-179	357-04-100	NEW-P	04-13-180
356-60-020	AMD-P	04-07-188	357-01-185	NEW-P	04-13-179	357-04-105	NEW-P	04-13-180
356-60-020	DECOD-P	04-07-188	357-01-190	NEW-P	04-13-179	357-04-110	NEW-P	04-13-180
356-60-020	RECOD-P	04-07-188	357-01-195	NEW-P	04-13-179	357-04-115	NEW-P	04-13-180
356-60-020	AMD	04-11-045	357-01-200	NEW-P	04-13-179	357-04-120	NEW-P	04-13-180
356-60-020	DECOD	04-11-045	357-01-205	NEW-P	04-13-179	357-07-005	NEW-P	04-13-181
356-60-020	RECOD	04-11-045	357-01-210	NEW-P	04-13-179	357-07-010	NEW-P	04-13-181
356-60-030	AMD-P	04-07-188	357-01-215	NEW-P	04-13-179	357-07-015	NEW-P	04-13-181
356-60-030	DECOD-P	04-07-188	357-01-220	NEW-P	04-13-179	357-07-020	NEW-P	04-13-181
356-60-030	RECOD-P	04-07-188	357-01-225	NEW-P	04-13-179	357-07-025	NEW-P	04-13-181
356-60-030	AMD	04-11-045	357-01-230	NEW-P	04-13-179	357-07-030	NEW-P	04-13-181
356-60-030	DECOD	04-11-045	357-01-235	NEW-P	04-13-179	357-07-035	NEW-P	04-13-181
356-60-030	RECOD	04-11-045	357-01-240	NEW-P	04-13-179	357-07-040	NEW-P	04-13-181
356-60-032	NEW-P	04-07-188	357-01-245	NEW-P	04-13-179	357-07-045	NEW-P	04-13-181
356-60-032	NEW	04-11-045	357-01-250	NEW-P	04-13-179	357-07-050	NEW-P	04-13-181
356-60-034	NEW-P	04-07-188	357-01-255	NEW-P	04-13-179	357-07-055	NEW-P	04-13-181
356-60-034	NEW	04-11-045	357-01-260	NEW-P	04-13-179	357-07-060	NEW-P	04-13-181
356-60-040	REP-P	04-07-188	357-01-265	NEW-P	04-13-179	357-07-065	NEW-P	04-13-181
356-60-040	REP	04-11-045	357-01-270	NEW-P	04-13-179	357-07-070	NEW-P	04-13-181
356-60-050	REP-P	04-07-188	357-01-275	NEW-P	04-13-179	357-07-075	NEW-P	04-13-181
356-60-050	REP	04-11-045	357-01-280	NEW-P	04-13-179	357-10-005	NEW-P	04-04-109
356-60-055	AMD-P	04-07-188	357-01-285	NEW-P	04-13-179	357-10-005	NEW	04-07-052
356-60-055	AMD	04-11-045	357-01-290	NEW-P	04-13-179	357-10-010	NEW-P	04-04-109
356-60-057	AMD-P	04-07-188	357-01-295	NEW-P	04-13-179	357-10-010	NEW	04-07-052
356-60-057	AMD	04-11-045	357-01-300	NEW-P	04-13-179	357-10-020	NEW-P	04-04-109
356-60-060	REP-P	04-07-188	357-01-305	NEW-P	04-13-179	357-10-020	NEW	04-07-052
356-60-060	REP	04-11-045	357-01-310	NEW-P	04-13-179	357-13-010	NEW-P	04-13-182
357-01-005	NEW-P	04-13-179	357-01-315	NEW-P	04-13-179	357-13-015	NEW-P	04-13-182
357-01-010	NEW-P	04-13-179	357-01-320	NEW-P	04-13-179	357-13-020	NEW-P	04-13-182
357-01-015	NEW-P	04-13-179	357-01-325	NEW-P	04-13-179	357-13-025	NEW-P	04-13-182
357-01-020	NEW-P	04-13-179	357-01-327	NEW-P	04-16-113	357-13-030	NEW-P	04-13-182
357-01-025	NEW-P	04-13-179	357-01-330	NEW-P	04-13-179	357-13-035	NEW-P	04-13-182
357-01-030	NEW-P	04-13-179	357-01-335	NEW-P	04-13-179	357-13-040	NEW-P	04-13-182
357-01-035	NEW-P	04-13-179	357-01-340	NEW-P	04-13-179	357-13-045	NEW-P	04-13-182
357-01-040	NEW-P	04-13-179	357-01-345	NEW-P	04-13-179	357-13-050	NEW-P	04-13-182
357-01-045	NEW-P	04-13-179	357-01-350	NEW-P	04-13-179	357-13-055	NEW-P	04-13-182
357-01-050	NEW-P	04-13-179	357-01-355	NEW-P	04-13-179	357-13-060	NEW-P	04-13-182
357-01-055	NEW-P	04-13-179	357-04-005	NEW-P	04-13-180	357-13-065	NEW-P	04-13-182
357-01-060	NEW-P	04-13-179	357-04-010	NEW-P	04-13-180	357-13-070	NEW-P	04-13-182
357-01-065	NEW-P	04-13-179	357-04-015	NEW-P	04-13-180	357-13-075	NEW-P	04-13-182
357-01-070	NEW-P	04-13-179	357-04-020	NEW-P	04-13-180	357-13-080	NEW-P	04-13-182
357-01-075	NEW-P	04-13-179	357-04-025	NEW-P	04-13-180	357-13-085	NEW-P	04-13-182
357-01-080	NEW-P	04-13-179	357-04-030	NEW-P	04-13-180	357-13-090	NEW-P	04-13-182
357-01-085	NEW-P	04-13-179	357-04-035	NEW-P	04-12-088	357-16-005	NEW-P	04-13-183
357-01-090	NEW-P	04-13-179	357-04-035	NEW	04-15-016	357-16-010	NEW-P	04-13-183
357-01-095	NEW-P	04-13-179	357-04-040	NEW-P	04-12-088	357-16-015	NEW-P	04-13-183
357-01-100	NEW-P	04-13-179	357-04-040	NEW	04-15-016	357-16-020	NEW-P	04-13-183
357-01-105	NEW-P	04-13-179	357-04-045	NEW-P	04-12-088	357-16-025	NEW-P	04-13-183
357-01-110	NEW-P	04-13-179	357-04-045	NEW	04-15-016	357-16-030	NEW-P	04-13-183
357-01-115	NEW-P	04-13-179	357-04-050	NEW-P	04-12-088	357-16-040	NEW-P	04-13-183
357-01-120	NEW-P	04-13-179	357-04-050	NEW	04-15-016	357-16-045	NEW-P	04-13-183
357-01-125	NEW-P	04-13-179	357-04-055	NEW-P	04-12-088	357-16-050	NEW-P	04-13-183
357-01-130	NEW-P	04-13-179	357-04-055	NEW	04-15-016	357-16-055	NEW-P	04-13-183
357-01-135	NEW-P	04-13-179	357-04-060	NEW-P	04-13-180	357-16-060	NEW-P	04-13-183
357-01-140	NEW-P	04-13-179	357-04-065	NEW-P	04-12-086	357-16-060	NEW-W	04-18-116
357-01-145	NEW-P	04-13-179	357-04-065	NEW	04-15-017	357-16-060	NEW-P	04-18-121
357-01-150	NEW-P	04-13-179	357-04-070	NEW-P	04-13-180	357-16-065	NEW-P	04-13-183
357-01-155	NEW-P	04-13-179	357-04-075	NEW-P	04-13-180	357-16-070	NEW-P	04-13-183

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
357-16-075	NEW-P	04-13-183	357-19-193	NEW-P	04-13-184	357-19-510	NEW-P	04-13-031
357-16-085	NEW-P	04-13-183	357-19-195	NEW-P	04-13-031	357-19-515	NEW-P	04-13-031
357-16-090	NEW-P	04-13-183	357-19-200	NEW-P	04-13-031	357-19-525	NEW-P	04-13-031
357-16-095	NEW-P	04-13-183	357-19-205	NEW-P	04-13-031	357-19-530	NEW-P	04-13-031
357-16-100	NEW-P	04-13-183	357-19-215	NEW-P	04-13-031	357-19-535	NEW-P	04-13-031
357-16-105	NEW-P	04-13-183	357-19-220	NEW-P	04-13-031	357-22-010	NEW-P	04-13-185
357-16-110	NEW-P	04-13-183	357-19-225	NEW-P	04-13-031	357-22-015	NEW-P	04-13-185
357-16-115	NEW-P	04-13-183	357-19-230	NEW-P	04-13-031	357-22-020	NEW-P	04-13-185
357-16-120	NEW-P	04-13-183	357-19-235	NEW-P	04-13-031	357-22-025	NEW-P	04-13-185
357-16-125	NEW-P	04-13-183	357-19-240	NEW-P	04-13-031	357-22-030	NEW-P	04-13-185
357-16-130	NEW-P	04-13-183	357-19-245	NEW-P	04-13-031	357-22-035	NEW-P	04-13-185
357-16-135	NEW-P	04-13-183	357-19-250	NEW-P	04-13-031	357-22-040	NEW-P	04-13-185
357-16-140	NEW-P	04-13-183	357-19-255	NEW-P	04-13-031	357-22-045	NEW-P	04-13-185
357-16-150	NEW-P	04-13-183	357-19-260	NEW-P	04-13-031	357-25-005	NEW-P	04-13-186
357-16-155	NEW-P	04-13-183	357-19-265	NEW-P	04-13-031	357-25-010	NEW-P	04-13-186
357-16-160	NEW-P	04-13-183	357-19-270	NEW-P	04-13-031	357-25-015	NEW-P	04-13-186
357-16-170	NEW-P	04-13-183	357-19-280	NEW-P	04-13-031	357-25-020	NEW-P	04-13-186
357-16-170	NEW-C	04-18-122	357-19-285	NEW-P	04-13-031	357-25-030	NEW-P	04-13-186
357-16-175	NEW-P	04-13-183	357-19-290	NEW-P	04-13-031	357-25-035	NEW-P	04-13-186
357-16-175	NEW-C	04-18-122	357-19-295	NEW-P	04-13-031	357-25-040	NEW-P	04-13-186
357-16-177	NEW-P	04-18-121	357-19-297	NEW-P	04-13-031	357-25-045	NEW-P	04-13-186
357-16-180	NEW-P	04-13-183	357-19-305	NEW-P	04-13-031	357-25-050	NEW-P	04-13-186
357-16-180	NEW-C	04-18-122	357-19-310	NEW-P	04-13-031	357-25-055	NEW-P	04-13-186
357-16-190	NEW-P	04-13-183	357-19-315	NEW-P	04-13-031	357-26-005	NEW-P	04-13-187
357-16-195	NEW-P	04-13-183	357-19-320	NEW-P	04-13-031	357-26-010	NEW-P	04-13-187
357-16-200	NEW-P	04-13-183	357-19-325	NEW-P	04-13-031	357-26-015	NEW-P	04-13-187
357-16-205	NEW-P	04-13-183	357-19-330	NEW-P	04-13-031	357-26-020	NEW-P	04-13-187
357-19-005	NEW-P	04-13-031	357-19-340	NEW-P	04-13-031	357-26-025	NEW-P	04-13-187
357-19-010	NEW-P	04-13-031	357-19-345	NEW-P	04-13-031	357-28-010	NEW-P	04-13-029
357-19-015	NEW-P	04-13-031	357-19-360	NEW-P	04-13-031	357-28-015	NEW-P	04-13-029
357-19-017	NEW-P	04-13-031	357-19-365	NEW-P	04-13-031	357-28-020	NEW-P	04-13-029
357-19-020	NEW-P	04-13-031	357-19-370	NEW-P	04-13-031	357-28-025	NEW-P	04-13-029
357-19-025	NEW-P	04-13-031	357-19-373	NEW-P	04-13-031	357-28-030	NEW-P	04-13-029
357-19-030	NEW-P	04-13-031	357-19-375	NEW-P	04-13-031	357-28-035	NEW-P	04-13-029
357-19-040	NEW-P	04-13-031	357-19-377	NEW-P	04-13-031	357-28-040	NEW-P	04-13-029
357-19-045	NEW-P	04-13-031	357-19-380	NEW-P	04-13-031	357-28-045	NEW-P	04-13-029
357-19-050	NEW-P	04-13-031	357-19-385	NEW-P	04-13-031	357-28-050	NEW-P	04-13-029
357-19-060	NEW-P	04-13-031	357-19-388	NEW-P	04-13-031	357-28-055	NEW-P	04-13-029
357-19-065	NEW-P	04-13-031	357-19-395	NEW-P	04-13-031	357-28-060	NEW-P	04-13-029
357-19-070	NEW-P	04-13-031	357-19-400	NEW-P	04-13-031	357-28-065	NEW-P	04-13-029
357-19-075	NEW-P	04-13-031	357-19-410	NEW-P	04-13-031	357-28-070	NEW-P	04-13-029
357-19-080	NEW-P	04-13-031	357-19-420	NEW-P	04-13-031	357-28-075	NEW-P	04-13-029
357-19-085	NEW-P	04-13-031	357-19-425	NEW-P	04-13-031	357-28-080	NEW-P	04-13-029
357-19-090	NEW-P	04-13-031	357-19-430	NEW-P	04-13-031	357-28-080	NEW-P	04-13-029
357-19-095	NEW-P	04-13-031	357-19-435	NEW-P	04-16-113	357-28-090	NEW-P	04-13-029
357-19-100	NEW-P	04-13-031	357-19-440	NEW-P	04-16-113	357-28-095	NEW-P	04-13-029
357-19-105	NEW-P	04-13-031	357-19-441	NEW-P	04-16-113	357-28-100	NEW-P	04-13-029
357-19-110	NEW-P	04-13-031	357-19-442	NEW-P	04-16-113	357-28-110	NEW-P	04-13-029
357-19-115	NEW-P	04-13-031	357-19-443	NEW-P	04-16-113	357-28-115	NEW-P	04-13-029
357-19-117	NEW-P	04-13-031	357-19-444	NEW-P	04-16-113	357-28-120	NEW-P	04-13-029
357-19-120	NEW-P	04-13-031	357-19-445	NEW-P	04-16-113	357-28-125	NEW-P	04-13-029
357-19-135	NEW-P	04-13-031	357-19-446	NEW-P	04-16-113	357-28-130	NEW-P	04-13-029
357-19-140	NEW-P	04-13-031	357-19-447	NEW-P	04-16-113	357-28-135	NEW-P	04-13-029
357-19-145	NEW-P	04-13-031	357-19-448	NEW-P	04-16-113	357-28-140	NEW-P	04-13-029
357-19-155	NEW-P	04-13-031	357-19-450	NEW-P	04-16-113	357-28-145	NEW-P	04-13-029
357-19-160	NEW-P	04-13-031	357-19-455	NEW-P	04-13-031	357-28-150	NEW-P	04-13-029
357-19-165	NEW-P	04-13-031	357-19-460	NEW-P	04-13-031	357-28-155	NEW-P	04-13-029
357-19-170	NEW-P	04-13-031	357-19-465	NEW-P	04-13-031	357-28-160	NEW-P	04-13-029
357-19-175	NEW-P	04-13-031	357-19-470	NEW-P	04-13-031	357-28-165	NEW-P	04-13-029
357-19-177	NEW-P	04-13-031	357-19-475	NEW-P	04-13-031	357-28-175	NEW-P	04-13-029
357-19-180	NEW-P	04-13-031	357-19-480	NEW-P	04-13-031	357-28-180	NEW-P	04-13-029
357-19-190	NEW-P	04-13-031	357-19-505	NEW-P	04-13-031	357-28-185	NEW-P	04-13-029
						357-28-190	NEW-P	04-13-029

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357- 28-195	NEW-P	04-13-029	357- 40-015	NEW-P	04-13-190	357- 46-035	NEW-P	04-13-030
357- 28-200	NEW-P	04-13-029	357- 40-015	NEW	04-18-113	357- 46-035	NEW	04-18-114
357- 28-205	NEW-P	04-13-029	357- 40-020	NEW-P	04-13-190	357- 46-040	NEW-P	04-13-030
357- 28-210	NEW-P	04-13-029	357- 40-020	NEW	04-18-113	357- 46-040	NEW	04-18-114
357- 28-220	NEW-P	04-13-029	357- 40-025	NEW-P	04-13-190	357- 46-045	NEW-P	04-13-030
357- 28-225	NEW-P	04-13-029	357- 40-025	NEW	04-18-113	357- 46-045	NEW	04-18-114
357- 28-230	NEW-P	04-13-029	357- 40-030	NEW-P	04-13-190	357- 46-050	NEW-P	04-13-030
357- 28-235	NEW-P	04-13-029	357- 40-030	NEW	04-18-113	357- 46-050	NEW	04-18-114
357- 28-240	NEW-P	04-13-029	357- 40-035	NEW-P	04-13-190	357- 46-060	NEW-P	04-13-030
357- 28-245	NEW-P	04-13-029	357- 40-035	NEW	04-18-113	357- 46-060	NEW	04-18-114
357- 28-250	NEW-P	04-13-029	357- 40-040	NEW-P	04-13-190	357- 46-070	NEW-P	04-13-030
357- 28-252	NEW-P	04-13-029	357- 40-040	NEW	04-18-113	357- 46-070	NEW	04-18-114
357- 28-255	NEW-P	04-13-029	357- 40-045	NEW-P	04-13-190	357- 46-075	NEW-P	04-13-030
357- 28-260	NEW-P	04-13-029	357- 40-045	NEW	04-18-113	357- 46-075	NEW	04-18-114
357- 28-265	NEW-P	04-13-029	357- 40-050	NEW-P	04-13-190	357- 46-080	NEW-P	04-13-030
357- 28-275	NEW-P	04-13-029	357- 40-050	NEW-W	04-18-115	357- 46-080	NEW	04-18-114
357- 28-280	NEW-P	04-13-029	357- 40-055	NEW-P	04-13-190	357- 46-085	NEW-P	04-13-030
357- 28-285	NEW-P	04-13-029	357- 40-055	NEW-W	04-18-115	357- 46-085	NEW	04-18-114
357- 28-295	NEW-P	04-13-029	357- 40-060	NEW-P	04-13-190	357- 46-090	NEW-P	04-13-030
357- 28-300	NEW-P	04-13-029	357- 40-060	NEW-W	04-18-115	357- 46-090	NEW	04-18-114
357- 28-310	NEW-P	04-13-029	357- 40-065	NEW-P	04-13-190	357- 46-095	NEW-P	04-13-030
357- 28-315	NEW-P	04-13-029	357- 40-065	NEW-W	04-18-115	357- 46-095	NEW	04-18-114
357- 28-325	NEW-P	04-13-029	357- 43-001	NEW-P	04-13-191	357- 46-100	NEW-P	04-13-030
357- 34-005	NEW-P	04-13-188	357- 43-005	NEW-P	04-13-191	357- 46-100	NEW	04-18-114
357- 34-010	NEW-P	04-13-188	357- 43-007	NEW-P	04-18-124	357- 46-105	NEW-P	04-13-030
357- 34-015	NEW-P	04-13-188	357- 43-010	NEW-P	04-13-191	357- 46-105	NEW	04-18-114
357- 34-020	NEW-P	04-13-188	357- 43-015	NEW-P	04-13-191	357- 46-110	NEW-P	04-13-030
357- 34-025	NEW-P	04-13-188	357- 43-020	NEW-P	04-13-191	357- 46-110	NEW	04-18-114
357- 34-030	NEW-P	04-13-188	357- 43-025	NEW-P	04-13-191	357- 46-115	NEW-P	04-13-030
357- 34-035	NEW-P	04-13-188	357- 43-030	NEW-P	04-13-191	357- 46-115	NEW	04-18-114
357- 34-045	NEW-P	04-13-188	357- 43-035	NEW-P	04-13-191	357- 46-120	NEW-P	04-13-030
357- 34-050	NEW-P	04-13-188	357- 43-040	NEW-P	04-13-191	357- 46-120	NEW	04-18-114
357- 34-055	NEW-P	04-12-087	357- 43-045	NEW-P	04-13-191	357- 46-125	NEW-P	04-13-030
357- 34-055	NEW	04-15-015	357- 43-050	NEW-P	04-13-191	357- 46-125	NEW	04-18-114
357- 34-060	NEW-P	04-13-188	357- 43-055	NEW-P	04-13-191	357- 46-130	NEW-P	04-13-030
357- 34-065	NEW-P	04-13-188	357- 43-060	NEW-P	04-13-191	357- 46-130	NEW	04-18-114
357- 34-070	NEW-P	04-12-087	357- 43-065	NEW-P	04-13-191	357- 46-135	NEW-P	04-13-030
357- 34-070	NEW	04-15-015	357- 43-070	NEW-P	04-13-191	357- 46-135	NEW	04-18-114
357- 34-075	NEW-P	04-12-087	357- 43-075	NEW-P	04-13-191	357- 46-140	NEW-P	04-13-030
357- 34-075	NEW	04-15-015	357- 43-080	NEW-P	04-13-191	357- 46-140	NEW-S	04-18-125
357- 34-080	NEW-P	04-12-087	357- 43-085	NEW-P	04-13-191	357- 46-145	NEW-P	04-13-030
357- 34-080	NEW-W	04-15-014	357- 43-090	NEW-P	04-13-191	357- 46-145	NEW	04-18-114
357- 34-085	NEW-P	04-12-087	357- 43-090	NEW-W	04-18-117	357- 46-147	NEW-P	04-18-120
357- 34-085	NEW	04-15-015	357- 43-095	NEW-P	04-13-191	357- 46-150	NEW-P	04-13-030
357- 34-090	NEW-P	04-13-188	357- 43-095	NEW-C	04-18-123	357- 46-150	NEW	04-18-114
357- 37-010	NEW-P	04-13-189	357- 43-100	NEW-P	04-13-191	357- 46-155	NEW-P	04-13-030
357- 37-015	NEW-P	04-13-189	357- 43-100	NEW-C	04-18-123	357- 46-155	NEW	04-18-114
357- 37-020	NEW-P	04-13-189	357- 43-105	NEW-P	04-13-191	357- 46-160	NEW-P	04-13-030
357- 37-025	NEW-P	04-13-189	357- 43-110	NEW-P	04-13-191	357- 46-160	NEW	04-18-114
357- 37-030	NEW-P	04-13-189	357- 43-115	NEW-P	04-13-191	357- 46-165	NEW-P	04-13-030
357- 37-035	NEW-P	04-13-189	357- 46-005	NEW-P	04-13-030	357- 46-165	NEW	04-18-114
357- 37-040	NEW-P	04-13-189	357- 46-005	NEW	04-18-114	357- 46-170	NEW-P	04-13-030
357- 37-045	NEW-P	04-13-189	357- 46-010	NEW-P	04-13-030	357- 46-170	NEW	04-18-114
357- 37-050	NEW-P	04-13-189	357- 46-010	NEW	04-18-114	357- 46-175	NEW-P	04-13-030
357- 37-055	NEW-P	04-13-189	357- 46-015	NEW-P	04-13-030	357- 46-175	NEW	04-18-114
357- 37-060	NEW-P	04-13-189	357- 46-015	NEW	04-18-114	357- 46-180	NEW-P	04-13-030
357- 37-065	NEW-P	04-13-189	357- 46-020	NEW-P	04-13-030	357- 46-180	NEW	04-18-114
357- 37-070	NEW-P	04-13-189	357- 46-020	NEW	04-18-114	357- 46-185	NEW-P	04-13-030
357- 37-075	NEW-P	04-13-189	357- 46-025	NEW-P	04-13-030	357- 46-185	NEW	04-18-114
357- 37-080	NEW-P	04-13-189	357- 46-025	NEW	04-18-114	357- 46-190	NEW-P	04-13-030
357- 40-010	NEW-P	04-13-190	357- 46-030	NEW-P	04-13-030	357- 46-190	NEW	04-18-114
357- 40-010	NEW	04-18-113	357- 46-030	NEW	04-18-114	357- 46-195	NEW-P	04-13-030

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
357-46-195	NEW	04-18-114	357-52-235	NEW-P	04-18-118	365-230-200	NEW-P	04-05-062
357-46-200	NEW-P	04-13-030	357-52-240	NEW-P	04-18-118	365-230-200	NEW	04-10-037
357-46-200	NEW	04-18-114	357-52-245	NEW-P	04-18-118	365-230-210	NEW-P	04-05-062
357-46-205	NEW-P	04-13-030	357-52-250	NEW-P	04-18-118	365-230-210	NEW	04-10-037
357-46-205	NEW	04-18-114	357-52-255	NEW-P	04-18-118	365-230-220	NEW-P	04-05-062
357-46-210	NEW	04-18-114	357-52-260	NEW-P	04-18-118	365-230-220	NEW	04-10-037
357-46-215	NEW	04-18-114	357-52-265	NEW-P	04-18-118	365-230-230	NEW-P	04-05-062
357-46-220	NEW	04-18-114	363-116-070	AMD-P	04-10-030	365-230-230	NEW	04-10-037
357-46-225	NEW	04-18-114	363-116-070	AMD	04-14-017	365-230-240	NEW-P	04-05-062
357-49-010	NEW-P	04-13-192	363-116-185	AMD-P	04-10-031	365-230-240	NEW	04-10-037
357-49-010	NEW-S	04-18-127	363-116-185	AMD	04-14-018	365-230-250	NEW-P	04-05-062
357-49-015	NEW-P	04-13-192	363-116-300	AMD-P	04-08-008	365-230-250	NEW	04-10-037
357-49-015	NEW-C	04-18-126	363-116-300	AMD	04-12-014	365-230-260	NEW-P	04-05-062
357-49-020	NEW-P	04-13-192	365-110-035	AMD-X	04-17-139	365-230-260	NEW	04-10-037
357-49-020	NEW-C	04-18-126	365-230-010	NEW-P	04-05-062	365-230-270	NEW-P	04-05-062
357-52-005	NEW-P	04-18-119	365-230-010	NEW	04-10-037	365-230-270	NEW	04-10-037
357-52-010	NEW-P	04-18-119	365-230-015	NEW-P	04-05-062	371-08	PREP	04-15-009
357-52-015	NEW-P	04-18-119	365-230-015	NEW	04-10-037	371-08-305	AMD-E	04-15-010
357-52-020	NEW-P	04-18-119	365-230-016	NEW-P	04-05-062	371-08-306	NEW	04-03-001
357-52-025	NEW-P	04-18-119	365-230-016	NEW	04-10-037	371-08-315	AMD	04-03-001
357-52-030	NEW-P	04-18-119	365-230-020	NEW-P	04-05-062	371-08-335	AMD-E	04-15-010
357-52-035	NEW-P	04-18-119	365-230-020	NEW	04-10-037	388-02-0215	AMD-E	04-07-090
357-52-040	NEW-P	04-18-119	365-230-030	NEW-P	04-05-062	388-02-0215	AMD-E	04-15-056
357-52-045	NEW-P	04-18-119	365-230-030	NEW	04-10-037	388-11-032	PREP-W	04-07-112
357-52-050	NEW-P	04-18-119	365-230-035	NEW-P	04-05-062	388-11-045	PREP-W	04-07-112
357-52-055	NEW-P	04-18-119	365-230-035	NEW	04-10-037	388-11-048	PREP-W	04-07-112
357-52-060	NEW-P	04-18-119	365-230-040	NEW-P	04-05-062	388-11-205	PREP-W	04-07-112
357-52-065	NEW-P	04-18-119	365-230-040	NEW	04-10-037	388-14-045	PREP-W	04-07-112
357-52-070	NEW-P	04-18-119	365-230-050	NEW-P	04-05-062	388-14-450	PREP-W	04-07-112
357-52-075	NEW-P	04-18-119	365-230-050	NEW	04-10-037	388-14A	PREP	04-07-113
357-52-077	NEW-P	04-18-119	365-230-060	NEW-P	04-05-062	388-14A	PREP	04-19-129
357-52-080	NEW-P	04-18-119	365-230-060	NEW	04-10-037	388-14A-1020	PREP	04-06-053
357-52-085	NEW-P	04-18-119	365-230-070	NEW-P	04-05-062	388-14A-1020	AMD-E	04-07-057
357-52-090	NEW-P	04-18-119	365-230-070	NEW	04-10-037	388-14A-1020	PREP	04-09-036
357-52-095	NEW-P	04-18-119	365-230-080	NEW-P	04-05-062	388-14A-1020	AMD-P	04-13-139
357-52-100	NEW-P	04-18-118	365-230-080	NEW	04-10-037	388-14A-1020	AMD-E	04-14-054
357-52-105	NEW-P	04-18-118	365-230-090	NEW-P	04-05-062	388-14A-1020	AMD	04-17-119
357-52-110	NEW-P	04-18-118	365-230-090	NEW	04-10-037	388-14A-3140	PREP	04-09-036
357-52-115	NEW-P	04-18-118	365-230-100	NEW-P	04-05-062	388-14A-3350	PREP	04-19-130
357-52-120	NEW-P	04-18-118	365-230-100	NEW	04-10-037	388-14A-3370	PREP	04-09-036
357-52-125	NEW-P	04-18-118	365-230-110	NEW-P	04-05-062	388-14A-3600	PREP	04-09-036
357-52-130	NEW-P	04-18-118	365-230-110	NEW	04-10-037	388-14A-3810	PREP	04-06-053
357-52-135	NEW-P	04-18-118	365-230-120	NEW-P	04-05-062	388-14A-3810	PREP	04-09-036
357-52-140	NEW-P	04-18-118	365-230-120	NEW	04-10-037	388-14A-4040	AMD-E	04-07-057
357-52-145	NEW-P	04-18-118	365-230-130	NEW-P	04-05-062	388-14A-4040	AMD-P	04-13-139
357-52-150	NEW-P	04-18-118	365-230-130	NEW	04-10-037	388-14A-4040	AMD-E	04-14-054
357-52-155	NEW-P	04-18-118	365-230-132	NEW-P	04-05-062	388-14A-4040	AMD	04-17-119
357-52-160	NEW-P	04-18-118	365-230-132	NEW	04-10-037	388-14A-4100	PREP-W	04-07-022
357-52-165	NEW-P	04-18-118	365-230-134	NEW-P	04-05-062	388-14A-4100	AMD-E	04-07-057
357-52-170	NEW-P	04-18-118	365-230-134	NEW	04-10-037	388-14A-4100	PREP	04-07-062
357-52-175	NEW-P	04-18-118	365-230-140	NEW-P	04-05-062	388-14A-4100	AMD-P	04-13-139
357-52-180	NEW-P	04-18-118	365-230-140	NEW	04-10-037	388-14A-4100	AMD-E	04-14-054
357-52-185	NEW-P	04-18-118	365-230-150	NEW-P	04-05-062	388-14A-4100	AMD	04-17-119
357-52-190	NEW-P	04-18-118	365-230-150	NEW	04-10-037	388-14A-4110	PREP-W	04-07-022
357-52-195	NEW-P	04-18-118	365-230-160	NEW-P	04-05-062	388-14A-4110	AMD-E	04-07-057
357-52-200	NEW-P	04-18-118	365-230-160	NEW	04-10-037	388-14A-4110	PREP	04-07-062
357-52-205	NEW-P	04-18-118	365-230-170	NEW-P	04-05-062	388-14A-4110	AMD-P	04-13-139
357-52-210	NEW-P	04-18-118	365-230-170	NEW	04-10-037	388-14A-4110	AMD-E	04-14-054
357-52-215	NEW-P	04-18-118	365-230-180	NEW-P	04-05-062	388-14A-4110	AMD	04-17-119
357-52-220	NEW-P	04-18-118	365-230-180	NEW	04-10-037	388-14A-4120	PREP-W	04-07-022
357-52-225	NEW-P	04-18-118	365-230-190	NEW-P	04-05-062	388-14A-4120	AMD-E	04-07-057
357-52-230	NEW-P	04-18-118	365-230-190	NEW	04-10-037	388-14A-4120	PREP	04-07-062

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-4120	AMD-P	04-13-139	388- 14A-4170	NEW-P	04-13-139	388- 27-0235	REP-E	04-03-018
388- 14A-4120	AMD-E	04-14-054	388- 14A-4170	NEW-E	04-14-054	388- 27-0235	REP	04-06-024
388- 14A-4120	AMD	04-17-119	388- 14A-4170	NEW	04-17-119	388- 27-0240	REP-E	04-03-018
388- 14A-4121	NEW-E	04-07-057	388- 14A-4175	NEW-E	04-07-057	388- 27-0240	REP	04-06-024
388- 14A-4121	NEW-P	04-13-139	388- 14A-4175	NEW-P	04-13-139	388- 27-0245	REP-E	04-03-018
388- 14A-4121	NEW-E	04-14-054	388- 14A-4175	NEW-E	04-14-054	388- 27-0245	REP	04-06-024
388- 14A-4121	NEW	04-17-119	388- 14A-4175	NEW	04-17-119	388- 27-0270	REP-E	04-03-018
388- 14A-4122	NEW-E	04-07-057	388- 14A-5000	PREP	04-07-166	388- 27-0270	REP	04-06-024
388- 14A-4122	NEW-P	04-13-139	388- 14A-5001	PREP	04-08-069	388- 61-001	AMD-P	04-16-105
388- 14A-4122	NEW-E	04-14-054	388- 14A-6300	PREP	04-09-036	388- 71	PREP	04-19-100
388- 14A-4122	NEW	04-17-119	388- 14A-6300	PREP	04-19-099	388- 71-0100	AMD-P	04-13-138
388- 14A-4123	NEW-E	04-07-057	388- 25	PREP	04-07-059	388- 71-0100	AMD	04-19-136
388- 14A-4123	NEW-P	04-13-139	388- 25-0225	PREP	04-08-068	388- 71-0105	AMD-E	04-06-039
388- 14A-4123	NEW-E	04-14-054	388- 25-0225	AMD-E	04-15-082	388- 71-0105	AMD-P	04-13-138
388- 14A-4123	NEW	04-17-119	388- 25-0226	PREP	04-08-068	388- 71-0105	AMD-E	04-14-013
388- 14A-4124	NEW-E	04-07-057	388- 25-0226	NEW-E	04-15-082	388- 71-0105	AMD	04-19-136
388- 14A-4124	NEW-P	04-13-139	388- 25-0227	NEW-E	04-15-082	388- 71-0110	AMD-P	04-13-138
388- 14A-4124	NEW-E	04-14-054	388- 25-0228	NEW-E	04-15-082	388- 71-0110	AMD	04-19-136
388- 14A-4124	NEW	04-17-119	388- 25-0230	PREP	04-08-068	388- 71-0115	AMD-P	04-13-138
388- 14A-4125	NEW-E	04-07-057	388- 25-0230	REP-E	04-15-082	388- 71-0115	AMD	04-19-136
388- 14A-4125	NEW-P	04-13-139	388- 25-1000	NEW-E	04-07-091	388- 71-0116	NEW-E	04-06-039
388- 14A-4125	NEW-E	04-14-054	388- 25-1000	NEW-E	04-15-055	388- 71-0116	NEW-E	04-14-013
388- 14A-4125	NEW	04-17-119	388- 25-1010	NEW-E	04-07-091	388- 71-0120	REP-P	04-13-138
388- 14A-4126	NEW-E	04-07-057	388- 25-1010	NEW-E	04-15-055	388- 71-0120	REP	04-19-136
388- 14A-4126	NEW-P	04-13-139	388- 25-1020	NEW-E	04-07-091	388- 71-01205	NEW-P	04-13-138
388- 14A-4126	NEW-E	04-14-054	388- 25-1020	NEW-E	04-15-055	388- 71-01205	NEW	04-19-136
388- 14A-4126	NEW	04-17-119	388- 25-1030	NEW-E	04-07-091	388- 71-0121	NEW-P	04-13-138
388- 14A-4130	PREP-W	04-07-022	388- 25-1030	NEW-E	04-15-055	388- 71-0121	NEW	04-19-136
388- 14A-4130	AMD-E	04-07-057	388- 25-1040	NEW-E	04-07-091	388- 71-01210	NEW-P	04-13-138
388- 14A-4130	PREP	04-07-062	388- 25-1040	NEW-E	04-15-055	388- 71-01210	NEW	04-19-136
388- 14A-4130	AMD-P	04-13-139	388- 25-1050	NEW-E	04-07-091	388- 71-01215	NEW-P	04-13-138
388- 14A-4130	AMD-E	04-14-054	388- 25-1050	NEW-E	04-15-055	388- 71-01215	NEW	04-19-136
388- 14A-4130	AMD	04-17-119	388- 27-0120	AMD-E	04-03-018	388- 71-01220	NEW-P	04-13-138
388- 14A-4135	NEW-E	04-07-057	388- 27-0120	AMD	04-06-024	388- 71-01220	NEW	04-19-136
388- 14A-4135	NEW-P	04-13-139	388- 27-0130	AMD-E	04-03-018	388- 71-01225	NEW-P	04-13-138
388- 14A-4135	NEW-E	04-14-054	388- 27-0130	AMD	04-06-024	388- 71-01225	NEW	04-19-136
388- 14A-4135	NEW	04-17-119	388- 27-0135	AMD-E	04-03-018	388- 71-01230	NEW-P	04-13-138
388- 14A-4140	NEW-E	04-07-057	388- 27-0135	AMD	04-06-024	388- 71-01230	NEW	04-19-136
388- 14A-4140	NEW-P	04-13-139	388- 27-0155	AMD-E	04-03-018	388- 71-01235	NEW-P	04-13-138
388- 14A-4140	NEW-E	04-14-054	388- 27-0155	AMD	04-06-024	388- 71-01235	NEW	04-19-136
388- 14A-4140	NEW	04-17-119	388- 27-0160	AMD-E	04-03-018	388- 71-01240	NEW-P	04-13-138
388- 14A-4143	NEW-E	04-07-057	388- 27-0160	AMD	04-06-024	388- 71-01240	NEW	04-19-136
388- 14A-4143	NEW-P	04-13-139	388- 27-0165	AMD-E	04-03-018	388- 71-01245	NEW-P	04-13-138
388- 14A-4143	NEW-E	04-14-054	388- 27-0165	AMD	04-06-024	388- 71-01245	NEW	04-19-136
388- 14A-4143	NEW	04-17-119	388- 27-0175	AMD-E	04-03-018	388- 71-01250	NEW-P	04-13-138
388- 14A-4145	NEW-E	04-07-057	388- 27-0175	AMD	04-06-024	388- 71-01250	NEW	04-19-136
388- 14A-4145	NEW-P	04-13-139	388- 27-0190	AMD-E	04-03-018	388- 71-01255	NEW-P	04-13-138
388- 14A-4145	NEW-E	04-14-054	388- 27-0190	AMD	04-06-024	388- 71-01255	NEW	04-19-136
388- 14A-4145	NEW	04-17-119	388- 27-0195	AMD-E	04-03-018	388- 71-01260	NEW-P	04-13-138
388- 14A-4150	NEW-E	04-07-057	388- 27-0195	AMD	04-06-024	388- 71-01260	NEW	04-19-136
388- 14A-4150	NEW-P	04-13-139	388- 27-0200	AMD-E	04-03-018	388- 71-01265	NEW-P	04-13-138
388- 14A-4150	NEW-E	04-14-054	388- 27-0200	AMD	04-06-024	388- 71-01265	NEW	04-19-136
388- 14A-4150	NEW	04-17-119	388- 27-0210	AMD-E	04-03-018	388- 71-01270	NEW-P	04-13-138
388- 14A-4160	NEW-E	04-07-057	388- 27-0210	AMD	04-06-024	388- 71-01270	NEW	04-19-136
388- 14A-4160	NEW-P	04-13-139	388- 27-0215	AMD-E	04-03-018	388- 71-01275	NEW-P	04-13-138
388- 14A-4160	NEW-E	04-14-054	388- 27-0215	AMD	04-06-024	388- 71-01275	NEW	04-19-136
388- 14A-4160	NEW	04-17-119	388- 27-0220	AMD-E	04-03-018	388- 71-01280	NEW-P	04-13-138
388- 14A-4165	NEW-E	04-07-057	388- 27-0220	AMD	04-06-024	388- 71-01280	NEW	04-19-136
388- 14A-4165	NEW-P	04-13-139	388- 27-0225	REP-E	04-03-018	388- 71-0150	REP-P	04-13-138
388- 14A-4165	NEW-E	04-14-054	388- 27-0225	REP	04-06-024	388- 71-0150	REP	04-19-136
388- 14A-4165	NEW	04-17-119	388- 27-0230	AMD-E	04-03-018	388- 71-0155	REP-P	04-13-138
388- 14A-4170	NEW-E	04-07-057	388- 27-0230	AMD	04-06-024	388- 71-0155	REP	04-19-136

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 71-0194	AMD-E	04-10-062	388- 71-0935	PREP	04-07-061	388- 72A-0042	NEW-P	04-14-099
388- 71-0194	AMD-P	04-10-101	388- 71-0940	PREP	04-07-061	388- 72A-0042	NEW-E	04-15-013
388- 71-0194	AMD	04-16-029	388- 71-0945	PREP	04-07-061	388- 72A-0042	NEW-W	04-18-070
388- 71-0202	AMD	04-04-042	388- 71-0950	PREP	04-07-061	388- 72A-0042	NEW-S	04-18-071
388- 71-0202	AMD-E	04-10-062	388- 71-0955	PREP	04-07-061	388- 72A-0042	NEW-E	04-18-083
388- 71-0202	AMD-P	04-10-101	388- 71-0960	PREP	04-07-061	388- 72A-0042	NEW	04-19-103
388- 71-0202	AMD	04-16-029	388- 71-0960	AMD-E	04-10-062	388- 72A-0043	NEW-S	04-18-071
388- 71-0405	AMD-E	04-10-062	388- 71-0960	AMD-P	04-10-101	388- 72A-0043	NEW-E	04-18-083
388- 71-0405	AMD-P	04-10-101	388- 71-0960	AMD	04-16-029	388- 72A-0053	NEW-E	04-10-062
388- 71-0405	AMD	04-16-029	388- 71-0965	PREP	04-07-061	388- 72A-0053	NEW-P	04-10-101
388- 71-0410	AMD-E	04-10-062	388- 71-1105	AMD-E	04-10-062	388- 72A-0053	NEW	04-16-029
388- 71-0410	AMD-P	04-10-101	388- 71-1105	AMD-P	04-10-101	388- 72A-0055	AMD-E	04-09-094
388- 71-0410	AMD	04-16-029	388- 71-1105	AMD	04-16-029	388- 72A-0055	AMD-P	04-14-099
388- 71-0415	AMD-E	04-10-062	388- 72A	PREP	04-09-089	388- 72A-0055	AMD-E	04-15-013
388- 71-0415	AMD-P	04-10-101	388- 72A	PREP	04-19-100	388- 72A-0055	AMD	04-19-103
388- 71-0415	AMD	04-16-029	388- 72A-0010	AMD-E	04-09-094	388- 72A-0057	NEW-E	04-10-062
388- 71-0420	AMD-E	04-10-062	388- 72A-0010	AMD-P	04-10-097	388- 72A-0057	NEW-P	04-10-101
388- 71-0420	AMD-P	04-10-101	388- 72A-0010	AMD-W	04-11-082	388- 72A-0057	NEW	04-16-029
388- 71-0420	AMD	04-16-029	388- 72A-0010	AMD-S	04-11-086	388- 72A-0058	NEW-E	04-10-062
388- 71-0425	AMD-E	04-10-062	388- 72A-0010	AMD-W	04-14-096	388- 72A-0058	NEW-P	04-10-101
388- 71-0425	AMD-P	04-10-101	388- 72A-0010	AMD-P	04-14-099	388- 72A-0058	NEW	04-16-029
388- 71-0425	AMD	04-16-029	388- 72A-0010	AMD-E	04-15-013	388- 72A-0060	AMD-E	04-09-094
388- 71-0440	AMD-E	04-10-062	388- 72A-0010	AMD	04-19-103	388- 72A-0060	AMD-E	04-10-062
388- 71-0440	AMD-P	04-10-101	388- 72A-0035	AMD-P	04-14-099	388- 72A-0060	AMD-P	04-10-101
388- 71-0440	AMD	04-16-029	388- 72A-0035	AMD-E	04-15-013	388- 72A-0060	AMD-P	04-14-099
388- 71-0465	AMD-E	04-10-062	388- 72A-0035	AMD	04-19-103	388- 72A-0060	AMD-E	04-15-013
388- 71-0465	AMD-P	04-10-101	388- 72A-0036	NEW-E	04-09-094	388- 72A-0060	AMD	04-16-029
388- 71-0465	AMD	04-16-029	388- 72A-0036	NEW-P	04-10-097	388- 72A-0060	AMD	04-19-103
388- 71-0470	AMD-E	04-10-062	388- 72A-0036	NEW-W	04-11-082	388- 72A-0065	AMD-E	04-09-094
388- 71-0470	AMD-P	04-10-101	388- 72A-0036	NEW-S	04-11-086	388- 72A-0065	AMD-E	04-10-062
388- 71-0470	AMD	04-16-029	388- 72A-0036	NEW-W	04-14-096	388- 72A-0065	AMD-P	04-10-101
388- 71-0480	AMD-E	04-10-062	388- 72A-0036	NEW-P	04-14-099	388- 72A-0065	AMD-P	04-14-099
388- 71-0480	AMD-P	04-10-101	388- 72A-0036	NEW-E	04-15-013	388- 72A-0065	AMD-E	04-15-013
388- 71-0480	AMD	04-16-029	388- 72A-0036	NEW	04-19-103	388- 72A-0065	AMD	04-16-029
388- 71-0510	AMD-E	04-10-062	388- 72A-0037	NEW-E	04-09-094	388- 72A-0065	AMD	04-19-103
388- 71-0510	AMD-P	04-10-101	388- 72A-0037	NEW-P	04-14-099	388- 72A-0069	NEW-E	04-09-094
388- 71-0510	AMD	04-16-029	388- 72A-0037	NEW-E	04-15-013	388- 72A-0069	NEW-P	04-14-099
388- 71-0531	NEW	04-04-042	388- 72A-0037	NEW	04-19-103	388- 72A-0069	NEW-E	04-15-013
388- 71-0531	REP-E	04-07-058	388- 72A-0038	NEW-E	04-09-094	388- 72A-0069	NEW	04-19-103
388- 71-0531	PREP	04-07-060	388- 72A-0038	NEW-P	04-14-099	388- 72A-0070	AMD-E	04-09-094
388- 71-0531	REP-P	04-11-085	388- 72A-0038	NEW-E	04-15-013	388- 72A-0070	AMD-P	04-14-099
388- 71-0531	REP	04-15-001	388- 72A-0038	NEW	04-19-103	388- 72A-0070	AMD-E	04-15-013
388- 71-0531	REP-E	04-15-011	388- 72A-0039	NEW-E	04-09-094	388- 72A-0070	AMD	04-19-103
388- 71-05665	AMD-E	04-10-062	388- 72A-0039	NEW-P	04-14-099	388- 72A-0075	REP-E	04-09-094
388- 71-05665	AMD-P	04-10-101	388- 72A-0039	NEW-E	04-15-013	388- 72A-0075	REP-P	04-14-099
388- 71-05665	AMD	04-16-029	388- 72A-0039	NEW	04-19-103	388- 72A-0075	REP-E	04-15-013
388- 71-0700	AMD-E	04-10-062	388- 72A-0040	REP-E	04-09-094	388- 72A-0075	REP	04-19-103
388- 71-0700	AMD-P	04-10-101	388- 72A-0040	REP-P	04-14-099	388- 72A-0080	AMD-E	04-09-094
388- 71-0700	AMD	04-16-029	388- 72A-0040	REP-E	04-15-013	388- 72A-0080	AMD-P	04-14-099
388- 71-0708	AMD-E	04-10-062	388- 72A-0040	REP	04-19-103	388- 72A-0080	AMD-E	04-15-013
388- 71-0708	AMD-P	04-10-101	388- 72A-0041	NEW-E	04-09-094	388- 72A-0080	AMD	04-19-103
388- 71-0708	AMD	04-16-029	388- 72A-0041	NEW-P	04-10-097	388- 72A-0081	NEW-E	04-09-094
388- 71-0900	PREP	04-07-061	388- 72A-0041	NEW-W	04-11-082	388- 72A-0081	NEW-P	04-14-099
388- 71-0905	PREP	04-07-061	388- 72A-0041	NEW-S	04-11-086	388- 72A-0081	NEW-E	04-15-013
388- 71-0910	PREP	04-07-061	388- 72A-0041	NEW-W	04-14-096	388- 72A-0081	NEW	04-19-103
388- 71-0915	PREP	04-07-061	388- 72A-0041	NEW-P	04-14-099	388- 72A-0082	NEW-E	04-09-094
388- 71-0915	AMD-E	04-10-062	388- 72A-0041	NEW-E	04-15-013	388- 72A-0082	NEW-P	04-14-099
388- 71-0915	AMD-P	04-10-101	388- 72A-0041	NEW	04-19-103	388- 72A-0082	NEW-E	04-15-013
388- 71-0915	AMD	04-16-029	388- 72A-0042	NEW-P	04-10-097	388- 72A-0082	NEW	04-19-103
388- 71-0920	PREP	04-07-061	388- 72A-0042	NEW-W	04-11-082	388- 72A-0083	NEW-E	04-09-094
388- 71-0925	PREP	04-07-061	388- 72A-0042	NEW-S	04-11-086	388- 72A-0083	NEW-P	04-14-099
388- 71-0930	PREP	04-07-061	388- 72A-0042	NEW-W	04-14-096	388- 72A-0083	NEW-E	04-15-013

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 72A-0083	NEW	04-19-103	388- 78A-0070	REP-P	04-11-116	388- 78A-0380	REP-P	04-11-116
388- 72A-0084	NEW-E	04-09-094	388- 78A-0070	REP	04-16-065	388- 78A-0380	REP	04-16-065
388- 72A-0084	NEW-P	04-14-099	388- 78A-0080	REP-P	04-11-116	388- 78A-0390	REP-P	04-11-116
388- 72A-0084	NEW-E	04-15-013	388- 78A-0080	REP	04-16-065	388- 78A-0390	REP	04-16-065
388- 72A-0084	NEW	04-19-103	388- 78A-0090	REP-P	04-11-116	388- 78A-0400	REP-P	04-11-116
388- 72A-0085	AMD-E	04-09-094	388- 78A-0090	REP	04-16-065	388- 78A-0400	REP	04-16-065
388- 72A-0085	AMD-P	04-14-099	388- 78A-0100	REP-P	04-11-116	388- 78A-0410	REP-P	04-11-116
388- 72A-0085	AMD-E	04-15-013	388- 78A-0100	REP	04-16-065	388- 78A-0410	REP	04-16-065
388- 72A-0085	AMD	04-19-103	388- 78A-0110	REP-P	04-11-116	388- 78A-0420	REP-P	04-11-116
388- 72A-0086	NEW-E	04-09-094	388- 78A-0110	REP	04-16-065	388- 78A-0420	REP	04-16-065
388- 72A-0086	NEW-P	04-10-097	388- 78A-0120	REP-P	04-11-116	388- 78A-0430	REP-P	04-11-116
388- 72A-0086	NEW-W	04-11-082	388- 78A-0120	REP	04-16-065	388- 78A-0430	REP	04-16-065
388- 72A-0086	NEW-S	04-11-086	388- 78A-0130	REP-P	04-11-116	388- 78A-0440	REP-P	04-11-116
388- 72A-0086	NEW-W	04-14-096	388- 78A-0130	REP	04-16-065	388- 78A-0440	REP	04-16-065
388- 72A-0086	NEW-P	04-14-099	388- 78A-0140	REP-P	04-11-116	388- 78A-0450	REP-P	04-11-116
388- 72A-0086	NEW-E	04-15-013	388- 78A-0140	REP	04-16-065	388- 78A-0450	REP	04-16-065
388- 72A-0086	NEW	04-19-103	388- 78A-0150	REP-P	04-11-116	388- 78A-0460	REP-P	04-11-116
388- 72A-0087	NEW-E	04-09-094	388- 78A-0150	REP	04-16-065	388- 78A-0460	REP	04-16-065
388- 72A-0087	NEW-P	04-14-099	388- 78A-0160	REP-P	04-11-116	388- 78A-0470	REP-P	04-11-116
388- 72A-0087	NEW-E	04-15-013	388- 78A-0160	REP	04-16-065	388- 78A-0470	REP	04-16-065
388- 72A-0087	NEW	04-19-103	388- 78A-0170	REP-P	04-11-116	388- 78A-0480	REP-P	04-11-116
388- 72A-0090	AMD-E	04-09-094	388- 78A-0170	REP	04-16-065	388- 78A-0480	REP	04-16-065
388- 72A-0090	AMD-P	04-14-099	388- 78A-0180	REP-P	04-11-116	388- 78A-0490	REP-P	04-11-116
388- 72A-0090	AMD-E	04-15-013	388- 78A-0180	REP	04-16-065	388- 78A-0490	REP	04-16-065
388- 72A-0090	AMD	04-19-103	388- 78A-0190	REP-P	04-11-116	388- 78A-0500	REP-P	04-11-116
388- 72A-0092	NEW-E	04-09-094	388- 78A-0190	REP	04-16-065	388- 78A-0500	REP	04-16-065
388- 72A-0092	NEW-P	04-14-099	388- 78A-0200	REP-P	04-11-116	388- 78A-0510	REP-P	04-11-116
388- 72A-0092	NEW-E	04-15-013	388- 78A-0200	REP	04-16-065	388- 78A-0510	REP	04-16-065
388- 72A-0092	NEW	04-19-103	388- 78A-0210	REP-P	04-11-116	388- 78A-0520	REP-P	04-11-116
388- 72A-0095	AMD-E	04-09-094	388- 78A-0210	REP	04-16-065	388- 78A-0520	REP	04-16-065
388- 72A-0095	AMD-P	04-10-097	388- 78A-0220	REP-P	04-11-116	388- 78A-0530	REP-P	04-11-116
388- 72A-0095	AMD-W	04-11-082	388- 78A-0220	REP	04-16-065	388- 78A-0530	REP	04-16-065
388- 72A-0095	AMD-S	04-11-086	388- 78A-0230	REP-P	04-11-116	388- 78A-0540	REP-P	04-11-116
388- 72A-0095	AMD-W	04-14-096	388- 78A-0230	REP	04-16-065	388- 78A-0540	REP	04-16-065
388- 72A-0095	AMD-P	04-14-099	388- 78A-0240	REP-P	04-11-116	388- 78A-0550	REP-P	04-11-116
388- 72A-0095	AMD-E	04-15-013	388- 78A-0240	REP	04-16-065	388- 78A-0550	REP	04-16-065
388- 72A-0095	AMD	04-19-103	388- 78A-0250	REP-P	04-11-116	388- 78A-0560	REP-P	04-11-116
388- 72A-0100	AMD-E	04-10-062	388- 78A-0250	REP	04-16-065	388- 78A-0560	REP	04-16-065
388- 72A-0100	AMD-P	04-10-101	388- 78A-0260	REP-P	04-11-116	388- 78A-0570	REP-P	04-11-116
388- 72A-0100	AMD	04-16-029	388- 78A-0260	REP	04-16-065	388- 78A-0570	REP	04-16-065
388- 72A-0115	NEW-E	04-09-094	388- 78A-0270	REP-P	04-11-116	388- 78A-0580	REP-P	04-11-116
388- 72A-0115	NEW-P	04-14-099	388- 78A-0270	REP	04-16-065	388- 78A-0580	REP	04-16-065
388- 72A-0115	NEW-E	04-15-013	388- 78A-0280	REP-P	04-11-116	388- 78A-0590	REP-P	04-11-116
388- 72A-0115	NEW	04-19-103	388- 78A-0280	REP	04-16-065	388- 78A-0590	REP	04-16-065
388- 72A-0120	NEW-P	04-14-099	388- 78A-0290	REP-P	04-11-116	388- 78A-0600	REP-P	04-11-116
388- 72A-0120	NEW-E	04-15-013	388- 78A-0290	REP	04-16-065	388- 78A-0600	REP	04-16-065
388- 72A-0120	NEW	04-19-103	388- 78A-0300	REP-P	04-11-116	388- 78A-0605	REP-P	04-11-116
388- 78A	PREP	04-06-072	388- 78A-0300	REP	04-16-065	388- 78A-0605	REP	04-16-065
388- 78A	PREP	04-07-189	388- 78A-0310	REP-P	04-11-116	388- 78A-0610	REP-P	04-11-116
388- 78A	PREP-W	04-08-034	388- 78A-0310	REP	04-16-065	388- 78A-0610	REP	04-16-065
388- 78A-0010	REP-P	04-11-116	388- 78A-0320	REP-P	04-11-116	388- 78A-0620	REP-P	04-11-116
388- 78A-0010	REP	04-16-065	388- 78A-0320	REP	04-16-065	388- 78A-0620	REP	04-16-065
388- 78A-0020	REP-P	04-11-116	388- 78A-0330	REP-P	04-11-116	388- 78A-0630	REP-P	04-11-116
388- 78A-0020	REP	04-16-065	388- 78A-0330	REP	04-16-065	388- 78A-0630	REP	04-16-065
388- 78A-0030	REP-P	04-11-116	388- 78A-0340	REP-P	04-11-116	388- 78A-0635	REP-P	04-11-116
388- 78A-0030	REP	04-16-065	388- 78A-0340	REP	04-16-065	388- 78A-0635	REP	04-16-065
388- 78A-0040	REP-P	04-11-116	388- 78A-0350	REP-P	04-11-116	388- 78A-0640	REP-P	04-11-116
388- 78A-0040	REP	04-16-065	388- 78A-0350	REP	04-16-065	388- 78A-0640	REP	04-16-065
388- 78A-0050	REP-P	04-11-116	388- 78A-0360	REP-P	04-11-116	388- 78A-0650	REP-P	04-11-116
388- 78A-0050	REP	04-16-065	388- 78A-0360	REP	04-16-065	388- 78A-0650	REP	04-16-065
388- 78A-0060	REP-P	04-11-116	388- 78A-0370	REP-P	04-11-116	388- 78A-0660	REP-P	04-11-116
388- 78A-0060	REP	04-16-065	388- 78A-0370	REP	04-16-065	388- 78A-0660	REP	04-16-065

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-96-725	AMD-P	04-17-144	388-110-080	REP-P	04-13-021	388-140-0155	NEW-E	04-03-010D
388-96-726	AMD-P	04-17-144	388-110-080	REP	04-16-063	388-140-0160	NEW-E	04-03-010D
388-96-728	REP-P	04-17-144	388-110-090	AMD-P	04-13-021	388-140-0165	NEW-E	04-03-010D
388-96-729	REP-P	04-17-144	388-110-090	AMD	04-16-063	388-140-0170	NEW-E	04-03-010D
388-96-730	AMD-P	04-17-144	388-110-100	AMD-P	04-13-021	388-140-0175	NEW-E	04-03-010D
388-96-731	AMD-P	04-17-144	388-110-100	AMD	04-16-063	388-140-0180	NEW-E	04-03-010D
388-96-732	REP-P	04-17-144	388-110-120	AMD-P	04-13-021	388-140-0185	NEW-E	04-03-010D
388-96-740	AMD-P	04-17-144	388-110-120	AMD	04-16-063	388-140-0190	NEW-E	04-03-010D
388-96-742	AMD-P	04-17-144	388-110-140	AMD-P	04-13-021	388-140-0195	NEW-E	04-03-010D
388-96-749	NEW-P	04-17-144	388-110-140	AMD	04-16-063	388-140-0200	NEW-E	04-03-010D
388-96-766	AMD-P	04-17-144	388-110-140	AMD	04-18-001	388-140-0205	NEW-E	04-03-010D
388-96-776	AMD-P	04-17-144	388-110-150	AMD-P	04-13-021	388-140-0210	NEW-E	04-03-010D
388-96-779	REP-P	04-17-144	388-110-150	AMD	04-16-063	388-140-0215	NEW-E	04-03-010D
388-96-780	REP-P	04-17-144	388-110-170	REP-P	04-13-021	388-140-0220	NEW-E	04-03-010D
388-96-782	AMD-P	04-17-144	388-110-170	REP	04-16-063	388-140-0225	NEW-E	04-03-010D
388-96-783	NEW-P	04-17-144	388-110-180	REP-P	04-13-021	388-140-0230	NEW-E	04-03-010D
388-96-901	AMD-P	04-17-144	388-110-180	REP	04-16-063	388-140-0235	NEW-E	04-03-010D
388-96-904	AMD-P	04-17-144	388-110-190	REP-P	04-13-021	388-140-0240	NEW-E	04-03-010D
388-97-017	PREP	04-12-095	388-110-190	REP	04-16-063	388-140-0245	NEW-E	04-03-010D
388-97-017	AMD-P	04-17-107	388-110-200	REP-P	04-13-021	388-140-0250	NEW-E	04-03-010D
388-97-125	PREP	04-06-055	388-110-200	REP	04-16-063	388-140-0255	NEW-E	04-03-010D
388-105	PREP	04-10-089	388-110-220	AMD-P	04-13-021	388-140-0260	NEW-E	04-03-010D
388-105	PREP	04-18-066	388-110-220	AMD	04-16-063	388-140-0265	NEW-E	04-03-010D
388-105-0005	AMD-P	04-04-044	388-110-220	AMD	04-18-001	388-140-0270	NEW-E	04-03-010D
388-105-0005	AMD-E	04-06-038	388-110-240	AMD-P	04-13-021	388-140-0275	NEW-E	04-03-010D
388-105-0005	AMD-W	04-06-056	388-110-240	AMD	04-16-063	388-140-0280	NEW-E	04-03-010D
388-105-0005	AMD-P	04-06-075	388-110-260	AMD-P	04-13-021	388-140-0285	NEW-E	04-03-010D
388-105-0005	AMD	04-09-092	388-110-260	AMD	04-16-063	388-140-0290	NEW-E	04-03-010D
388-105-0030	AMD-P	04-04-044	388-110-270	AMD-P	04-13-021	388-140-0295	NEW-E	04-03-010D
388-105-0030	AMD-E	04-06-038	388-110-270	AMD	04-16-063	388-140-0300	NEW-E	04-03-010D
388-105-0030	AMD-W	04-06-056	388-110-280	AMD-P	04-13-021	388-140-0305	NEW-E	04-03-010D
388-105-0030	AMD-P	04-06-075	388-110-280	AMD	04-16-063	388-140-0310	NEW-E	04-03-010D
388-105-0030	AMD	04-09-092	388-140-0005	NEW-E	04-03-010D	388-140-0315	NEW-E	04-03-010D
388-105-0040	AMD-P	04-04-044	388-140-0010	NEW-E	04-03-010D	388-140-0320	NEW-E	04-03-010D
388-105-0040	AMD-E	04-06-038	388-140-0015	NEW-E	04-03-010D	388-140-0325	NEW-E	04-03-010D
388-105-0040	AMD-W	04-06-056	388-140-0020	NEW-E	04-03-010D	388-140-0330	NEW-E	04-03-010D
388-105-0040	AMD-P	04-06-075	388-140-0025	NEW-E	04-03-010D	388-140-0335	NEW-E	04-03-010D
388-105-0040	AMD	04-09-092	388-140-0030	NEW-E	04-03-010D	388-140-0340	NEW-E	04-03-010D
388-105-0045	NEW-P	04-04-044	388-140-0035	NEW-E	04-03-010D	388-140-0345	NEW-E	04-03-010D
388-105-0045	NEW-E	04-06-038	388-140-0040	NEW-E	04-03-010D	388-140-0350	NEW-E	04-03-010D
388-105-0045	NEW-W	04-06-056	388-140-0045	NEW-E	04-03-010D	388-140-0355	NEW-E	04-03-010D
388-105-0045	NEW-P	04-06-075	388-140-0050	NEW-E	04-03-010D	388-140-0360	NEW-E	04-03-010D
388-105-0045	NEW	04-09-092	388-140-0055	NEW-E	04-03-010D	388-140-0365	NEW-E	04-03-010D
388-110	AMD-P	04-13-021	388-140-0060	NEW-E	04-03-010D	388-140-0370	NEW-E	04-03-010D
388-110	AMD	04-16-063	388-140-0065	NEW-E	04-03-010D	388-140-0375	NEW-E	04-03-010D
388-110-005	AMD-P	04-13-021	388-140-0070	NEW-E	04-03-010D	388-140-0380	NEW-E	04-03-010D
388-110-005	AMD	04-16-063	388-140-0075	NEW-E	04-03-010D	388-140-0385	NEW-E	04-03-010D
388-110-010	AMD-P	04-13-021	388-140-0080	NEW-E	04-03-010D	388-140-0390	NEW-E	04-03-010D
388-110-010	AMD	04-16-063	388-140-0085	NEW-E	04-03-010D	388-140-0395	NEW-E	04-03-010D
388-110-020	AMD-P	04-13-021	388-140-0090	NEW-E	04-03-010D	388-140-0400	NEW-E	04-03-010D
388-110-020	AMD	04-16-063	388-140-0095	NEW-E	04-03-010D	388-140-0405	NEW-E	04-03-010D
388-110-020	AMD	04-18-001	388-140-0100	NEW-E	04-03-010D	388-140-0410	NEW-E	04-03-010D
388-110-030	AMD-P	04-13-021	388-140-0105	NEW-E	04-03-010D	388-140-0415	NEW-E	04-03-010D
388-110-030	AMD	04-16-063	388-140-0110	NEW-E	04-03-010D	388-140-0420	NEW-E	04-03-010D
388-110-040	AMD-P	04-13-021	388-140-0115	NEW-E	04-03-010D	388-140-0425	NEW-E	04-03-010D
388-110-040	AMD	04-16-063	388-140-0120	NEW-E	04-03-010D	388-140-0430	NEW-E	04-03-010D
388-110-050	AMD-P	04-13-021	388-140-0125	NEW-E	04-03-010D	388-140-0435	NEW-E	04-03-010D
388-110-050	AMD	04-16-063	388-140-0130	NEW-E	04-03-010D	388-140-0440	NEW-E	04-03-010D
388-110-060	REP-P	04-13-021	388-140-0135	NEW-E	04-03-010D	388-140-0445	NEW-E	04-03-010D
388-110-060	REP	04-16-063	388-140-0140	NEW-E	04-03-010D	388-140-0450	NEW-E	04-03-010D
388-110-070	AMD-P	04-13-021	388-140-0145	NEW-E	04-03-010D	388-140-0455	NEW-E	04-03-010D
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388-140-0610	NEW-E	04-03-010D	388-147-0550	NEW-P	04-18-045	388-148-0090	AMD	04-08-073
388-140-0615	NEW-E	04-03-010D	388-147-0560	NEW-P	04-18-045	388-148-0095	AMD-P	04-03-116
388-140-0620	NEW-E	04-03-010D	388-147-0570	NEW-P	04-18-045	388-148-0095	AMD-E	04-05-035
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388-140-0635	NEW-E	04-03-010D	388-147-0600	NEW-P	04-18-045	388-148-0098	NEW	04-08-073
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388-145-0230	PREP	04-18-069	388-147-0620	NEW-P	04-18-045	388-148-0100	AMD	04-08-073
388-147-0010	NEW-P	04-18-045	388-147-0630	NEW-P	04-18-045	388-148-0110	AMD-P	04-03-116
388-147-0020	NEW-P	04-18-045	388-147-0640	NEW-P	04-18-045	388-148-0110	AMD	04-08-073
388-147-0030	NEW-P	04-18-045	388-147-0650	NEW-P	04-18-045	388-148-0120	AMD-P	04-03-116
388-147-0040	NEW-P	04-18-045	388-147-0660	NEW-P	04-18-045	388-148-0120	AMD-E	04-05-035
388-147-0050	NEW-P	04-18-045	388-147-0670	NEW-P	04-18-045	388-148-0120	AMD	04-08-073
388-147-0060	NEW-P	04-18-045	388-147-0680	NEW-P	04-18-045	388-148-0125	AMD-P	04-03-116
388-147-0070	NEW-P	04-18-045	388-147-0690	NEW-P	04-18-045	388-148-0125	AMD-E	04-05-035
388-147-0080	NEW-P	04-18-045	388-147-0700	NEW-P	04-18-045	388-148-0125	AMD	04-08-073
388-147-0090	NEW-P	04-18-045	388-147-0710	NEW-P	04-18-045	388-148-0127	NEW-P	04-03-116
388-147-0100	NEW-P	04-18-045	388-147-0720	NEW-P	04-18-045	388-148-0127	NEW	04-08-073
388-147-0110	NEW-P	04-18-045	388-148	AMD-P	04-03-116	388-148-0130	AMD-P	04-03-116
388-147-0120	NEW-P	04-18-045	388-148	AMD	04-08-073	388-148-0130	AMD	04-08-073
388-147-0130	NEW-P	04-18-045	388-148-0005	AMD-P	04-03-116	388-148-0135	AMD-P	04-03-116
388-147-0140	NEW-P	04-18-045	388-148-0005	AMD	04-08-073	388-148-0135	AMD	04-08-073
388-147-0150	NEW-P	04-18-045	388-148-0010	AMD-P	04-03-116	388-148-0140	AMD-P	04-03-116
388-147-0160	NEW-P	04-18-045	388-148-0010	AMD	04-08-073	388-148-0140	AMD-E	04-05-035
388-147-0170	NEW-P	04-18-045	388-148-0015	AMD-P	04-03-116	388-148-0140	AMD	04-08-073
388-147-0180	NEW-P	04-18-045	388-148-0015	AMD	04-08-073	388-148-0150	AMD-P	04-03-116
388-147-0190	NEW-P	04-18-045	388-148-0020	AMD-P	04-03-116	388-148-0150	AMD	04-08-073
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388-147-0210	NEW-P	04-18-045	388-148-0025	AMD-P	04-03-116	388-148-0165	AMD	04-08-073
388-147-0220	NEW-P	04-18-045	388-148-0025	AMD	04-08-073	388-148-0170	AMD-P	04-03-116
388-147-0230	NEW-P	04-18-045	388-148-0035	AMD-P	04-03-116	388-148-0170	AMD-E	04-05-035
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388-147-0250	NEW-P	04-18-045	388-148-0035	AMD	04-08-073	388-148-0180	AMD-P	04-03-116
388-147-0260	NEW-P	04-18-045	388-148-0040	AMD-P	04-03-116	388-148-0180	AMD	04-08-073
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388-148-0200	AMD	04-08-073	388-148-0375	AMD	04-08-073	388-148-0585	AMD	04-08-073
388-148-0210	AMD-P	04-03-116	388-148-0380	AMD-P	04-03-116	388-148-0600	AMD-P	04-03-116
388-148-0210	AMD	04-08-073	388-148-0380	AMD	04-08-073	388-148-0600	AMD	04-08-073
388-148-0220	AMD-P	04-03-116	388-148-0385	AMD-P	04-03-116	388-148-0605	AMD-P	04-03-116
388-148-0220	AMD-E	04-05-035	388-148-0385	AMD	04-08-073	388-148-0605	AMD	04-08-073
388-148-0220	AMD	04-08-073	388-148-0395	AMD-P	04-03-116	388-148-0610	AMD-P	04-03-116
388-148-0225	AMD-P	04-03-116	388-148-0395	AMD-E	04-05-035	388-148-0610	AMD	04-08-073
388-148-0225	AMD	04-08-073	388-148-0395	AMD	04-08-073	388-148-0615	REP-P	04-03-116
388-148-0230	AMD-P	04-03-116	388-148-0400	AMD-P	04-03-116	388-148-0615	REP	04-08-073
388-148-0230	AMD	04-08-073	388-148-0400	AMD	04-08-073	388-148-0620	AMD-P	04-03-116
388-148-0235	AMD-P	04-03-116	388-148-0422	NEW-P	04-03-116	388-148-0620	AMD	04-08-073
388-148-0235	AMD	04-08-073	388-148-0422	NEW	04-08-073	388-148-0625	AMD-P	04-03-116
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388-148-0240	AMD	04-08-073	388-148-0425	AMD	04-08-073	388-148-0630	REP-P	04-03-116
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388-148-0245	AMD	04-08-073	388-148-0430	AMD-P	04-03-116	388-148-0630	REP	04-08-073
388-148-0250	AMD-P	04-03-116	388-148-0430	AMD	04-08-073	388-148-0635	REP-P	04-03-116
388-148-0250	AMD	04-08-073	388-148-0445	AMD-P	04-03-116	388-148-0635	REP	04-08-073
388-148-0255	AMD-P	04-03-116	388-148-0445	AMD	04-08-073	388-148-0640	AMD-P	04-03-116
388-148-0255	AMD	04-08-073	388-148-0450	REP-P	04-03-116	388-148-0640	AMD	04-08-073
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388-148-0260	AMD-E	04-05-035	388-148-0455	AMD-P	04-03-116	388-148-0645	AMD	04-08-073
388-148-0260	AMD	04-08-073	388-148-0455	AMD	04-08-073	388-148-0650	REP-P	04-03-116
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388-148-0265	AMD	04-08-073	388-148-0460	AMD-E	04-05-035	388-148-0655	AMD-P	04-03-116
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388-148-0270	AMD	04-08-073	388-148-0470	AMD-P	04-03-116	388-148-0660	AMD	04-08-073
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388-148-0285	REP-P	04-03-116	388-148-0480	AMD	04-08-073	388-148-0685	AMD-P	04-03-116
388-148-0285	REP	04-08-073	388-148-0485	AMD-P	04-03-116	388-148-0685	AMD	04-08-073
388-148-0300	AMD-P	04-03-116	388-148-0485	AMD	04-08-073	388-148-0695	AMD-P	04-03-116
388-148-0300	AMD	04-08-073	388-148-0487	NEW-P	04-03-116	388-148-0695	AMD	04-08-073
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388-148-0315	AMD-P	04-03-116	388-148-0488	NEW	04-08-073	388-148-0700	AMD	04-08-073
388-148-0315	AMD	04-08-073	388-148-0490	AMD-P	04-03-116	388-148-0705	AMD-P	04-03-116
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388-148-0320	AMD	04-08-073	388-148-0500	REP-P	04-03-116	388-148-0710	AMD-P	04-03-116
388-148-0325	AMD-P	04-03-116	388-148-0500	REP	04-08-073	388-148-0710	AMD	04-08-073
388-148-0325	AMD	04-08-073	388-148-0520	AMD-P	04-03-116	388-148-0715	AMD-P	04-03-116
388-148-0335	AMD-P	04-03-116	388-148-0520	AMD-E	04-05-035	388-148-0715	AMD	04-08-073
388-148-0335	AMD-E	04-05-035	388-148-0520	AMD	04-08-073	388-148-0718	NEW-P	04-03-116
388-148-0335	AMD	04-08-073	388-148-0525	AMD-P	04-03-116	388-148-0718	NEW	04-08-073
388-148-0340	AMD-P	04-03-116	388-148-0525	AMD	04-08-073	388-148-0720	AMD-P	04-03-116
388-148-0340	AMD	04-08-073	388-148-0535	AMD-P	04-03-116	388-148-0720	AMD-E	04-05-035
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388-148-0345	AMD	04-08-073	388-148-0540	AMD	04-08-073	388-148-0722	NEW-E	04-05-035
388-148-0350	AMD-P	04-03-116	388-148-0541	NEW-P	04-03-116	388-148-0722	NEW	04-08-073
388-148-0350	AMD-E	04-05-035	388-148-0541	NEW	04-08-073	388-148-0725	AMD-P	04-03-116
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388-148-0352	NEW-P	04-03-116	388-148-0542	NEW-E	04-05-035	388-148-0725	AMD	04-08-073
388-148-0352	NEW	04-08-073	388-148-0542	NEW	04-08-073	388-148-0730	AMD-P	04-03-116
388-148-0355	AMD-P	04-03-116	388-148-0555	AMD-P	04-03-116	388-148-0730	AMD	04-08-073
388-148-0355	AMD	04-08-073	388-148-0555	AMD	04-08-073	388-148-0735	REP-P	04-03-116
388-148-0360	REP-P	04-03-116	388-148-0560	AMD-P	04-03-116	388-148-0735	REP	04-08-073
388-148-0360	REP	04-08-073	388-148-0560	AMD-E	04-05-035	388-148-0750	AMD-P	04-03-116
388-148-0365	AMD-P	04-03-116	388-148-0560	AMD	04-08-073	388-148-0750	AMD	04-08-073

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-148-0765	AMD-P	04-03-116	388-148-1065	REP-P	04-03-116	388-155-010	REP-P	04-07-134
388-148-0765	AMD	04-08-073	388-148-1065	REP	04-08-073	388-155-010	REP	04-18-082
388-148-0775	AMD-P	04-03-116	388-148-1066	NEW-P	04-03-116	388-155-020	REP-P	04-07-134
388-148-0775	AMD	04-08-073	388-148-1066	NEW	04-08-073	388-155-020	REP	04-18-082
388-148-0785	AMD-P	04-03-116	388-148-1070	AMD-P	04-03-116	388-155-040	REP-P	04-07-134
388-148-0785	AMD-E	04-05-035	388-148-1070	AMD-E	04-05-035	388-155-040	REP	04-18-082
388-148-0785	AMD	04-08-073	388-148-1070	AMD	04-08-073	388-155-050	REP-P	04-07-134
388-148-0795	AMD-P	04-03-116	388-148-1076	NEW-P	04-03-116	388-155-050	REP	04-18-082
388-148-0795	AMD	04-08-073	388-148-1076	NEW-E	04-05-035	388-155-060	REP-P	04-07-134
388-148-0800	AMD-P	04-03-116	388-148-1076	NEW	04-08-073	388-155-060	REP	04-18-082
388-148-0800	AMD	04-08-073	388-148-1077	NEW-P	04-03-116	388-155-070	REP-P	04-07-134
388-148-0805	AMD-P	04-03-116	388-148-1077	NEW-E	04-05-035	388-155-070	REP	04-18-082
388-148-0805	AMD	04-08-073	388-148-1077	NEW	04-08-073	388-155-080	REP-P	04-07-134
388-148-0810	AMD-P	04-03-116	388-148-1078	NEW-P	04-03-116	388-155-080	REP-W	04-18-046
388-148-0810	AMD	04-08-073	388-148-1078	NEW-E	04-05-035	388-155-083	REP-P	04-07-134
388-148-0830	AMD-P	04-03-116	388-148-1078	NEW	04-08-073	388-155-083	REP	04-18-082
388-148-0830	AMD	04-08-073	388-148-1079	NEW-P	04-03-116	388-155-085	REP-P	04-07-134
388-148-0860	AMD-P	04-03-116	388-148-1079	NEW-E	04-05-035	388-155-085	REP	04-18-082
388-148-0860	AMD	04-08-073	388-148-1079	NEW	04-08-073	388-155-090	REP-P	04-07-134
388-148-0870	AMD-P	04-03-116	388-148-1085	AMD-P	04-03-116	388-155-090	REP	04-18-082
388-148-0870	AMD	04-08-073	388-148-1085	AMD	04-08-073	388-155-092	REP-P	04-07-134
388-148-0875	AMD-P	04-03-116	388-148-1115	AMD-P	04-03-116	388-155-092	REP	04-18-082
388-148-0875	AMD	04-08-073	388-148-1115	AMD-E	04-05-035	388-155-093	REP-P	04-07-134
388-148-0880	AMD-P	04-03-116	388-148-1115	AMD	04-08-073	388-155-093	REP	04-18-082
388-148-0880	AMD-E	04-05-035	388-148-1120	AMD-P	04-03-116	388-155-094	REP-P	04-07-134
388-148-0880	AMD	04-08-073	388-148-1120	AMD-E	04-05-035	388-155-094	REP	04-18-082
388-148-0885	AMD-P	04-03-116	388-148-1120	AMD	04-08-073	388-155-095	REP-P	04-07-134
388-148-0885	AMD	04-08-073	388-148-1205	NEW-P	04-03-116	388-155-095	REP	04-18-082
388-148-0890	AMD-P	04-03-116	388-148-1205	NEW	04-08-073	388-155-096	REP-P	04-07-134
388-148-0890	AMD	04-08-073	388-148-1210	NEW-P	04-03-116	388-155-096	REP	04-18-082
388-148-0892	NEW-P	04-03-116	388-148-1210	NEW	04-08-073	388-155-097	REP-P	04-07-134
388-148-0892	NEW-E	04-05-035	388-148-1215	NEW-P	04-03-116	388-155-097	REP	04-18-082
388-148-0892	NEW	04-08-073	388-148-1215	NEW	04-08-073	388-155-098	REP-P	04-07-134
388-148-0895	AMD-P	04-03-116	388-148-1220	NEW-P	04-03-116	388-155-098	REP	04-18-082
388-148-0895	AMD	04-08-073	388-148-1220	NEW	04-08-073	388-155-100	REP-P	04-07-134
388-148-0900	AMD-P	04-03-116	388-148-1225	NEW-P	04-03-116	388-155-100	REP	04-18-082
388-148-0900	AMD	04-08-073	388-148-1225	NEW	04-08-073	388-155-110	REP-P	04-07-134
388-148-0905	AMD-P	04-03-116	388-148-1230	NEW-P	04-03-116	388-155-110	REP	04-18-082
388-148-0905	AMD	04-08-073	388-148-1230	NEW	04-08-073	388-155-120	REP-P	04-07-134
388-148-0915	AMD-P	04-03-116	388-148-1235	NEW-P	04-03-116	388-155-120	REP	04-18-082
388-148-0915	AMD-E	04-05-035	388-148-1235	NEW	04-08-073	388-155-130	REP-P	04-07-134
388-148-0915	AMD	04-08-073	388-148-1240	NEW-P	04-03-116	388-155-130	REP	04-18-082
388-148-0935	REP-P	04-03-116	388-148-1240	NEW	04-08-073	388-155-140	REP-P	04-07-134
388-148-0935	REP	04-08-073	388-148-1245	NEW-P	04-03-116	388-155-140	REP	04-18-082
388-148-0995	AMD-P	04-03-116	388-148-1245	NEW	04-08-073	388-155-150	REP-P	04-07-134
388-148-0995	AMD-E	04-05-035	388-148-1250	NEW-P	04-03-116	388-155-150	REP	04-18-082
388-148-0995	AMD	04-08-073	388-148-1250	NEW	04-08-073	388-155-160	REP-P	04-07-134
388-148-1020	REP-P	04-03-116	388-148-1255	NEW-P	04-03-116	388-155-160	REP	04-18-082
388-148-1020	REP	04-08-073	388-148-1255	NEW	04-08-073	388-155-165	REP-P	04-07-134
388-148-1025	AMD-P	04-03-116	388-148-1260	NEW-P	04-03-116	388-155-165	REP	04-18-082
388-148-1025	AMD	04-08-073	388-148-1260	NEW	04-08-073	388-155-170	REP-P	04-07-134
388-148-1030	AMD-P	04-03-116	388-148-1265	NEW-P	04-03-116	388-155-170	REP	04-18-082
388-148-1030	AMD	04-08-073	388-148-1265	NEW	04-08-073	388-155-180	REP-P	04-07-134
388-148-1035	AMD-P	04-03-116	388-148-1270	NEW-P	04-03-116	388-155-180	REP	04-18-082
388-148-1035	AMD	04-08-073	388-148-1270	NEW	04-08-073	388-155-190	REP-P	04-07-134
388-148-1045	AMD-P	04-03-116	388-148-1275	NEW-P	04-03-116	388-155-190	REP	04-18-082
388-148-1045	AMD	04-08-073	388-148-1275	NEW	04-08-073	388-155-200	REP-P	04-07-134
388-148-1050	AMD-P	04-03-116	388-148-1280	NEW-P	04-03-116	388-155-200	REP	04-18-082
388-148-1050	AMD	04-08-073	388-148-1280	NEW	04-08-073	388-155-220	REP-P	04-07-134
388-148-1060	AMD-P	04-03-116	388-155	REP-C	04-10-095	388-155-220	REP	04-18-082
388-148-1060	AMD-E	04-05-035	388-155-005	REP-P	04-07-134	388-155-230	REP-P	04-07-134
388-148-1060	AMD	04-08-073	388-155-005	REP	04-18-082	388-155-230	REP	04-18-082

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-155-240	REP-P	04-07-134	388-155-640	REP-P	04-07-134	388-290-0032	NEW	04-08-134
388-155-240	REP	04-18-082	388-155-640	REP	04-18-082	388-290-0032	PREP	04-13-046
388-155-250	REP-P	04-07-134	388-155-650	REP-P	04-07-134	388-290-0035	AMD-P	04-02-047
388-155-250	REP	04-18-082	388-155-650	REP	04-18-082	388-290-0035	AMD	04-08-021
388-155-270	REP-P	04-07-134	388-155-660	REP-P	04-07-134	388-290-0035	AMD	04-08-134
388-155-270	REP	04-18-082	388-155-660	REP	04-18-082	388-290-0040	AMD-P	04-02-047
388-155-280	REP-P	04-07-134	388-155-670	REP-P	04-07-134	388-290-0040	AMD	04-08-021
388-155-280	REP	04-18-082	388-155-670	REP	04-18-082	388-290-0040	AMD	04-08-134
388-155-290	REP-P	04-07-134	388-155-680	REP-P	04-07-134	388-290-0040	PREP	04-13-046
388-155-290	REP	04-18-082	388-155-680	REP	04-18-082	388-290-0045	AMD-P	04-02-047
388-155-295	REP-P	04-07-134	388-155-991	REP-P	04-07-134	388-290-0045	AMD	04-08-021
388-155-295	REP	04-18-082	388-155-991	REP	04-18-082	388-290-0045	AMD	04-08-134
388-155-310	REP-P	04-07-134	388-155-992	REP-P	04-07-134	388-290-0045	PREP	04-13-046
388-155-310	REP	04-18-082	388-155-992	REP	04-18-082	388-290-0050	AMD-P	04-02-047
388-155-320	REP-P	04-07-134	388-155-993	REP-P	04-07-134	388-290-0050	AMD	04-08-021
388-155-320	REP	04-18-082	388-155-993	REP	04-18-082	388-290-0050	AMD	04-08-134
388-155-330	REP-P	04-07-134	388-160-0075	PREP	04-18-067	388-290-0055	AMD-P	04-02-047
388-155-330	REP	04-18-082	388-160-0195	PREP	04-18-067	388-290-0055	AMD	04-08-021
388-155-340	REP-P	04-07-134	388-273-0025	AMD-E	04-03-097	388-290-0055	AMD	04-08-134
388-155-340	REP	04-18-082	388-273-0025	AMD-P	04-07-089	388-290-0060	AMD-P	04-02-047
388-155-350	REP-P	04-07-134	388-273-0025	AMD-E	04-11-080	388-290-0060	AMD	04-08-021
388-155-350	REP	04-18-082	388-273-0025	AMD	04-13-136	388-290-0060	AMD	04-08-134
388-155-360	REP-P	04-07-134	388-273-0030	AMD-E	04-03-097	388-290-0060	PREP	04-13-046
388-155-360	REP	04-18-082	388-273-0030	AMD-P	04-07-089	388-290-0065	AMD-P	04-02-047
388-155-370	REP-P	04-07-134	388-273-0030	AMD-E	04-11-080	388-290-0065	AMD	04-08-021
388-155-370	REP	04-18-082	388-273-0030	AMD	04-13-136	388-290-0065	AMD	04-08-134
388-155-380	REP-P	04-07-134	388-273-0035	AMD-E	04-03-097	388-290-0070	AMD-P	04-02-047
388-155-380	REP	04-18-082	388-273-0035	AMD-P	04-07-089	388-290-0070	AMD	04-08-021
388-155-390	REP-P	04-07-134	388-273-0035	AMD-E	04-11-080	388-290-0070	AMD	04-08-134
388-155-390	REP	04-18-082	388-273-0035	AMD	04-13-136	388-290-0075	AMD-P	04-02-047
388-155-400	REP-P	04-07-134	388-290-0001	AMD-P	04-02-047	388-290-0075	AMD-E	04-05-079
388-155-400	REP	04-18-082	388-290-0001	AMD	04-08-021	388-290-0075	AMD	04-08-021
388-155-410	REP-P	04-07-134	388-290-0001	AMD	04-08-134	388-290-0075	AMD	04-08-134
388-155-410	REP	04-18-082	388-290-0005	AMD-P	04-02-047	388-290-0080	REP-P	04-02-047
388-155-420	REP-P	04-07-134	388-290-0005	AMD	04-08-021	388-290-0080	REP	04-08-021
388-155-420	REP	04-18-082	388-290-0005	AMD	04-08-134	388-290-0080	REP	04-08-134
388-155-430	REP-P	04-07-134	388-290-0010	AMD-P	04-02-047	388-290-0082	NEW-P	04-02-047
388-155-430	REP	04-18-082	388-290-0010	AMD	04-08-021	388-290-0082	NEW	04-08-021
388-155-440	REP-P	04-07-134	388-290-0010	AMD	04-08-134	388-290-0082	NEW	04-08-134
388-155-440	REP	04-18-082	388-290-0012	NEW-P	04-02-047	388-290-0085	AMD-P	04-02-047
388-155-450	REP-P	04-07-134	388-290-0012	NEW	04-08-021	388-290-0085	AMD-E	04-05-079
388-155-450	REP	04-18-082	388-290-0012	NEW	04-08-134	388-290-0085	AMD	04-08-021
388-155-460	REP-P	04-07-134	388-290-0015	AMD-P	04-02-047	388-290-0085	AMD	04-08-134
388-155-460	REP	04-18-082	388-290-0015	AMD	04-08-021	388-290-0085	PREP	04-13-046
388-155-470	REP-P	04-07-134	388-290-0015	AMD	04-08-134	388-290-0090	AMD-P	04-02-047
388-155-470	REP	04-18-082	388-290-0020	AMD-P	04-02-047	388-290-0090	AMD	04-08-021
388-155-480	REP-P	04-07-134	388-290-0020	AMD	04-08-021	388-290-0090	AMD	04-08-134
388-155-480	REP	04-18-082	388-290-0020	AMD	04-08-134	388-290-0090	PREP	04-13-046
388-155-490	REP-P	04-07-134	388-290-0020	PREP	04-13-046	388-290-0095	AMD-P	04-02-047
388-155-490	REP	04-18-082	388-290-0025	AMD-P	04-02-047	388-290-0095	AMD	04-08-021
388-155-500	REP-P	04-07-134	388-290-0025	AMD	04-08-021	388-290-0095	AMD	04-08-134
388-155-500	REP	04-18-082	388-290-0025	AMD	04-08-134	388-290-0100	AMD-P	04-02-047
388-155-600	REP-P	04-07-134	388-290-0025	PREP	04-13-046	388-290-0100	AMD	04-08-021
388-155-600	REP	04-18-082	388-290-0030	AMD-P	04-02-047	388-290-0100	AMD	04-08-134
388-155-605	REP-P	04-07-134	388-290-0030	AMD	04-08-021	388-290-0105	AMD-P	04-02-047
388-155-605	REP	04-18-082	388-290-0030	AMD	04-08-134	388-290-0105	AMD	04-08-021
388-155-610	REP-P	04-07-134	388-290-0030	PREP	04-13-046	388-290-0105	AMD	04-08-134
388-155-610	REP	04-18-082	388-290-0031	NEW-P	04-02-047	388-290-0105	PREP	04-13-046
388-155-620	REP-P	04-07-134	388-290-0031	NEW	04-08-021	388-290-0107	NEW-P	04-02-047
388-155-620	REP	04-18-082	388-290-0031	NEW	04-08-134	388-290-0107	NEW	04-08-021
388-155-630	REP-P	04-07-134	388-290-0032	NEW-P	04-02-047	388-290-0107	NEW	04-08-134
388-155-630	REP	04-18-082	388-290-0032	NEW	04-08-021	388-290-0108	NEW-P	04-02-047

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388-290-0108	NEW	04-08-021	388-290-0205	AMD	04-08-134	388-295-1110	AMD	04-09-093
388-290-0108	NEW	04-08-134	388-290-0205	AMD-E	04-14-014	388-295-2010	AMD-P	04-05-084
388-290-0108	PREP	04-13-046	388-290-0205	PREP	04-19-102	388-295-2010	AMD	04-09-093
388-290-0110	AMD-P	04-02-047	388-290-0210	REP-P	04-02-047	388-295-2090	AMD-P	04-05-084
388-290-0110	AMD	04-08-021	388-290-0210	REP-E	04-05-079	388-295-2090	AMD	04-09-093
388-290-0110	AMD	04-08-134	388-290-0210	REP	04-08-021	388-295-2100	AMD-P	04-05-084
388-290-0110	PREP	04-13-046	388-290-0210	REP	04-08-134	388-295-2100	AMD	04-09-093
388-290-0120	AMD-P	04-02-047	388-290-0220	AMD-P	04-02-047	388-295-3010	AMD-P	04-05-084
388-290-0120	AMD	04-08-021	388-290-0220	AMD	04-08-021	388-295-3010	AMD	04-09-093
388-290-0120	AMD	04-08-134	388-290-0220	AMD	04-08-134	388-295-4010	AMD-P	04-05-084
388-290-0125	AMD-P	04-02-047	388-290-0225	AMD-P	04-02-047	388-295-4010	AMD	04-09-093
388-290-0125	AMD	04-08-021	388-290-0225	AMD	04-08-021	388-295-4100	AMD-P	04-05-084
388-290-0125	AMD	04-08-134	388-290-0225	AMD	04-08-134	388-295-4100	AMD	04-09-093
388-290-0130	AMD-P	04-02-047	388-290-0230	AMD-P	04-02-047	388-295-5030	AMD-P	04-05-084
388-290-0130	AMD-E	04-04-030	388-290-0230	AMD	04-08-021	388-295-5030	AMD	04-09-093
388-290-0130	AMD	04-08-021	388-290-0230	AMD	04-08-134	388-295-5150	AMD-P	04-05-084
388-290-0130	AMD	04-08-134	388-290-0235	AMD-P	04-02-047	388-295-5150	AMD	04-09-093
388-290-0130	PREP	04-13-046	388-290-0235	AMD	04-08-021	388-295-6010	PREP	04-17-105
388-290-0135	AMD-P	04-02-047	388-290-0235	AMD	04-08-134	388-295-7010	AMD-P	04-05-084
388-290-0135	AMD	04-08-021	388-290-0245	AMD-P	04-02-047	388-295-7010	AMD	04-09-093
388-290-0135	AMD	04-08-134	388-290-0245	AMD	04-08-021	388-295-7040	AMD-P	04-05-084
388-290-0140	AMD-P	04-02-047	388-290-0245	AMD	04-08-134	388-295-7040	AMD	04-09-093
388-290-0140	AMD	04-08-021	388-290-0247	NEW-P	04-02-047	388-295-7050	AMD-P	04-05-084
388-290-0140	AMD	04-08-134	388-290-0247	NEW	04-08-021	388-295-7050	AMD	04-09-093
388-290-0140	PREP	04-13-046	388-290-0247	NEW	04-08-134	388-296	NEW-C	04-10-095
388-290-0143	AMD-P	04-02-047	388-290-0250	AMD-P	04-02-047	388-296-0010	NEW-P	04-07-134
388-290-0143	AMD	04-08-021	388-290-0250	AMD	04-08-021	388-296-0010	NEW	04-18-082
388-290-0143	AMD	04-08-134	388-290-0250	AMD	04-08-134	388-296-0020	NEW-P	04-07-134
388-290-0145	AMD-P	04-02-047	388-290-0255	AMD-P	04-02-047	388-296-0020	NEW	04-18-082
388-290-0145	AMD	04-08-021	388-290-0255	AMD	04-08-021	388-296-0110	NEW-P	04-07-134
388-290-0145	AMD	04-08-134	388-290-0255	AMD	04-08-134	388-296-0110	NEW	04-18-082
388-290-0150	AMD-P	04-02-047	388-290-0260	AMD-P	04-02-047	388-296-0120	NEW-P	04-07-134
388-290-0150	AMD	04-08-021	388-290-0260	AMD	04-08-021	388-296-0120	NEW	04-18-082
388-290-0150	AMD	04-08-134	388-290-0260	AMD	04-08-134	388-296-0125	NEW-P	04-07-134
388-290-0155	AMD-P	04-02-047	388-290-0265	AMD-P	04-02-047	388-296-0125	NEW	04-18-082
388-290-0155	AMD	04-08-021	388-290-0265	AMD	04-08-021	388-296-0130	NEW-P	04-07-134
388-290-0155	AMD	04-08-134	388-290-0265	AMD	04-08-134	388-296-0130	NEW	04-18-082
388-290-0155	PREP	04-13-046	388-290-0270	AMD-P	04-02-047	388-296-0140	NEW-P	04-07-134
388-290-0160	AMD-P	04-02-047	388-290-0270	AMD	04-08-021	388-296-0140	NEW	04-18-082
388-290-0160	AMD	04-08-021	388-290-0270	AMD	04-08-134	388-296-0150	NEW-P	04-07-134
388-290-0160	AMD	04-08-134	388-290-0270	PREP	04-13-046	388-296-0150	NEW	04-18-082
388-290-0165	AMD-P	04-02-047	388-290-0271	NEW-P	04-02-047	388-296-0160	NEW-P	04-07-134
388-290-0165	AMD	04-08-021	388-290-0271	NEW	04-08-021	388-296-0160	NEW	04-18-082
388-290-0165	AMD	04-08-134	388-290-0271	NEW	04-08-134	388-296-0170	NEW-P	04-07-134
388-290-0165	PREP	04-13-046	388-290-0273	NEW-P	04-02-047	388-296-0170	NEW	04-18-082
388-290-0167	AMD-P	04-02-047	388-290-0273	NEW	04-08-021	388-296-0180	NEW-P	04-07-134
388-290-0167	AMD	04-08-021	388-290-0273	NEW	04-08-134	388-296-0180	NEW	04-18-082
388-290-0167	AMD	04-08-134	388-295-0020	AMD-P	04-05-084	388-296-0190	NEW-P	04-07-134
388-290-0180	AMD-P	04-02-047	388-295-0020	AMD	04-09-093	388-296-0190	NEW	04-18-082
388-290-0180	AMD	04-08-021	388-295-0060	AMD-P	04-05-084	388-296-0195	NEW	04-18-082
388-290-0180	AMD	04-08-134	388-295-0060	AMD	04-09-093	388-296-0200	NEW-P	04-07-134
388-290-0190	AMD-P	04-02-047	388-295-0070	AMD-P	04-05-084	388-296-0200	NEW	04-18-082
388-290-0190	AMD-E	04-05-079	388-295-0070	AMD	04-09-093	388-296-0205	NEW	04-18-082
388-290-0190	AMD	04-08-021	388-295-0090	AMD-P	04-05-084	388-296-0210	NEW-P	04-07-134
388-290-0190	AMD	04-08-134	388-295-0090	AMD	04-09-093	388-296-0210	NEW	04-18-082
388-290-0200	AMD-P	04-02-047	388-295-0100	AMD-P	04-05-084	388-296-0215	NEW	04-18-082
388-290-0200	AMD	04-08-021	388-295-0100	AMD	04-09-093	388-296-0220	NEW-P	04-07-134
388-290-0200	AMD	04-08-134	388-295-0110	AMD-P	04-05-084	388-296-0220	NEW	04-18-082
388-290-0200	AMD-E	04-14-014	388-295-0110	AMD	04-09-093	388-296-0230	NEW-P	04-07-134
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388-296-1230	NEW-P	04-07-134	388-400-0030	AMD-P	04-15-054	388-424-0010	AMD-P	04-10-100
388-296-1230	NEW	04-18-082	388-400-0030	AMD	04-19-135	388-424-0010	AMD	04-15-004
388-296-1240	NEW-P	04-07-134	388-400-0040	AMD-P	04-10-096	388-424-0015	AMD-P	04-10-100
388-296-1240	NEW	04-18-082	388-400-0040	AMD-P	04-10-099	388-424-0015	AMD	04-15-004
388-296-1250	NEW-P	04-07-134	388-400-0040	AMD-E	04-14-039	388-424-0016	NEW-P	04-10-100
388-296-1250	NEW	04-18-082	388-400-0040	AMD	04-14-040	388-424-0016	NEW	04-15-004
388-296-1260	NEW-P	04-07-134	388-400-0040	AMD	04-15-057	388-424-0020	AMD-P	04-10-100
388-296-1260	NEW	04-18-082	388-400-0040	AMD-P	04-17-117	388-424-0020	AMD	04-15-004
388-296-1270	NEW-P	04-07-134	388-408-0015	PREP	04-07-164	388-424-0025	AMD-P	04-10-100
388-296-1280	NEW-P	04-07-134	388-408-0025	AMD-P	04-17-115	388-424-0025	AMD	04-15-004
388-296-1280	NEW	04-18-082	388-408-0034	AMD-P	04-02-050	388-426	PREP-W	04-03-052
388-296-1290	NEW-P	04-07-134	388-408-0034	AMD	04-06-025	388-426-0005	AMD	04-03-050
388-296-1290	NEW	04-18-082	388-408-0035	AMD-P	04-02-050	388-434-0005	AMD	04-03-019
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388-296-1300	NEW	04-18-082	388-408-0035	AMD-P	04-10-096	388-434-0005	AMD-P	04-15-052
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388-296-1320	NEW	04-18-082	388-408-0035	AMD	04-14-040	388-434-0010	PREP	04-11-083
388-296-1330	NEW-P	04-07-134	388-408-0055	PREP	04-18-068	388-434-0010	AMD-P	04-16-104
388-296-1330	NEW	04-18-082	388-410-0001	AMD-C	04-02-058	388-434-0010	AMD	04-19-133
388-296-1340	NEW-P	04-07-134	388-410-0001	AMD	04-05-010	388-436-0002	AMD-P	04-02-049
388-296-1340	NEW	04-18-082	388-410-0001	AMD	04-05-010	388-436-0002	AMD-E	04-03-098
388-296-1350	NEW-P	04-07-134	388-412-0005	PREP	04-13-100	388-436-0002	AMD	04-07-023
388-296-1350	NEW	04-18-082	388-412-0005	AMD-P	04-17-116	388-436-0015	AMD-C	04-02-057
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388-296-1360	NEW	04-18-082	388-414-0001	AMD-P	04-04-076	388-436-0040	AMD-C	04-02-058
388-296-1370	NEW-P	04-07-134	388-414-0001	AMD	04-07-139	388-436-0040	AMD	04-05-010
388-296-1370	NEW	04-18-082	388-414-0001	PREP	04-08-036	388-438-0100	REP-P	04-04-074
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388-296-1390	NEW-P	04-07-134	388-414-0001	AMD	04-14-038	388-438-0110	AMD-P	04-10-099
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388-296-1400	NEW	04-18-082	388-416-0015	AMD	04-03-019	388-440-0001	AMD-C	04-02-058
388-296-1410	NEW-P	04-07-134	388-416-0015	AMD-P	04-17-117	388-440-0001	AMD	04-05-010
388-296-1410	NEW	04-18-082	388-416-0020	PREP	04-13-102	388-442-0010	PREP	04-10-091
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388-296-1430	NEW-P	04-07-134	388-416-0035	PREP	04-12-098	388-442-0010	AMD	04-18-002
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388-296-1450	NEW-P	04-07-134	388-418-0005	AMD	04-06-026	388-446-0005	AMD	04-13-097
388-296-1450	NEW	04-18-082	388-418-0005	AMD-P	04-15-053	388-448-0001	AMD-P	04-02-048
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388-400-0005	AMD-P	04-19-131	388-424-0006	NEW	04-15-004	388-448-0170	REP-P	04-02-048
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388-400-0010	AMD	04-15-057	388-424-0007	NEW	04-15-004	388-448-0170	REP-E	04-03-010E
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388-448-0190	REP-E	04-02-051	388-475-0100	NEW	04-09-002	388-492-0040	AMD-E	04-13-001
388-448-0190	REP-E	04-03-010E	388-475-0150	NEW	04-09-002	388-492-0040	AMD-P	04-19-112
388-448-0190	REP	04-07-140	388-475-0200	NEW	04-09-002	388-492-0040	AMD-E	04-19-116
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388-448-0200	AMD	04-07-140	388-475-0300	NEW	04-09-002	388-492-0050	AMD-E	04-13-001
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388-450-0005	PREP-W	04-13-099	388-475-0600	NEW	04-09-004	388-492-0060	AMD-E	04-19-116
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388-450-0020	REP	04-09-005	388-475-0700	NEW	04-09-004	388-492-0070	PREP	04-12-092
388-450-0050	AMD-P	04-11-084	388-475-0750	NEW	04-09-004	388-492-0070	AMD-E	04-13-001
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388-450-0150	REP	04-09-005	388-478-0005	AMD	04-05-010	388-492-0100	AMD-E	04-13-001
388-450-0156	AMD-P	04-10-099	388-478-0015	PREP	04-17-102	388-492-0100	AMD-P	04-19-112
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388-450-0185	AMD-E	04-19-114	388-478-0075	PREP	04-07-165	388-492-0120	AMD-E	04-13-001
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388-450-0190	PREP	04-12-092	388-478-0075	AMD	04-15-092	388-492-0130	AMD-E	04-05-003
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388-450-0200	AMD-E	04-19-132	388-478-0085	AMD	04-17-076	388-502-0160	PREP	04-16-087
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388-513-1315	AMD-E	04-15-091	388-530-1950	AMD-P	04-19-109	388-533-0500	PREP	04-14-098
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388-515-1505	PREP	04-19-085	388-531-2000	NEW-P	04-16-017	388-533-730	NEW	04-11-008
388-515-1510	AMD-E	04-08-019	388-531-2000	NEW	04-19-113	388-535	PREP	04-07-115
388-515-1510	AMD-P	04-12-101	388-532	PREP	04-12-094	388-535-1050	AMD-X	04-07-142
388-515-1510	AMD	04-18-054	388-532-001	NEW	04-05-011	388-535-1050	AMD	04-14-100
388-515-1550	NEW-E	04-10-062	388-532-050	AMD	04-05-011	388-535-1065	AMD-X	04-07-142
388-515-1550	NEW-P	04-10-101	388-532-100	AMD	04-05-011	388-535-1065	AMD	04-14-100
388-515-1550	NEW	04-16-029	388-532-110	NEW	04-05-011	388-535A-0010	AMD-P	04-19-110
388-517-0300	PREP	04-10-090	388-532-120	NEW	04-05-011	388-535A-0020	AMD-P	04-19-110
388-519-0100	PREP	04-13-102	388-532-130	NEW	04-05-011	388-535A-0030	AMD-P	04-19-110
388-519-0110	PREP	04-13-102	388-532-140	NEW	04-05-011	388-535A-0040	AMD-P	04-19-110
388-519-0120	REP-X	04-15-012	388-532-500	NEW	04-05-011	388-535A-0050	AMD-E	04-04-073
388-526	PREP	04-04-096	388-532-510	NEW	04-05-011	388-535A-0050	AMD-E	04-12-041
388-527-2700	AMD-P	04-05-082	388-532-520	NEW	04-05-011	388-535A-0050	AMD-P	04-19-110
388-527-2700	AMD	04-10-060	388-532-530	NEW	04-05-011	388-535A-0050	AMD-E	04-19-115
388-527-2730	AMD-P	04-05-082	388-532-540	NEW	04-05-011	388-535A-0060	AMD-E	04-04-073
388-527-2730	AMD	04-10-060	388-532-550	NEW	04-05-011	388-535A-0060	AMD-E	04-12-041
388-527-2733	AMD-P	04-05-082	388-532-720	AMD-P	04-10-099	388-535A-0060	AMD-P	04-19-110
388-527-2733	AMD	04-10-060	388-532-720	AMD	04-15-057	388-535A-0060	AMD-E	04-19-115
388-527-2740	AMD-P	04-05-082	388-533-0300	AMD-P	04-05-083	388-538	PREP	04-13-101
388-527-2740	AMD	04-10-060	388-533-0300	AMD	04-13-049	388-538	PREP-W	04-16-082
388-527-2742	AMD-P	04-05-082	388-533-0310	NEW-P	04-05-083	388-538	PREP	04-16-086
388-527-2742	AMD	04-10-060	388-533-0310	NEW	04-13-049	388-538-060	PREP-W	04-14-034
388-527-2750	AMD-P	04-05-082	388-533-0315	NEW-P	04-05-083	388-538-063	PREP	04-04-095
388-527-2750	AMD	04-10-060	388-533-0315	NEW	04-13-049	388-538-063	NEW-P	04-09-090
388-527-2754	AMD-P	04-05-082	388-533-0320	NEW-P	04-05-083	388-538-063	NEW	04-15-003
388-527-2754	AMD	04-10-060	388-533-0320	NEW	04-13-049	388-538-112	AMD-P	04-07-135
388-527-2790	AMD-P	04-05-082	388-533-0325	NEW-P	04-05-083	388-538-112	AMD	04-13-002
388-527-2790	AMD	04-10-060	388-533-0325	NEW	04-13-049	388-542	PREP	04-10-093
388-527-2792	NEW-P	04-05-082	388-533-0330	NEW-P	04-05-083	388-542	AMD-P	04-13-140
388-527-2792	NEW	04-10-060	388-533-0330	NEW	04-13-049	388-542	AMD	04-16-064
388-527-2795	AMD-P	04-05-082	388-533-0340	NEW-P	04-05-083	388-542-0010	NEW-P	04-13-140
388-527-2795	AMD	04-10-060	388-533-0340	NEW	04-13-049	388-542-0010	NEW	04-16-064
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388-530-1050	PREP	04-09-035	388-533-0345	NEW	04-13-049	388-542-0020	NEW	04-16-064
388-530-1050	AMD-P	04-19-109	388-533-0350	REP-P	04-05-083	388-542-0050	AMD-P	04-13-140
388-530-1100	AMD-P	04-19-109	388-533-0350	REP	04-13-049	388-542-0050	AMD	04-16-064
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388-530-1125	AMD-P	04-19-109	388-533-0360	NEW	04-13-049	388-542-0100	REP-P	04-13-140
388-530-1150	AMD-P	04-19-109	388-533-0365	NEW-P	04-05-083	388-542-0100	REP	04-16-064
388-530-1200	PREP	04-09-035	388-533-0365	NEW	04-13-049	388-542-0125	AMD	04-08-018
388-530-1200	AMD-P	04-19-109	388-533-0370	NEW-P	04-05-083	388-542-0125	REP-P	04-13-140
388-530-1250	PREP	04-09-035	388-533-0370	NEW	04-13-049	388-542-0125	REP	04-16-064
388-530-1250	AMD-P	04-19-109	388-533-0375	NEW-P	04-05-083	388-542-0150	REP-P	04-13-140
388-530-1260	PREP	04-09-035	388-533-0375	NEW	04-13-049	388-542-0150	REP	04-16-064
388-530-1260	AMD-P	04-19-109	388-533-0380	NEW-P	04-05-083	388-542-0200	REP-P	04-13-140
388-530-1270	AMD-P	04-19-109	388-533-0380	NEW	04-13-049	388-542-0200	REP	04-16-064
388-530-1280	NEW-P	04-19-109	388-533-0385	NEW-P	04-05-083	388-542-0220	REP-P	04-13-140
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388-542-0250	REP	04-16-064	388-550-2800	AMD-P	04-16-017	388-820-030	AMD-P	04-19-022
388-542-0275	REP-P	04-13-140	388-550-2800	AMD	04-19-113	388-820-040	AMD-P	04-19-022
388-542-0275	REP	04-16-064	388-550-2900	PREP	04-03-091	388-820-050	AMD	04-04-043
388-542-0300	AMD-P	04-13-140	388-550-2900	PREP	04-13-103	388-820-056	NEW	04-04-043
388-542-0300	AMD	04-16-064	388-550-2900	AMD-P	04-17-112	388-820-060	AMD	04-04-043
388-542-0500	AMD	04-08-018	388-550-3100	PREP	04-05-085A	388-820-070	AMD	04-04-043
388-542-0500	REP-P	04-13-140	388-550-3100	AMD-P	04-08-123	388-820-076	NEW	04-04-043
388-542-0500	REP	04-16-064	388-550-3100	AMD	04-13-048	388-820-086	NEW	04-04-043
388-544	PREP-W	04-04-031	388-550-3700	PREP	04-15-130	388-820-090	AMD	04-04-043
388-544	PREP	04-07-087	388-550-3800	PREP	04-13-105	388-820-090	AMD-P	04-19-022
388-545	PREP-W	04-04-031	388-550-3800	AMD-P	04-17-114	388-820-100	AMD	04-04-043
388-546	PREP	04-02-060	388-550-4800	AMD-P	04-16-017	388-820-120	AMD	04-04-043
388-546-0001	AMD-P	04-12-103	388-550-4800	AMD	04-19-113	388-820-140	AMD-P	04-19-022
388-546-0001	AMD	04-17-118	388-550-4900	PREP	04-03-090	388-820-150	AMD-P	04-19-022
388-546-0100	AMD-P	04-12-103	388-550-4900	AMD-P	04-08-124	388-820-160	AMD-P	04-19-022
388-546-0100	AMD	04-17-118	388-550-4900	AMD	04-12-044	388-820-180	AMD-P	04-19-022
388-546-0150	AMD-P	04-12-103	388-550-5000	PREP	04-03-090	388-820-190	AMD-P	04-19-022
388-546-0150	AMD	04-17-118	388-550-5100	PREP	04-03-090	388-820-200	AMD-P	04-19-022
388-546-0200	AMD-P	04-12-103	388-550-5100	AMD-P	04-08-124	388-820-210	AMD-P	04-19-022
388-546-0200	AMD	04-17-118	388-550-5100	AMD	04-12-044	388-820-220	AMD-P	04-19-022
388-546-0250	AMD-P	04-12-103	388-550-5200	PREP	04-03-090	388-820-230	AMD	04-04-043
388-546-0250	AMD	04-17-118	388-550-5200	AMD-P	04-08-124	388-820-230	AMD-P	04-19-022
388-546-0300	AMD-P	04-12-103	388-550-5200	AMD	04-12-044	388-820-240	AMD-P	04-19-022
388-546-0300	AMD	04-17-118	388-550-5210	NEW-P	04-08-124	388-820-250	AMD-P	04-19-022
388-546-0400	AMD-P	04-12-103	388-550-5210	NEW	04-12-044	388-820-260	AMD	04-04-043
388-546-0400	AMD	04-17-118	388-550-5220	NEW-P	04-08-124	388-820-260	AMD-P	04-19-022
388-546-0425	NEW-P	04-12-103	388-550-5220	NEW	04-12-044	388-820-290	AMD	04-04-043
388-546-0425	NEW	04-17-118	388-550-5450	NEW-P	04-16-017	388-820-290	AMD-P	04-19-022
388-546-0450	AMD-P	04-12-103	388-550-5450	NEW	04-19-113	388-820-300	AMD	04-04-043
388-546-0450	AMD	04-17-118	388-550-5900	PREP	04-13-103	388-820-310	AMD	04-04-043
388-546-0500	AMD-P	04-12-103	388-550-5900	REP-P	04-17-112	388-820-310	AMD-P	04-19-022
388-546-0500	AMD	04-17-118	388-550-6000	PREP	04-13-104	388-820-320	AMD	04-04-043
388-546-0600	AMD-P	04-12-103	388-550-6000	AMD-P	04-17-110	388-820-330	AMD	04-04-043
388-546-0600	AMD	04-17-118	388-550-7000	NEW-P	04-17-109	388-820-330	AMD-P	04-19-022
388-546-0700	AMD-P	04-12-103	388-550-7050	NEW-P	04-17-109	388-820-340	AMD	04-04-043
388-546-0700	AMD	04-17-118	388-550-7100	NEW-P	04-17-109	388-820-350	AMD	04-04-043
388-546-0800	AMD-P	04-12-103	388-550-7200	NEW-P	04-17-109	388-820-360	AMD-P	04-19-022
388-546-0800	AMD	04-17-118	388-550-7300	NEW-P	04-17-109	388-820-400	AMD	04-04-043
388-546-0900	NEW-P	04-12-103	388-550-7400	NEW-P	04-17-109	388-820-400	AMD-P	04-19-022
388-546-0900	NEW	04-17-118	388-550-7500	NEW-P	04-17-109	388-820-405	NEW	04-04-043
388-546-1000	AMD-P	04-12-103	388-550-7600	NEW-P	04-17-109	388-820-405	AMD-P	04-19-022
388-546-1000	AMD	04-17-118	388-551	PREP	04-02-061	388-820-410	AMD	04-04-043
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388-546-1500	NEW	04-17-118	388-551	PREP	04-07-114	388-820-440	AMD-P	04-19-022
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388-546-3000	NEW-P	04-12-103	388-553-200	NEW-C	04-02-055	388-820-540	AMD-P	04-19-022
388-546-3000	NEW	04-17-118	388-553-200	NEW	04-11-007	388-820-550	AMD	04-04-043
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388-546-4000	NEW	04-17-118	388-553-300	NEW	04-11-007	388-820-555	NEW	04-04-043
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388-550	PREP	04-03-092	388-553-400	NEW	04-11-007	388-820-560	AMD-P	04-19-022
388-550	PREP	04-12-093	388-553-500	NEW-C	04-02-055	388-820-600	AMD	04-04-043
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388-820-910	AMD-P	04-19-022	388-825-236	PREP	04-12-091	388-825-340	NEW-E	04-16-019
388-820-920	AMD-P	04-19-022	388-825-236	AMD-P	04-16-088	388-825-345	NEW-E	04-08-020
388-820-930	AMD-P	04-19-022	388-825-236	AMD-E	04-18-048	388-825-345	NEW-E	04-16-019
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388-825-030	AMD-E	04-14-003	388-825-238	AMD-P	04-16-088	388-825-355	NEW-E	04-16-019
388-825-070	AMD-P	04-08-072	388-825-238	AMD-E	04-18-048	388-825-360	NEW-E	04-08-020
388-825-070	AMD	04-11-087	388-825-242	PREP	04-12-091	388-825-360	NEW-E	04-16-019
388-825-090	AMD-P	04-08-072	388-825-242	AMD-P	04-16-088	388-825-365	NEW-E	04-08-020
388-825-090	AMD	04-11-087	388-825-242	AMD-E	04-18-048	388-825-365	NEW-E	04-16-019
388-825-100	AMD-P	04-12-100	388-825-248	PREP	04-12-091	388-825-370	NEW-E	04-08-020
388-825-100	AMD	04-15-093	388-825-248	AMD-P	04-16-088	388-825-370	NEW-E	04-16-019
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388-825-102	NEW	04-15-093	388-825-252	AMD-E	04-18-048	388-825-380	NEW-E	04-16-019
388-825-103	NEW-P	04-12-100	388-825-253	PREP	04-12-091	388-825-385	NEW-E	04-08-020
388-825-103	NEW	04-15-093	388-825-253	NEW-P	04-16-088	388-825-385	NEW-E	04-16-019
388-825-104	NEW-P	04-12-100	388-825-253	NEW-E	04-18-048	388-825-390	NEW-E	04-08-020
388-825-104	NEW	04-15-093	388-825-254	PREP	04-12-091	388-825-390	NEW-E	04-16-019
388-825-105	NEW-P	04-12-100	388-825-254	AMD-P	04-16-088	388-825-395	NEW-E	04-08-020
388-825-105	NEW	04-15-093	388-825-254	AMD-E	04-18-048	388-825-395	NEW-E	04-16-019
388-825-120	AMD-E	04-08-020	388-825-260	REP-E	04-08-020	388-825-400	NEW-E	04-08-020
388-825-120	AMD-E	04-16-019	388-825-260	REP-E	04-16-019	388-825-400	NEW-E	04-16-019
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388-825-125	NEW-E	04-16-019	388-825-262	REP-E	04-16-019	388-827	PREP	04-08-070
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388-825-130	NEW-E	04-16-019	388-825-264	REP-E	04-16-019	388-827-0110	AMD	04-15-094
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388-825-135	NEW-E	04-16-019	388-825-266	REP-E	04-16-019	388-827-0115	AMD	04-15-094
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388-825-145	NEW-E	04-16-019	388-825-270	REP-E	04-16-019	388-827-0185	AMD	04-15-094
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388-825-150	NEW-E	04-16-019	388-825-272	REP-E	04-16-019	388-827-0410	AMD	04-15-094
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388-825-155	NEW-E	04-16-019	388-825-276	REP-E	04-16-019	388-835-0085	AMD-P	04-12-099
388-825-160	NEW-E	04-08-020	388-825-278	REP-E	04-08-020	388-835-0085	AMD	04-16-018
388-825-160	NEW-E	04-16-019	388-825-278	REP-E	04-16-019	388-835-0090	AMD-E	04-10-016
388-825-165	NEW-E	04-08-020	388-825-280	REP-E	04-08-020	388-835-0090	AMD-P	04-12-099
388-825-165	NEW-E	04-16-019	388-825-280	REP-E	04-16-019	388-835-0090	AMD	04-16-018
388-825-170	REP-E	04-08-020	388-825-282	REP-E	04-08-020	388-835-0100	AMD-E	04-10-016
388-825-170	REP-E	04-16-019	388-825-282	REP-E	04-16-019	388-835-0100	AMD-P	04-12-099
388-825-180	REP-E	04-08-020	388-825-284	REP-E	04-08-020	388-835-0100	AMD	04-16-018
388-825-180	REP-E	04-16-019	388-825-284	REP-E	04-16-019	388-835-0115	AMD-E	04-10-016
388-825-190	REP-E	04-08-020	388-825-300	NEW-E	04-08-020	388-835-0115	AMD-P	04-12-099
388-825-190	REP-E	04-16-019	388-825-300	NEW-E	04-16-019	388-835-0115	AMD	04-16-018
388-825-210	PREP	04-12-091	388-825-305	NEW-E	04-08-020	388-835-0135	REP-E	04-10-016
388-825-210	AMD-P	04-16-088	388-825-305	NEW-E	04-16-019	388-835-0135	REP-P	04-12-099
388-825-210	AMD-E	04-18-048	388-825-310	NEW-E	04-08-020	388-835-0135	REP	04-16-018
388-825-228	PREP	04-12-091	388-825-310	NEW-E	04-16-019	388-835-0140	AMD-E	04-10-016
388-825-228	AMD-P	04-16-088	388-825-315	NEW-E	04-08-020	388-835-0140	AMD-P	04-12-099
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388-845-3035	NEW-E	04-08-020	390- 18-030	AMD	04-12-057	415- 02-175	NEW-P	04-17-083
388-845-3035	NEW-E	04-16-019	390- 37-030	AMD-P	04-08-086	415- 02-200	NEW	04-04-038
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388-865-0500	AMD	04-07-014	392-140-609	AMD-P	04-04-005	415-108-491	AMD-P	04-17-083
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388-865-0515	REP	04-07-014	392-140-640	AMD	04-08-118	415-110-315	PREP	04-17-001
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415-112-541	AMD-P	04-18-062	434-12-030	REP	04-05-041	434-120-345	NEW	04-04-018
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463-39-100	AMD-P	04-11-070	463-42-185	AMD-P	04-13-154	463-42-665	REP-P	04-13-154
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463-39-120	DECOD-P	04-13-154	463-42-235	AMD-P	04-13-154	463-43-010	AMD-P	04-13-154
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463-42-075	DECOD-P	04-13-154	463-42-372	AMD-P	04-13-154	463-54-080	DECOD-P	04-13-154
463-42-085	AMD-P	04-13-154	463-42-372	DECOD-P	04-13-154	463-54-080	REP-P	04-13-154
463-42-085	DECOD-P	04-13-154	463-42-382	DECOD-P	04-13-154	463-58-010	AMD-P	04-13-154
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463- 60-165	RECOD-P	04-13-154	463- 68-050	NEW-P	04-13-154	463- 78-170	RECOD-P	04-13-154
463- 60-175	RECOD-P	04-13-154	463- 68-060	NEW-P	04-13-154	463- 78-230	RECOD-P	04-13-154
463- 60-185	RECOD-P	04-13-154	463- 68-070	NEW-P	04-13-154	468- 38-265	PREP	04-09-067
463- 60-195	RECOD-P	04-13-154	463- 68-080	NEW-P	04-13-154	468- 38-265	AMD-E	04-13-011
463- 60-205	RECOD-P	04-13-154	463- 70-010	RECOD-P	04-13-154	468- 38-265	AMD-P	04-13-012
463- 60-215	RECOD-P	04-13-154	463- 70-020	RECOD-P	04-13-154	468- 38-265	AMD	04-16-060
463- 60-225	RECOD-P	04-13-154	463- 70-030	RECOD-P	04-13-154	468- 60-010	NEW-P	04-03-112
463- 60-235	RECOD-P	04-13-154	463- 70-040	RECOD-P	04-13-154	468- 60-010	NEW	04-06-087
463- 60-245	RECOD-P	04-13-154	463- 70-050	RECOD-P	04-13-154	468- 70-020	AMD-E	04-09-024
463- 60-255	RECOD-P	04-13-154	463- 70-060	RECOD-P	04-13-154	468- 70-020	AMD-P	04-13-045
463- 60-265	RECOD-P	04-13-154	463- 70-070	RECOD-P	04-13-154	468- 70-020	AMD	04-16-056
463- 60-275	RECOD-P	04-13-154	463- 70-080	RECOD-P	04-13-154	468- 70-020	AMD-E	04-16-061
463- 60-285	RECOD-P	04-13-154	463- 72-010	NEW-P	04-13-154	468- 70-070	AMD-E	04-09-024
463- 60-295	RECOD-P	04-13-154	463- 72-020	NEW-P	04-13-154	468- 70-070	AMD-P	04-13-045
463- 60-302	RECOD-P	04-13-154	463- 72-030	NEW-P	04-13-154	468- 70-070	AMD	04-16-056
463- 60-312	RECOD-P	04-13-154	463- 72-040	NEW-P	04-13-154	468- 70-070	AMD-E	04-16-061
463- 60-322	RECOD-P	04-13-154	463- 72-050	NEW-P	04-13-154	468- 70-085	REP-E	04-09-014
463- 60-332	RECOD-P	04-13-154	463- 72-060	NEW-P	04-13-154	468- 70-085	REP-P	04-13-045
463- 60-342	RECOD-P	04-13-154	463- 72-070	NEW-P	04-13-154	468- 70-085	REP	04-16-056
463- 60-352	RECOD-P	04-13-154	463- 72-080	NEW-P	04-13-154	468- 70-085	REP-E	04-16-061
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463- 60-372	RECOD-P	04-13-154	463- 74-020	RECOD-P	04-13-154	468- 95-315	NEW	04-08-010
463- 60-382	RECOD-P	04-13-154	463- 74-030	RECOD-P	04-13-154	468-100-306	AMD-X	04-03-113
463- 60-385	RECOD-P	04-13-154	463- 74-040	RECOD-P	04-13-154	468-100-306	AMD	04-08-041
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463- 60-525	RECOD-P	04-13-154	463- 76-020	RECOD-P	04-13-154	468-310-020	PREP	04-03-011
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463- 60-665	RECOD-P	04-13-154	463- 76-034	RECOD-P	04-13-154	468-310-050	AMD	04-11-004
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463- 60-680	RECOD-P	04-13-154	463- 76-041	RECOD-P	04-13-154	478-116-051	AMD-P	04-07-127
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463- 62-060	NEW-P	04-13-154	463- 76-055	RECOD-P	04-13-154	478-116-114	AMD-P	04-07-127
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463- 64-010	NEW-P	04-13-154	463- 76-061	RECOD-P	04-13-154	478-116-116	AMD-P	04-07-127
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463- 64-060	NEW-P	04-13-154	463- 76-080	RECOD-P	04-13-154	478-116-125	AMD	04-13-086
463- 66-010	RECOD-P	04-13-154	463- 76-090	RECOD-P	04-13-154	478-116-131	AMD-P	04-07-127
463- 66-020	RECOD-P	04-13-154	463- 78-005	RECOD-P	04-13-154	478-116-131	AMD	04-13-086
463- 66-030	RECOD-P	04-13-154	463- 78-010	RECOD-P	04-13-154	478-116-141	AMD-P	04-07-127
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478-116-161	AMD-P	04-07-127	478-168-300	REP	04-13-087	480- 73-140	NEW-P	04-18-129
478-116-161	AMD	04-13-086	478-168-310	AMD-P	04-09-076	480- 73-150	NEW-P	04-18-129
478-116-165	AMD-P	04-07-127	478-168-310	AMD	04-13-087	480- 73-160	NEW-P	04-18-129
478-116-165	AMD	04-13-086	478-168-320	AMD-P	04-09-076	480- 73-170	NEW-P	04-18-129
478-116-167	AMD-P	04-07-127	478-168-320	AMD	04-13-087	480- 73-180	NEW-P	04-18-129
478-116-167	AMD	04-13-086	478-168-325	AMD-P	04-09-076	480- 73-190	NEW-P	04-18-129
478-116-171	AMD-P	04-07-127	478-168-325	AMD	04-13-087	480- 73-200	NEW-P	04-18-129
478-116-171	AMD	04-13-086	478-168-330	REP-X	04-14-084	480- 73-210	NEW-P	04-18-129
478-116-181	AMD-P	04-07-127	478-168-330	REP	04-19-036	480- 73-999	NEW-P	04-18-129
478-116-181	AMD	04-13-086	478-168-340	REP-P	04-09-076	480- 75-240	PREP	04-17-056
478-116-184	AMD-P	04-07-127	478-168-340	REP	04-13-087	480- 80	PREP	04-03-118
478-116-184	AMD	04-13-086	478-168-345	REP-P	04-09-076	480- 80-123	AMD-P	04-17-133
478-116-186	AMD-P	04-07-127	478-168-345	REP	04-13-087	480- 80-204	AMD-P	04-17-133
478-116-186	AMD	04-13-086	478-168-350	REP-P	04-09-076	480- 80-206	AMD-P	04-17-133
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478-116-191	AMD	04-13-086	478-168-350	REP	04-13-087	480- 90-008	AMD-P	04-18-129
478-116-191	AMD	04-13-086	478-168-360	REP-P	04-09-076	480- 90-023	AMD-P	04-18-129
478-116-201	AMD-P	04-07-127	478-168-360	REP	04-13-087	480- 90-023	AMD-P	04-18-129
478-116-201	AMD	04-13-086	478-168-360	REP	04-13-087	480- 90-207	NEW-P	04-18-129
478-116-201	AMD	04-13-086	478-168-380	AMD-P	04-09-076	480- 90-207	NEW-P	04-18-129
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478-116-211	AMD-P	04-07-127	478-168-380	AMD	04-13-087	480- 90-208	REP-P	04-18-129
478-116-211	AMD	04-13-086	478-168-390	AMD-P	04-09-076	480- 90-208	REP-P	04-18-129
478-116-211	AMD	04-13-086	478-168-390	AMD-P	04-09-076	480- 90-209	NEW-P	04-18-129
478-116-227	AMD-P	04-07-127	478-168-390	AMD	04-13-087	480- 90-218	REP-P	04-18-129
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478-116-227	AMD	04-13-086	479- 12-130	PREP	04-12-064	480- 90-242	NEW-P	04-18-129
478-116-251	AMD-P	04-07-127	479- 12-130	AMD-E	04-12-065	480- 90-244	NEW-P	04-18-129
478-116-251	AMD	04-13-086	479- 12-130	AMD-E	04-12-065	480- 90-244	NEW-P	04-18-129
478-116-251	AMD	04-13-086	479- 12-130	AMD-P	04-15-164	480- 90-245	NEW-P	04-18-129
478-116-253	AMD-P	04-07-127	479- 12-130	AMD	04-19-108	480- 90-248	NEW-P	04-18-129
478-116-253	AMD	04-13-086	479- 12-130	AMD	04-19-108	480- 90-248	NEW-P	04-18-129
478-116-253	AMD	04-13-086	479- 12-430	PREP	04-12-064	480- 90-252	NEW-P	04-18-129
478-116-255	AMD-P	04-07-127	479- 12-430	PREP	04-12-064	480- 90-252	NEW-P	04-18-129
478-116-255	AMD	04-13-086	479- 12-430	AMD-E	04-12-065	480- 90-257	NEW-P	04-18-129
478-116-255	AMD	04-13-086	479- 12-430	AMD-E	04-12-065	480- 90-257	NEW-P	04-18-129
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478-116-271	AMD	04-13-086	479- 12-430	AMD	04-19-108	480- 90-262	NEW-P	04-18-129
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478-116-311	AMD	04-13-086	479- 14-130	AMD	04-19-108	480- 92-016	AMD-P	04-18-129
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