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filed not later than August 19, 1981.

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 81-15-37.

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DENNIS W. COOPER
Code Reviser

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 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 matter is new matter;
 - (ii) deleted matter is (~~lined out and bracketed between double parentheses~~);
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

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

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

5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed 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 and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ OR 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
81-01	Jan 7, 1981	Jan 27	Dec 24, 1980	Dec 10	Nov 26
81-02	Jan 21	Feb 10	Jan 7	Dec 24, 1980	Dec 10
81-03	Feb 4	Feb 24	Jan 21	Jan 7	Dec 24, 1980
81-04	Feb 18	Mar 10	Feb 4	Jan 21	Jan 7
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81-07	Apr 1	Apr 21	Mar 18	Mar 4	Feb 18
81-08	Apr 15	May 5	Apr 1	Mar 18	Mar 4
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81-21	Nov 4	Nov 24	Oct 21	Oct 7	Sep 23
81-22	Nov 18	Dec 8	Nov 4	Oct 21	Oct 7
81-23	Dec 2	Dec 22	Nov 18	Nov 4	Oct 21
81-24	Dec 16	Jan 5, 1982	Dec 2	Nov 18	Nov 4

¹All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

²"No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained." RCW 28B.19.030(2) and 34.04.025(2). These dates represent the twentieth day after the distribution date of the immediate preceding Register.

³OTS is the acronym used for the Order Typing Service offered by the Code Reviser's Office which is briefly explained in WAC 1-12-220 and WAC 1-13-240.

WSR 81-16-016
ADOPTED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 81-19—Filed July 27, 1981]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the Director's office, the annexed rules relating to the adopting of WAC 296-62-071 Respiratory protection, 296-62-07519 Thiram, amending chapter 296-62 WAC Occupational health, to correct references and repealing WAC 296-24-081 Respiratory protection, 296-24-08101 Permissible practice, 296-24-08103 Requirements for a minimal acceptable program, 296-24-08105 Selection of respirators, 296-24-08107 Air quality, 296-24-08109 Use of respirators, 296-24-08111 Maintenance and care of respirators and 296-24-08113 Identification of gas mask canisters.

This action is taken pursuant to Notice Nos. WSR 81-07-027, 81-07-051 and 81-16-008 filed with the code reviser on March 13, 1981, March 18, 1981 and July 24, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 49.17.040, 49.17.050 and 49.17.240 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 24, 1981.

By Sam Kinville
 Director

NEW SECTION

WAC 296-62-071 RESPIRATORY PROTECTION. This section contains the requirements to be followed when establishing a respiratory protection program.

NEW SECTION

WAC 296-62-07101 SCOPE. This standard sets forth accepted practices when respiratory protection is used in controlling employee exposures to harmful air contaminants to comply with permissible exposure limits or to protect employees in oxygen-deficient atmospheres.

NEW SECTION

WAC 296-62-07103 PURPOSE. The purpose of this standard is to provide minimum performance requirements for the selection and use of respirators and the implementation of a respirator program.

NEW SECTION

WAC 296-62-07105 DEFINITIONS. (1) Abrasive-blasting respirator. See "respirator." A respirator

designed to protect the wearer against inhalation of abrasive material and against impact and abrasion from rebounding abrasive material.

(2) Accepted. Reviewed and listed as satisfactory for a specified use by the director or his or her designee.

(3) Aerodynamic diameter. The diameter of a unit density sphere having the same settling velocity as the particle in question of whatever shape and density.

(4) Aerosol. A system consisting of particles, solid or liquid, suspended in air.

(5) Air-line respirator. See "respirator."

(6) Air-purifying respirator. See "respirator."

(7) Air-regulating valve. An adjustable valve used to regulate, but which cannot completely shut off the air-flow to the facepiece, helmet, hood, or suit of an air-line respirator.

(8) Air-supply device. A hand- or motor-operated blower for the hose mask, or a compressor or other source of respirable air for the air-line respirator.

(9) Approved. Tested and listed as satisfactory by the Bureau of Mines (BM) of the U.S. Department of Interior, or jointly by the Mining Enforcement and Safety Administration (MESA) of the U.S. Department of Interior and the National Institute for Occupational Safety and Health (NIOSH) of the U.S. Department of Health and Human Services, or jointly by the Mine Safety and Health Administration (MSHA) of the U.S. Department of Labor and NIOSH under the provisions of Title 30, Code of Federal Regulations, Part 11.

(10) Bioassay. A determination of the concentration of a substance in a human body by an analysis of urine, feces, blood, bone, or tissue.

(11) Breathing tube. A tube through which air or oxygen flows to the facepiece, mouthpiece, helmet, hood, or suit.

(12) Canister (air-purifying). A container with a filter, sorbent, or catalyst, or any combination thereof, which removes specific contaminants from the air drawn through it.

(13) Canister (oxygen-generating). A container filled with a chemical which generates oxygen by chemical reaction.

(14) Carcinogen. A substance known to produce cancer in some individuals following a latent period (for example: Asbestos, Chromates, radioactive particulates).

(15) Cartridge (air-purifying). A small canister.

(16) Catalyst. In respirator use, a substance which converts a toxic gas (or vapor) into a less-toxic gas (or vapor).

(17) Ceiling concentration. The concentration of an airborne substance that shall not be exceeded.

(18) Chemical-cartridge respirator. See respirator.

(19) Confined space. See WAC 296-62-14501(1).

(20) Contaminant. A harmful, irritating, or nuisance material that is foreign to the normal atmosphere.

(21) Corrective lens. A lens ground to the wearer's individual corrective prescription to permit normal visual acuity.

(22) Demand. A type of self-contained breathing apparatus or type of air-line respirator which functions due to the negative pressure created by inhalation (i.e., air flow into the facepiece on "demand").

(23) Detachable coupling. A device which permits the respirator wearer, without using hand tools, to detach the air-supply line from that part of the respirator worn on the person.

(24) Dust. See WAC 296-62-07001(1).

(25) Emergency respirator use. Wearing a respirator when a hazardous atmosphere suddenly occurs that requires immediate use of a respirator either for escape from the hazardous atmosphere or for entry into the hazardous atmosphere.

(26) Exhalation valve. A device that allows exhaled air to leave a respirator and prevents outside air from entering through the valve.

(27) Eyepiece. A gas-tight, transparent window(s) in a full facepiece, helmet, hood, or suit, through which the wearer may see.

(28) Facepiece. That portion of a respirator that covers the wearer's nose and mouth in quarter-mask (above the chin) or half-mask (under the chin) facepiece or that covers the nose, mouth, and eyes in a full facepiece. It is designed to make a gas-tight or particle-tight fit with the face and includes the headbands, exhalation valve(s), and connections for an air-purifying device or respirable gas source, or both.

(29) Face shield. A device worn in front of the eyes and a portion of, or all of, the face, whose predominant function is protection of the eyes and the face.

(30) Fibrosis-producing dust. Dust which, when inhaled, deposited, and retained in the lungs, may produce findings of fibrotic growth that may cause pulmonary disease.

(31) Filter. A media component used in respirators to remove solid or liquid particles from the inspired air.

(32) Filter respirator. See respirator.

(33) Fog. A mist of sufficient concentration to perceptibly obscure vision.

(34) Full facepiece. See facepiece.

(35) Fume. See WAC 296-62-07001(2).

(36) Gas. An aeriform fluid which is in the gaseous state at ordinary temperature and pressure.

(37) Gas mask. See respirator.

(38) Goggle. A device, with contour-shaped eyecups with glass or plastic lenses, worn over eyes and held in place by a headband or other suitable means for the protection of the eyes and eye sockets.

(39) Half-mask facepiece. See facepiece.

(40) Hazardous atmosphere. Any atmosphere, either immediately or not immediately dangerous to life or health, which is oxygen deficient or which contains a toxic or disease-producing contaminant.

(41) Head harness. That part of a facepiece assembly which secures the facepiece to the wearer.

(42) Helmet. That portion of a respirator which shields the eyes, face, neck, and other parts of the head.

(43) High-efficiency filter. A filter which removes from air 99.97% or more of monodisperse dioctyl phthalate (DOP) particles having a mean particle diameter of 0.3 micrometer.

(44) Hood. That portion of a respirator which completely covers the head, neck, and portions of the shoulders.

(45) Hose mask. See respirator.

(46) Immediately dangerous to life or health (IDLH). Any atmosphere that poses an immediate hazard to life or produces immediate irreversible debilitating effects on health.

(47) Inhalation valve. A device that allows respirable air to enter a respirator and prevents exhaled air from leaving the respirator through the valve.

(48) Irrespirable. Unfit for breathing.

(49) Maximum use limit of filter, cartridge, or canister. The maximum concentration of a contaminant for which an air-purifying filter, cartridge, or canister is approved for use.

(50) Mist. See WAC 296-62-07001(4).

(51) Mouthpiece. That portion of a respirator which is held in the wearer's mouth and is connected to an air-purifying device or respirable gas source, or both. It is designed to make a gas-tight or particle-tight fit with the mouth.

(52) MPCa. Maximum permissible airborne concentration. These concentrations are set by the National Committee on Radiation Protection. They are recommended maximum average concentrations of radionuclides to which a worker may be exposed, assuming that he works 8 hours a day, 5 days a week, and 50 weeks a year.

(53) Negative pressure respirator. A respirator in which the air pressure inside the respiratory-inlet covering is positive during exhalation in relation to the air pressure of the outside atmosphere and negative during inhalation in relation to the air pressure of the outside atmosphere.

(54) Nonroutine respirator use. Wearing a respirator when carrying out a special task that occurs infrequently.

(55) Nose clamp. A device used with a respirator equipped with a mouthpiece that closes the nostrils of the wearer (sometimes called a nose clip).

(56) Not immediately dangerous to life or health. Any hazardous atmosphere which may produce physical discomfort immediately, chronic poisoning after repeated exposure, or acute adverse physiological symptoms after prolonged exposure.

(57) Odor threshold limit. The lowest concentration of a contaminant in air that can be detected by the olfactory sense.

(58) Oxygen deficiency - immediately dangerous to life or health. An atmosphere which causes an oxygen partial pressure of 100 millimeters of mercury column or less in the freshly inspired air in the upper portion of the lungs which is saturated with water vapor.

(59) Oxygen deficiency - not immediately dangerous to life or health. An atmosphere having an oxygen concentration below the minimum legal requirement of 18.0% by volume for respirable air at sea-level conditions, but above that which is immediately dangerous to life or health.

(60) Particulate matter. A suspension of fine solid or liquid particles in air, such as: dust, fog, fume, mist, smoke, or spray. Particulate matter suspended in air is commonly known as an aerosol.

(61) Permissible exposure limit (PEL). The legally established time-weighted average (TWA) concentration or ceiling concentration of a contaminant that shall not be exceeded.

(62) Pneumoconiosis-producing dust. Dust which, when inhaled, deposited, and retained in the lungs, may produce signs, symptoms, and findings of pulmonary disease.

(63) Positive-pressure respirator. A respirator in which the air pressure inside the respiratory-inlet covering is positive in relation to the air pressure of the outside atmosphere during exhalation and inhalation.

(64) Powered air-purifying respirator. See respirator.

(65) Pressure demand. Similar to a demand type respirator but so designed to maintain positive pressure in the facepiece at all times.

(66) Protection factor. The ratio of the ambient concentration of an airborne substance to the concentration of the substance inside the respirator at the breathing zone of the wearer. The protection factor is a measure of the degree of protection provided by a respirator to the wearer. As used herein, a protection factor is synonymous with the fit factor assigned to a respirator facepiece by the use of qualitative and quantitative fitting tests.

(67) Rescue respirator use. Wearing a respirator for entry into a hazardous atmosphere to rescue a person(s) in the hazardous atmosphere.

(68) Resistance. Opposition to the flow of air, as through a canister, cartridge, particulate filter, orifice, valve, or hose.

(69) Respirable. Suitable for breathing.

(70) Respirator. A device designed to protect the wearer from the inhalation of harmful atmospheres.

(71) Respiratory-inlet covering. That portion of a respirator which connects the wearer's respiratory tract to an air-purifying device or respirable gas source, or both. It may be a facepiece, helmet, hood, suit, or mouthpiece/nose clamp.

(72) Routine respirator use. Wearing a respirator as a normal procedure when carrying out a regular and frequently repeated task.

(73) Sanitization. The removal of dirt and the inhibiting of the action of agents that cause infection or disease.

(74) Self-contained breathing apparatus. See respirator.

(75) Service life. The period of time that a respirator provides adequate protection to the wearer - for example, the period of time that an air-purifying device is effective for removing a harmful substance from inspired air.

(76) Smoke. A system which includes the products of combustion, pyrolysis, or chemical reaction of substances in the form of visible and invisible solid and liquid particles and gaseous products in air. Smoke is usually of sufficient concentration to perceptibly obscure vision.

(77) Sorbent. A material which is contained in cartridge or canister and which removes toxic gases and vapors from the inhaled air.

(78) Spray. A liquid, mechanically produced particle with sizes generally in the visible or macroscopic range.

(79) Supplied-air respirator. See respirator.

(80) Supplied-air suit. A suit that is impermeable to most particulate and gaseous contaminants and that is provided with an adequate supply of respirable air.

(81) Time-weighted average (TWA). The average concentration of a contaminant in air during a specific time period.

(82) Valve (air or oxygen). A device which controls the pressure, direction, or rate of flow of air or oxygen.

(83) Vapor. The gaseous state of a substance that is solid or liquid at ordinary temperature and pressure.

(84) Welding helmet. A device designed to provide protection for the eyes and face against intense radiant energy and molten metal splatter encountered in the welding and cutting of metals.

(85) Window indicator. A device on a cartridge or canister that visually denotes the service life of the cartridge or canister.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-62-07107 PERMISSIBLE PRACTICE.

(1) In the control of those occupational diseases caused by breathing air contaminated with harmful dusts, fumes, sprays, mists, fogs, smokes, vapors, or gases, the primary objective shall be to prevent atmospheric contamination. This shall be accomplished as far as feasible by accepted engineering control measures (for example, enclosure or confinement of the operation general and local ventilation, and substitution of less toxic materials). When effective engineering controls are not feasible, or while they are being instituted or evaluated, appropriate respirators shall be used pursuant to the following requirements.

(2) Employer responsibility.

(a) Respirators shall be provided at no cost to an employee by the employer when such equipment is necessary to protect the health of the employee.

(b) The employer shall provide the respirators which are applicable and suitable for the purpose intended.

(c) The employer shall be responsible for the establishment and maintenance of a respiratory protection program which shall include the general requirements outlined in WAC 296-62-07109.

(3) Employee responsibility. The employee shall use the provided respiratory protection in accordance with instructions and training received. The employee shall notify a responsible person of any defect.

NEW SECTION

WAC 296-62-07109 MINIMAL ACCEPTABLE RESPIRATOR PROGRAM. (1) Standard operating procedures. Written standard operating procedures covering a complete respirator program shall be established and implemented in conformance with subsection (2) through (15) of this section.

(2) Program administration. Responsibility and authority for the respirator program shall be assigned to a single person. This program administrator shall have

sufficient knowledge of respiratory protection to properly supervise the respirator program.

(3) Physiological and psychological limitations for respirator wearers. Persons shall not be assigned to tasks requiring use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. A physician with sufficient knowledge of respiratory protection shall determine what health and physical conditions are pertinent. The respirator program administrator or his or her designee, using guidelines established by the physician, shall determine whether or not a person may be assigned to a task requiring the use of a respirator. The respirator user's medical status should be reviewed periodically (for instance, annually).

(4) Approved or accepted respirators shall be used. Any modification that is not authorized by the approval agencies of an approved respirator voids the approval.

(5) Respirator selection. Respirators shall be selected on the basis of hazards to which the worker is exposed. (See WAC 296-62-07113)

(6) Training. Each worker required to wear a respirator shall be given training such that he or she is knowledgeable and proficient with respect to the respirator to be worn. Refresher training shall be given at least annually.

(7) Respirator fit. Each respirator wearer shall be fitted in accordance with WAC 296-62-07113. Each wearer of a respirator equipped with a facepiece shall check the seal of the respirator by appropriate means. This may be done by using procedures recommended by the respirator manufacturer.

(8) Facial hair, contact lenses, and eye and face protective devices. A negative pressure respirator, any self-contained breathing apparatus, or any respirator used in an atmosphere immediately dangerous to life or health (IDLH), equipped with a facepiece shall not be worn if facial hair comes between the sealing periphery of the facepiece and the face or if facial hair interferes with valve function. The wearer of a respirator equipped with a full facepiece, helmet, hood, or suit shall not be allowed to wear contact lenses. If a spectacle, goggle, face shield, or welding helmet must be worn with a facepiece, it shall be worn so as not to adversely affect the seal of the facepiece to the face. (See WAC 296-62-07115(3).)

(9) Issue of respirators. The proper type of respirator for each respiratory hazard shall be listed in the written standard operating procedures.

(10) Respirator inspection. The respirator shall be inspected by the wearer prior to its use to ensure that it is in proper working condition. Each respirator stored for emergency or rescue use shall be inspected at least once a month. (See WAC 296-62-07115 and 07117.)

(11) Monitoring respirator use. Supervisory personnel shall periodically monitor the use of respirators to ensure that they are worn properly. (See WAC 296-62-07115(7).)

(12) Evaluating respiratory hazard. Appropriate surveillance of work area conditions and degree of employee exposure or stress shall be maintained. (See WAC 296-62-07113(4) and 07115(8).)

(13) Medical and bioassay surveillance. When applicable, medical surveillance, including bioassay, shall be carried out to determine if respirator wearers are receiving adequate respiratory protection. A physician shall determine the requirements of the surveillance program.

(14) Respirator maintenance. Respirator maintenance shall be performed regularly. Maintenance shall be carried out on a schedule which ensures that each respirator wearer is provided with a respirator that is clean and in good operating condition. Maintenance shall include: (1) washing, sanitizing, rinsing, and drying, (2) inspection for defects, (3) replacement of worn or deteriorated parts, (4) repair if necessary, and (5) storage to protect against dust, sunlight, excessive heat, extreme cold, excessive moisture, damaging chemicals, and physical damage. (See WAC 296-62-07117.)

(15) Respirator program evaluation. An appraisal of the effectiveness of the respirator program shall be carried out at least annually. Action shall be taken to correct defects found in the program.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-62-07111 RESPIRABLE AIR AND OXYGEN FOR SELF-CONTAINED BREATHING APPARATUS AND SUPPLIED AIR RESPIRATORS. Compressed gaseous air, compressed gaseous oxygen, liquid air, and liquid oxygen used for respiration shall be of high purity. Compressed gaseous or liquid oxygen shall meet the requirements of the United States Pharmacopeia for medical or breathing oxygen. Chemically generated oxygen shall meet the requirements of U.S. Department of Defense Military Specification MIL-E-83252 or Military Specification MIL-O-15633c. Compressed gaseous air shall meet at least the requirements of the specification for Type I - Grade D breathing air, and liquid air shall meet at least the requirements for Type II - Grade B breathing air as described in American National Standard Commodity Specification for Air, ANSI Z86.1-1973 (Compressed Gas Association Commodity Specification for Air, G-7.1, 1973).

(1) Compressed gaseous air may contain low concentrations of oil. If high-pressure oxygen passes through an oil- or grease-coated orifice, an explosion or fire may occur. Therefore, compressed gaseous oxygen shall not be used in supplied-air respirators or in open-circuit-type self-contained breathing apparatus that have previously used compressed air.

(2) Breathing air may be supplied to respirators from cylinders or air compressors. Cylinders shall be tested and maintained in accordance with applicable Department of Transportation specifications for shipping containers (Title 49, Code of Federal Regulations, Part 173, General Requirements for Shipments and Packagings, and Part 178, Shipping Container Specifications). A compressor shall be constructed and situated so as to avoid entry of contaminated air into the air-supply system and shall be equipped with a suitable in-line particulate filter followed by a bed of activated charcoal and,

if necessary, a moisture adsorber to further assure breathing air quality. These filters should be placed before any receiver and after the discharge in the compressor. If an oil-lubricated compressor is used, it shall be equipped with a carbon monoxide alarm or an equally as effective alternative if approved by the department.

(a) If a carbon monoxide alarm is used, it shall be calibrated to activate at or below 20 parts per million carbon monoxide at least once per month. A calibration and maintenance log shall be kept and shall be available for review and copying by the director or his or her designee. The log shall identify the test method, date, time of test, results, and the name of the person performing the test. The log shall be retained for at least one (1) year from the date of the test.

(b) If the use of an alarm at the compressor will not effectively provide warning to the respirator wearer of a carbon monoxide problem, a remote alarm or other means of warning the wearer shall be used.

(3) Breathing air couplings shall be incompatible with outlets for nonrespirable plant air or other gas systems to prevent inadvertent servicing of air-line respirators with nonrespirable gases.

(4) Breathing gas containers shall be marked in accordance with American National Standard Method of Marking Portable Compressed Gas Containers to Identify the Material Contained, ANSI Z48.1-1954 (R1971); Federal Specification BB-A-1034a, June 21, 1968, Air, Compressed for Breathing Purposes; or Interim Federal Specification GG-B-675d, September 23, 1976, Breathing Apparatus, Self-Contained. Further details on sources of compressed air and its safe use will be found in Compressed Gas Association Pamphlet G-7, 1976, Compressed Air for Human Respiration.

NEW SECTION

WAC 296-62-07113 SELECTION OF RESPIRATORS. (1) General considerations. Proper selection of respirators shall be made in accordance with the classification, capabilities, and limitations listed in Tables I through IV of this section. Additional guidance may be obtained by referring to American National Standard Practices for Respiratory Protection Z88.2 - 1980.

(2) Respirator protection factor (PF). Respirators shall be selected according to the characteristics of the hazards involved, the capabilities and limitations of the respirators, and the ability of each respirator wearer to obtain a satisfactory fit with a respirator. Taking into account the capabilities and limitations of respirators and the results of respirator-fitting tests, a table of respirator protection factors has been prepared (see Table V). A respirator protection factor is a measure of the degree of protection provided by a respirator to a wearer. Multiplying either (1) the permissible time-weighted average concentration or the permissible ceiling concentration, whichever is applicable, for a toxic substance, or (2) the maximum permissible airborne concentration for a radionuclide by a protection factor assigned to a respirator gives the maximum concentration of the hazardous substance in which the respirator can be used. Limitations of filters, cartridges, and canisters also shall be considered (see Table V).

(3) Respirator-fitting tests. A qualitative or quantitative respirator-fitting test shall be used to determine the ability of each individual respirator wearer to obtain a satisfactory fit with a negative-pressure respirator. The results of qualitative or quantitative respirator fitting-tests shall be used to select specific types, makes, and models of negative-pressure respirators for use by individual respirator wearers. A respirator-fitting test shall be carried out for each wearer of a negative-pressure respirator equipped with a facepiece. Respirator-fitting tests shall not be required for positive-pressure respirators or for mouthpiece respirators.

(a) Qualitative respirator-fitting test - A person wearing a respirator is exposed to an irritant smoke, an odorous vapor, or other suitable test agent. An air-purifying respirator must be equipped with an air-purifying element(s) which effectively removes the test agent from inspired air. If the respirator wearer is unable to detect penetration of the test agent into the respirator, the respirator wearer has achieved a satisfactory fit with the respirator.

(b) Quantitative respirator-fitting test - A person wears a respirator in a test atmosphere containing a test agent in the form of an aerosol, vapor, or gas. Instrumentation, which samples the test atmosphere and the air inside the respiratory-inlet covering of the respirator, is used to measure quantitatively the penetration of the test agent into the respiratory-inlet covering.

(c) When carrying out a qualitative or quantitative respirator-fitting test, the respirator wearer shall carry out a series of exercises which simulate work movements.

(d) When carrying out respirator-fitting tests, it shall be an acceptable procedure to make the following modifications to respirators provided that such modifications do not affect the seal of the respirators to wearers.

(i) When carrying out a qualitative or quantitative respirator-fitting test which uses an aerosol as the test agent, it shall be acceptable procedure to equip an air-purifying respirator with a high-efficiency filter.

(ii) When carrying out a qualitative or quantitative respirator-fitting test which uses a vapor or gas as the test agent, it shall be acceptable procedure to equip an air-purifying respirator with an appropriate cartridge or canister which removes the vapor or gas from air.

(iii) When carrying out a quantitative respirator-fitting test, it shall be acceptable procedure to attach a sampling probe to the respirator which is connected by flexible tubing to an instrument which measures the penetration of the test agent into the respirator.

(e) If a qualitative respirator-fitting test has been used in respirator selection, a person shall be allowed to use only the specific make(s) and model(s) of respirator(s) for which the person obtained a satisfactory fit, and the respirator protection factor listed under "qualitative test" in Table V shall apply. Under no circumstances shall a person be allowed to use any respirator for which the results of the qualitative respirator fitting test indicate that the person is unable to obtain a satisfactory fit.

(f) If a quantitative respirator-fitting test has been used in selecting a respirator, the test results shall be

used to assign a respirator protection factor to each person for each specific make and model of respirator tested. The assigned respirator protection factor shall be applied when the person wears the specific respirator in a hazardous atmosphere, but it shall not exceed the respirator protection factor listed under "quantitative test" in Table V for the particular type of respirator.

(4) Respirator-fitting test records. Records of respirator-fitting tests shall be kept for at least the duration of employment. These records shall include the following information:

- (a) Type of respirator-fitting test used;
- (b) Specific make and model of respirator tested;
- (c) Name of person tested;
- (d) Name of test operator;

(e) Date of test;

(f) Results of respirator-fitting tests;

(i) Success or failure of person to obtain satisfactory fit if a qualitative respirator-fitting test was carried out.

(ii) Respirator protection factor based upon test results if a quantitative respirator-fitting test was carried out.

(5) Face dimensions and facepiece sizes. The wide range of face dimensions may require more than a single size of respirator facepiece to provide a proper fit to all respirator users. Therefore, respirator facepieces of more than one size should be available in any respirator-selection program involving respirators equipped with facepieces.

Table I
Classification of Respiratory Hazards According to Their Biological Effect

Oxygen Deficiency	Gas and Vapor Contaminants	Particulate Contaminants (Dust, fog, fume, mist, smoke, and spray)
Minimum legal requirements: 18.0% by volume for respirable air at sea-level conditions. (See Note 1.)	Asphyxiants: Interfere with utilization of oxygen in the body.	Relatively inert: May cause discomfort and minor irritation, but generally without injury at reasonable concentrations (for example: marble, gypsum).
Occurrence: Confined or unventilated cellars, wells, mines, ship holds, tanks, burning buildings, and enclosures containing inert atmospheres:	Simple asphyxiants: Physiologically inert substances that dilute oxygen in the air (for example: nitrogen, hydrogen, helium, methane). See Oxygen Deficiency, Column 1. Chemical asphyxiants: Low concentrations interfere with supply or utilization of oxygen in the body (for example: carbon monoxide, hydrogen cyanide, cyanogen, and nitriles).	Pulmonary-fibrosis-producing: Produce nodulation and fibrosis in the lung, possibly leading to complications (for example: quartz, asbestos).
Atmosphere oxygen content (percent by volume) versus expected conditions:	Irritants: Corrosive in action. May cause irritation and inflammation of parts of the respiratory system (also skin and eyes) and pulmonary edema (for example: ammonia hydrogen chloride, formaldehyde, sulfur dioxide, chlorine, ozone, nitrogen dioxide, phosgene, and arsenic trichloride).	Carcinogens: Produce cancer in some individuals after latent period (for example: asbestos, chromates, radioactive particulates).
20.9% Oxygen content of normal air at sea-level conditions.	Anesthetics: Cause loss of feeling and sensation with unconsciousness and death possible (for example: nitrous oxide hydrocarbons, and ethers). Some anesthetics injure body organs (for example: carbon tetrachloride (liver and kidneys), chloroform (liver and heart), benzene (bone marrow), and carbon disulfide (nervous system).	Chemical irritants: Produce irritation, inflammation, and ulceration in upper respiratory tract (for example: acidic mists, alkalis).
Oxygen Volume Percent at Sea Level	Sensitizers: Cause increased probability of physiological reactions (for example: isocyanates, epoxy resin systems).	Systemic poisons: Produce pathologic reactions in various systems of the body (for example: lead manganese, cadmium).
Physiological Effects	Systemic poisons: Damage organs and systems in the body (for example: mercury (nervous system and various organs), phosphorus (bone), hydrogen sulfide (respiratory paralysis), and arsine (red blood cells and liver).	Allergy-producing: Produce reactions such as itching, sneezing, and asthmas (for example: pollens spices, and animal fur).
16% - 12%	Carcinogens: Produce cancer in some individuals after a latent period (for example: vinyl chloride, benzene).	Febrile-reaction-producing: Produce chills followed by fever (for example: fumes of zinc and copper).
12% - 10%		
10% - 6%		
Less than 6%		

Combinations of Gas, Vapor, and Particulate Contaminants

Combinations of contaminants may occur simultaneously in the atmosphere. Contaminants may be entirely different substances (dusts and gases from blasting) or the particulate and vapor forms of the same substance. Synergistic effects (joint action of two or more agents that results in an effect which is greater than the sum of their individual effects) may occur. Such effects may require extraordinary protective measures.

NOTE 1: See definition in WAC 296-62-07105 "oxygen deficiency - not immediately dangerous to life or health" and "oxygen deficiency - immediately dangerous to life or health."

Table II
Classification of Respiratory Hazards According to Their Properties Which Influence Respirator Selection

Gas and Vapor Contaminants	Particulate Contaminants
Inert: Substances that do not react with other substances under most conditions, but create a respiratory hazard by displacing air and producing oxygen deficiency (for example: helium, neon, argon).	Particles are produced by mechanical means by disintegration processes such as grinding, crushing, drilling, blasting, and spraying; or by physiochemical reactions such as combustion, vaporization, distillation, sublimation, calcination, and condensation. Particles are classified as follows:
Acidic: Substances that are acids or that react with water to produce an acid. In water, they produce positively charged hydrogen ions (H ⁺) and a pH of less than 7. They taste sour, and many are corrosive to tissues (for example: hydrogen chloride, sulfur dioxide, fluorine, nitrogen dioxide, acetic acid, carbon dioxide, hydrogen sulfide, and hydrogen cyanide).	Dust: A solid, mechanically produced particle with sizes varying from submicroscopic to visible or macroscopic.
Alkaline: Substances that are alkalis or that react with water to produce an alkali. In water, they result in the production of negatively charged hydroxyl ions (OH ⁻) and a pH greater than 7. They taste bitter, and many are corrosive to tissues (for example: ammonia, amines, phosphine, arsine, and stibine).	Spray: A liquid, mechanically produced particle with sizes generally in the visible or macroscopic range.
Organic: The compounds of carbon. Examples are saturated hydrocarbons (methane, ethane, butane), unsaturated hydrocarbons (ethylene, acetylene), alcohols (methyl ether, ethyl ether), aldehydes (formaldehyde), ketones (methyl ketone), organic acids (formic acid, acetic acid), halides (chloroform, carbon tetrachloride), amides (formamide, acetamide), nitriles (acetoneitrile), isocyanates (toluene diisocyanate), amines (methylamine), epoxies (epoxyethane, propylene oxide), and aromatics (benzene, toluene, xylene).	Fume: A solid condensation particle of extremely small particle size, generally less than one micrometer in diameter.
Organometallic: Compounds in which metals are chemically bonded to organic groups (for example: ethyl silicate, tetraethyl lead, and organic phosphate).	Mist: A liquid condensation particle with sizes ranging from submicroscopic to visible or macroscopic.
Hydrides: Compounds in which hydrogen is chemically bonded to metals and certain other elements (for example: diborane and tetraborane).	Fog: A mist of sufficient concentration to perceptibly obscure vision.
	Smoke: A system which includes the products of combustion, pyrolysis, or chemical reaction of substances in the form of visible and invisible solid and liquid particles and gaseous products in air. Smoke is usually of sufficient concentration to perceptibly obscure vision.

Table III
Classification and Description of Respirators by Mode of Operation

Atmosphere-Supplying Respirators	Air-Purifying Respirators
A respirable atmosphere independent of the ambient air is supplied to the wearer.	Ambient air, prior to being inhaled, is passed through a filter, cartridge, or canisters which removes particles, vapors, gases, or a combination of these contaminants. The breathing action of the wearer operates the nonpowered type of respirator. The powered type contains a blower - stationary or carried by the wearer - which passes ambient air through an air-purifying component and then supplies purified air to the respirator-inlet covering. The nonpowered type is equipped with a facepiece or mouthpiece and nose clamp. The powered type is equipped with a facepiece, helmet, hood, or suit.
<p data-bbox="243 527 421 548">Self-Contained Breathing Apparatus (SCBA)</p> <p data-bbox="172 562 502 674">A supply of air, oxygen, or oxygen-generating material is carried by the wearer. Normally equipped with full facepiece, but may be equipped with a quarter-mask facepiece, half-mask facepiece, helmet, hood, or mouthpiece and nose clamp.</p> <p data-bbox="172 688 517 730">(1) Closed-Circuit SCBA (oxygen only, negative pressure^a or positive pressure^b).</p> <p data-bbox="209 726 480 747">(a) Compressed or liquid oxygen type. Equipped with a facepiece or mouthpiece and nose clamp. High-pressure oxygen from a gas cylinder passes through a high-pressure reducing valve and, in some designs, through a low-pressure admission valve to a breathing bag or container. Liquid oxygen is converted to low-pressure gaseous oxygen and delivered to the breathing bag. The wearer inhales from the bag, through a corrugated tube connected to a mouthpiece or facepiece and a one-way check valve. Exhaled air passes through another check valve and tube into a container of carbon-dioxide removing chemical and reenters the breathing bag. Make-up oxygen enters the bag continuously or as the bag deflates sufficiently to actuate an admission valve. A pressure-relief system is provided, and a manual by-pass system and saliva trap may be provided depending upon the design.</p> <p data-bbox="172 1073 535 1310">(b) Oxygen-generating type. Equipped with a facepiece or mouthpiece and nose clamp. Water vapor in the exhaled breath reacts with chemical in the canister to release oxygen to the breathing bag. The wearer inhales from the bag through a corrugated tube and one-way check valve at the facepiece. Exhaled air passes through a second check valve/breathing tube assembly into the canister. The oxygen-release rate is governed by the volume of exhaled air. Carbon dioxide in the exhaled breath is removed by the canister fill.</p> <p data-bbox="172 1325 517 1419">(2) Open-Circuit SCBA (compressed air, compressed oxygen, liquid air, liquid oxygen). A bypass system is provided in case of regulator failure except on escape-type units.</p> <p data-bbox="172 1434 517 1545">(a) Demand type^c. Equipped with a facepiece or mouthpiece and nose clamp. The demand valve permits oxygen or air flow only during inhalation. Exhaled breath passes to ambient atmosphere through a valve(s) in the facepiece.</p> <p data-bbox="172 1541 517 1684">(b) Pressure-demand type^d. Equipped with a facepiece only. Positive pressure is maintained in the facepiece. The apparatus may have provision for the wearer to select the demand or pressure-demand mode of operation, in which case the demand mode should be used only when donning or removing the apparatus.</p>	<p data-bbox="905 646 1176 814">Vapor-and Gas-Removing Respirators Equipped with cartridge(s) or canister(s) to remove a single vapor or gas (for example: chlorine gas), a single class of vapors or gases (for example: organic vapors), or a combination of two or more classes of vapors or gases (for example: organic vapors and acidic gases) from air.</p> <p data-bbox="1213 646 1495 831">Particulate-Removing Respirators Equipped with filter(s) to remove a single type of particulate matter (for example: dust) or a combination of two or more types of particulate matter (for example: dust and fume) from air. Filter may be a replaceable part or a permanent part of the respirator. Filter may be of the single-use or the reusable type.</p> <p data-bbox="905 846 1484 919">Combination Particulate-and Vapor-and Gas-Removing Respirators Equipped with cartridge(s) or canister(s) to remove particulate matter, vapors, and gasses from air. The filter may be a permanent part or a replaceable part of a cartridge or canister.</p>
Supplied-Air Respirators	
<p data-bbox="551 562 648 583">(1) Hose Mask Equipped with a facepiece, breathing tube, rugged safety harness, and large-diameter heavy-duty nonkinking air-supply hose. The breathing tube and air-supply hose are securely attached to the harness. The facepiece is equipped with an exhalation valve. The harness has provision for attaching a safety line.</p> <p data-bbox="551 726 883 814">(a) Hose mask with blower. Air is supplied by a motor-driven or hand-operated blower. The wearer can continue to inhale through the hose if the blower fails. Up to 300 feet (91 meters) of hose length is permissible.</p> <p data-bbox="551 814 883 940">(b) Hose mask without blower. The wearer provides motivating force to pull air through the hose. The hose inlet is anchored and fitted with a funnel or like object covered with a fine mesh screen to prevent entrance of coarse particulate matter. Up to 75 feet (23 meters) of hose length is permissible.</p> <p data-bbox="551 940 883 1178">(2) Air-Line Respirator Respirable air is supplied through a small-diameter hose from a compressor or compressed-air cylinder(s). The hose is attached to the wearer by a belt or other suitable means and can be detached rapidly in an emergency. A flow-control valve or orifice is provided to govern the rate of air flow to the wearer. Exhaled air passes to the ambient atmosphere through a valve(s) or opening(s) in the enclosure (facepiece, helmet, hood, or suit). Up to 300 feet (91 meters) of hose length is permissible.</p> <p data-bbox="551 1178 883 1360">(a) Continuous-flow class. Equipped with a facepiece, hood, helmet, or suit. At least 115 liters (four cubic feet) of air per minute to tight-fitting facepieces and 170 liters (six cubic feet) of air per minute to loose-fitting helmets, hoods, and suits is required. Air is supplied to a suit through a system of internal tubes to the head, trunk, and extremities through valves located in appropriate parts of the suit.</p> <p data-bbox="551 1360 883 1392">(b) Demand type^c. Equipped with a facepiece only. The demand valve permits flow of</p> <p data-bbox="551 1392 883 1451">(c) Pressure-demand type^d. Equipped with a facepiece only. A positive pressure is maintained in the facepiece.</p>	

Table III (Continued)
Classification and Description of Respirators by Mode of Operation

Atmosphere-Supplying Respirators	Air-Purifying Respirators
<p style="text-align: center;">Self-Contained Breathing Apparatus (SCBA)</p> <p>Combination Air-Line Respirators with Auxiliary Self-Contained Air Supply Include an air-line respirator with an auxiliary self-contained air supply. To escape from a hazardous atmosphere in the event the primary air supply fails to operate, the wearer switches to the auxiliary self-contained air supply. Devices approved for both entry into and escape from dangerous atmospheres have a low-pressure warning alarm and contain at least a 15-minute self-contained air supply.</p>	<p style="text-align: center;">Supplied-Air Respirators</p>
<p>Combination Atmosphere-Supplying and Air-Purifying Respirators</p> <p>Provide the wearer with the option of using either of two different modes of operation: (1) an atmosphere-supplying respirator with an auxiliary air-purifying attachment which provides protection in the event the air supply fails or (2) an air-purifying respirator with an auxiliary self-contained air supply which is used when the atmosphere may exceed safe conditions for use of an air-purifying respirator.</p>	

- ^aDevice produces negative pressure in respiratory-inlet covering during inhalation.
- ^bDevice produces positive pressure in respiratory-inlet covering during both inhalation and exhalation.
- ^cEquipped with a demand valve that is activated on initiation and permits the flow of breathing atmosphere to the facepiece. On exhalation, pressure in the facepiece becomes positive and the demand valve is deactivated.
- ^dA positive pressure is maintained in the facepiece by a spring-loaded or balanced regulator and exhalation valve.

Table IV
Capabilities and Limitations of Respirators

Atmosphere Supplying Respirators	Air-Purifying Respirators				
<p>(See WAC 296-62-07111 for specification on respirable atmospheres.) Atmosphere-supplying respirators provide protection against oxygen deficiency and toxic atmospheres. The breathing atmosphere is independent of ambient atmospheric conditions.</p> <p>General limitations: Except for some air-line suits, no protection is provided against skin irritation by materials such as ammonia and hydrogen chloride, or against sorption of materials such as hydrogen cyanide, tritium, or organic phosphate pesticides through the skin. Facepieces present special problems to individuals required to wear prescription lenses. Use of atmosphere-supplying respirators in atmospheres immediately dangerous to life or health is limited to specific devices under specified conditions (see Table V).</p> <p style="text-align: center;">Self-Contained Breathing Apparatus (SCBA)</p> <p>The wearer carries his own breathing atmosphere.</p> <p>Limitations: The period over which the device will provide protection is limited by the amount of air oxygen in the apparatus, the ambient atmospheric pressure (service life of open-circuit devices is cut in half by a doubling of the atmospheric pressure), and the type of work being performed. Some SCBA devices have a short service life (less than 15 minutes) and are suitable only for escape (self-rescue) from an irrespirable atmosphere.</p> <p>Chief limitations of SCBA devices are their weight or bulk, or both, limited service life, and the training required for their maintenance and safe use. (1) Closed-Circuit SCBA. The closed-circuit operation conserves oxygen and permits longer service life at reduced weight. The negative-pressure type produces a negative-pressure</p>	<p>General limitations: Air-purifying respirators do not protect against oxygen-deficient atmospheres nor against skin irritations by, or sorption through the skin of, airborne contaminants.</p> <p>The maximum contaminant concentration against which an air-purifying respirator will protect is determined by the design efficiency and capacity of the cartridge, canister, or filter and the facepiece-to-face seal on the user. For gases and vapors, the maximum concentration for which the air-purifying element is designed is specified by the manufacturer or is listed on labels of cartridges and canisters.</p> <p>Nonpowered air-purifying respirators will not provide the maximum design protection specified unless the facepiece or mouthpiece/nose clamp is carefully fitted to the wearer's face to prevent inward leakage (see WAC 296-62-07115(4)). The time period over which protection is provided is dependent on canister, cartridge, or filter type; concentration of contaminant; humidity levels in the ambient atmosphere; and the wearer's respiratory rate.</p> <p>The proper type of canister, cartridge, or filter must be selected for the particular atmosphere and conditions. Nonpowered air-purifying respirators may cause discomfort due to a noticeable resistance to inhalation. This problem is minimized in powered respirators. Respirator facepieces present special problems to individuals required to wear prescription lenses. These devices do have the advantage of being small, light, and simple in operation.</p> <p>Use of air-purifying respirators in atmospheres immediately dangerous to life or health is limited to specific devices under specified conditions (see Table V).</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;">Supplied-Air Respirators</p> <p>The respirable air supply is not limited to the quantity the individual can carry, and the devices are lightweight and simple.</p> <p>Limitations: Limited to use in atmospheres from which the wearer can escape unharmed without the aid of the respirator.</p> <p>The wearer is restricted in movement by the hose and must return to a respirable atmosphere by retracing his route of entry. The hose is subject to being severed or pinched off.</p> <p>(1) Hose Mask. The hose inlet or blower must be located and secured in a respirable atmosphere. (a) Hose mask with blower. If the blower fails, the unit still provides protection, although a negative pressure exists in the facepiece during inhalation. (b) Hose mask without blower Maximum hose length may restrict application of device.</p> </td> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;">Vapor and Gas-Removing Respirators</p> <p>Limitations: No protection is provided against particulate contaminants. A rise in canister or cartridge temperature indicates that a gas or vapor is being removed from the inspired air.</p> </td> </tr> <tr> <td style="width: 50%; vertical-align: top;"> <p style="text-align: center;">Particulate-Removing Respirator</p> <p>Limitations: Protection against nonvolatile particles only. No protection against gases and vapors.</p> </td> <td style="width: 50%;"></td> </tr> </table>	<p style="text-align: center;">Supplied-Air Respirators</p> <p>The respirable air supply is not limited to the quantity the individual can carry, and the devices are lightweight and simple.</p> <p>Limitations: Limited to use in atmospheres from which the wearer can escape unharmed without the aid of the respirator.</p> <p>The wearer is restricted in movement by the hose and must return to a respirable atmosphere by retracing his route of entry. The hose is subject to being severed or pinched off.</p> <p>(1) Hose Mask. The hose inlet or blower must be located and secured in a respirable atmosphere. (a) Hose mask with blower. If the blower fails, the unit still provides protection, although a negative pressure exists in the facepiece during inhalation. (b) Hose mask without blower Maximum hose length may restrict application of device.</p>	<p style="text-align: center;">Vapor and Gas-Removing Respirators</p> <p>Limitations: No protection is provided against particulate contaminants. A rise in canister or cartridge temperature indicates that a gas or vapor is being removed from the inspired air.</p>	<p style="text-align: center;">Particulate-Removing Respirator</p> <p>Limitations: Protection against nonvolatile particles only. No protection against gases and vapors.</p>	
<p style="text-align: center;">Supplied-Air Respirators</p> <p>The respirable air supply is not limited to the quantity the individual can carry, and the devices are lightweight and simple.</p> <p>Limitations: Limited to use in atmospheres from which the wearer can escape unharmed without the aid of the respirator.</p> <p>The wearer is restricted in movement by the hose and must return to a respirable atmosphere by retracing his route of entry. The hose is subject to being severed or pinched off.</p> <p>(1) Hose Mask. The hose inlet or blower must be located and secured in a respirable atmosphere. (a) Hose mask with blower. If the blower fails, the unit still provides protection, although a negative pressure exists in the facepiece during inhalation. (b) Hose mask without blower Maximum hose length may restrict application of device.</p>	<p style="text-align: center;">Vapor and Gas-Removing Respirators</p> <p>Limitations: No protection is provided against particulate contaminants. A rise in canister or cartridge temperature indicates that a gas or vapor is being removed from the inspired air.</p>				
<p style="text-align: center;">Particulate-Removing Respirator</p> <p>Limitations: Protection against nonvolatile particles only. No protection against gases and vapors.</p>					

Table IV (Continued)
Capabilities and Limitations of Respirators

Atmosphere Supplying Respirators		Air-Purifying Respirators	
Self-Contained Breathing Apparatus (SCBA)	Supplied-Air Respirators	Vapor and Gas-Removing Respirators	Particulate-Removing Respirator
<p>in the respiratory inlet covering during inhalation, and this may permit inward leakage of contaminants; whereas the positive-pressure type always maintains a positive pressure in the respiratory-inlet coverin and is less apt to permit inward leakage of contaminants.</p> <p>(2) Open-Circuit SCBA. The demand type produces a negative pressure in the respiratory-inlet covering during inhalation, whereas the pressure-demand type maintains a positive pressure in the respiratory-inlet covering during inhalation and is less apt to permit inward leakage of contaminants.</p>	<p>(2) Air-Line Respirator (Continuous Flow, Demand, and Pressure-Demand Types).</p> <p>The demand type produces a negative pressure in the facepiece on inhalation, whereas continuous-flow and pressure-demand types maintain a positive pressure in the respiratory-inlet covering and are less apt to permit inward leakage of contaminants.</p> <p>Air-line suits may protect against atmospheres that irritate the skin or that may be absorbed through the unbroken skin.</p> <p>Limitations: Air-line respirators provide no protection if the air supply fails. Some contaminants, such as tritium, may penetrate the material of an air-line suit and limit its effectiveness.</p> <p>Other contaminants, such as fluorine, may react chemically with the material of an air-line suit and damage it.</p>	<p>An uncomfortably high temperature indicates a high concentration of gas or vapor and requires an immediate return to fresh air.</p> <p>Use shall be avoided in atmospheres where the contaminant(s) lacks sufficient warning properties (that is: odor, taste, or irritation at a concentration in air at or above the permissible exposure limit). Vapor-and gas-removing respirators are not approved for contaminants that lack adequate warning properties.</p> <p>Not for use in atmospheres immediately dangerous to life or health unless the device is powered-type respirator with escape provisions (see Table V.)</p> <p>(1) Full Facepiece Respirator. Provides protection against eye irritation in addition to respiratory protection.</p> <p>(2) Quarter-Mask and Half-Mask Facepiece Respirator. A fabric covering (facelet) available from some manufacturers shall not be used.</p> <p>(3) Mouthpiece Respirator. Shall be used only for escape applications. Mouth breathing prevents detection of contaminant by odor. Nose clamp must be securely in place to prevent nasal breathing.</p> <p>A small lightweight device that can be donned quickly.</p>	<p>Not for use in atmospheres immediately dangerous to life or health unless the device is a powered-type respirator with escape provisions (see Table V).</p> <p>(1) Full Facepiece Respirator. Provides protection against eye irritation in addition to respiratory protection.</p> <p>(2) Quarter-Mask and Half-Mask Facepiece Respirator. A fabric covering (facelet) available from some manufacturers shall not be used unless approved for use with respirator.</p> <p>(3) Mouthpiece Respirator. Shall be used only for escape applications. Mouth breathing prevents detection of contaminant by odor. Nose clamp must be securely in place to prevent nasal breathing.</p> <p>A small, lightweight device that can be donned quickly.</p>
<p>Combination Airline Respirators with Auxiliary SC Air Supply</p> <p>The auxiliary self-contained air supply on this type of device allows the wearer to escape from a dangerous atmosphere. This device with auxiliary self-contained air supply is approved for escape and may be used for entry when it contains at least a 15-minute auxiliary self-contained air supply. (See Table V.)</p>		<p>Combination Particulate and Vapor and Gas-Removing Respirators</p> <p>The advantages and disadvantages of the component sections of the combination respirator as described above apply.</p>	

Combination Atmosphere-Supplying and Air-Purifying Respirators

The advantages and disadvantages expressed above, of the mode of operation being used will govern. The mode with the greater limitations (air-purifying mode) will mainly determine the overall capabilities and limitations of the respirator, since the wearer may for some reason fail to change the mode of operation even though conditions would require such a change.

Table V
Respirator Protection Factors^a

Type of Respirator	Permitted for Use in Oxygen-Deficient Atmosphere	Permitted for Use in Immediately-Dangerous Life-or-Health Atmosphere ^f	Respirator Protection Factor	
			Qualitative Test	Quantitative Test
Particulate-filter, quarter-mask or half-mask facepiece ^{b,c}	No	No	10	As measured on each person with maximum of 100.
Vapor-or gas-removing, quarter-mask or half-mask facepiece ^e	No	No	10, or maximum use limit of cartridge or canister for vapor or gas, whichever is less.	As measured on each person with maximum of 100, or maximum use limit of cartridge or canister for vapor or gas ^{1,3} , whichever is less.
Combination particulate-filter and vapor- or gas-removing, quarter-mask or half-mask facepiece ^{b,c}	No	No	10, or maximum use limit of cartridge or canister for vapor or gas, whichever is less.	As measured on each person with maximum of 100, or maximum use limit of cartridge or canister for vapor or gas ^{1,3} , whichever is less.
Particulate-filter, full facepiece ^b	No	No	100	As measured on each person with maximum of 100 if dust, fume or mist filter is used, or maximum of 1,000 if high-efficiency filter is used.
Vapor- or gas-removing, full facepiece	No	No	100, or maximum use limit of cartridge or canister for vapor or gas, whichever is less.	As measured on each person with maximum of 1000, or maximum use limit of cartridge or canister for vapor or gas ^{1,3} , whichever is less.
Combination particulate-filter and vapor- or gas-removing, full facepiece ^b	No	No	100, or maximum use limit of cartridge or canister for vapor or gas, whichever is less.	As measured on each person with maximum of 100 of dust, fume, or mist filter is used and maximum of 1,000 if high-efficiency filter is used, or maximum use limit of cartridge or canister for vapor or gas ^{1,3} , whichever is less.
Powered particulate-filter, any respiratory-inlet covering ^{b,c,d}	No	No (yes, if escape provisions are provided ^d)	N/A	N/A
Powered vapor- or gas-removing, any respiratory-inlet covering ^{c,d}	No	No (yes, if escape provisions are provided ^d)	N/A	N/A

Table V (Continued)
Respirator Protection Factors^a

Type of Respirator	Permitted for Use in Oxygen-Deficient Atmosphere	Permitted for Use in Immediately Dangerous to Life or Health Atmosphere ^d	Respirator Protection Factor	
			Qualitative Test	Quantitative Test
Powered combination particulate-filter and vapor- or gas-removing, any respiratory-inlet covering ^{b,c,d}	No	No (yes, if escape provisions are provided ^e)	N/A	N/A
Air-line, demand quarter-mask or half-mask facepiece, with or without escape provisions ^{c,e}	Yes ^f	No	10	As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.
Air-line, demand full facepiece, with or without escape provisions ^e	Yes ^f	No	100	As measured on each person, but limited to the use of the respirators in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.
Air-line, continuous flow or pressure-demand type, any facepiece, without escape provisions ^c	Yes ^f	No	N/A	N/A
Air-line, continuous flow or pressure-demand type, any facepiece, with escape provisions ^{c,e} plus ^h .	Yes ^g	Yes	N/A	N/A
Air-line, continuous flow, helmet, hood, or suit, without escape provisions	Yes ^f	No	N/A	N/A
Air-line, continuous flow, helmet, hood, or suit, with escape provisions ^e	Yes ^g	Yes	N/A	N/A
Hose mask, with or without blower, full facepiece	Yes ^f	No	10	As measured on each person, but limited to the use of the respirator concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.
Self-contained breathing apparatus, demand-type open-circuit or negative-pressure-type closed-circuit, quarter-mask or half-mask facepiece ^c	Yes ^f	No	10	As measured on each person, but limited to the use of the respirator concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values.
Self-contained breathing apparatus, demand-type open-circuit or negative-pressure-type closed-circuit, full facepiece or mouthpiece/nose clamp ^c	Yes ^f (Yes ^g , if respirator is used for mine rescue and mine recovery operations.)	No (Yes, if respirator is used for mine rescue and mine recovery operations.)	100	As measured on each person, but limited to the use of the respirator in concentrations of contaminants below the immediately-dangerous-to-life-or-health (IDLH) values, except when the respirator is used for mine rescue and mine recovery operations.
Self-contained breathing apparatus, pressure-demand type open-circuit or positive-pressure type closed-circuit, quarter-mask or half-mask facepiece, full facepiece, or mouthpiece/nose clamp ^c	Yes ^g	Yes	N/A	N/A
Combination respirators not listed.				The type and mode of operation having the lowest respirator protection factor shall be applied to the combination respirator.

N/A means not applicable since a respirator-fitting test is not carried out.

^aA respirator protection factor is a measure of the degree of protection provided by a respirator to a respirator wearer. Multiplying the permissible time-weighted average concentration or the permissible ceiling concentration, whichever is applicable, for a toxic substance, or the maximum permissible airborne concentration for a radionuclide, by a protection factor assigned to a respirator gives the maximum concentration of the hazardous substance for which the respirator can be used. Limitations of filters, cartridges, and canisters used in air-purifying respirators shall be considered in determining protection factors.

^bWhen the respirator is used for protection against airborne particulate matter having a permissible time-weighted average concentration less than 0.05 milligram particulate matter per cubic meter of air or less than 2 million particles per cubic foot of air, or for protection against airborne radionuclide particulate matter, the respirator shall be equipped with a high-efficiency filter(s).

^cIf the air contaminant causes eye irritation, the wearer of a respirator equipped with a quarter-mask or half-mask facepiece or mouthpiece and nose clamp shall be permitted to use a protective goggle or to use a respirator equipped with a full facepiece.

^dIf the powered air-purifying respirator is equipped with a facepiece, the escape provision means that the wearer is able to breathe through the filter, cartridge, or canister and through the pump. If the powered air-purifying respirator is equipped with a helmet, hood, or suit, the escape provision shall be an auxiliary self-contained supply of respirable air.

^eThe escape provision shall be an auxiliary self-contained supply of respirable air.

^fFor definition of "oxygen deficiency - not immediately dangerous to life or health" see WAC 296-62-07105.

^gFor definition of "oxygen deficiency - immediately dangerous to life or health" see WAC 296-62-07105.

^hThe protection factor measurement exceeds the limit of sensitivity of the test apparatus. Therefore, the respirator has been classified for use in atmospheres having unknown concentrations of contaminants.

ⁱThe service life of a vapor-or-gas-removing cartridge or canister depends on the specific vapor or gas, the concentration of the vapor or gas in air, the temperature and humidity of the air, the type and quantity of the sorbent in the cartridge or canister, and the activity of the respirator wearer. Cartridges and canisters may provide only very short service lives for certain vapors and gases. Vapor/gas service life testing is recommended to ensure that cartridges and canisters provide adequate service lives. Reference should be made to published reports which give vapor/gas life data for cartridges and canisters.

^jVapor-and gas-removing respirators are not approved for contaminants that lack adequate warning properties of odor, irritation, or taste at concentrations in air at or above the permissible exposure limits.

NOTE: Respirator protection factors for air-purifying-type respirators equipped with a mouthpiece/nose clamp form of respiratory-inlet covering are not given, since such respirators are approved only for escape purposes.

NEW SECTIONWAC 296-62-07115 USE OF RESPIRATORS.

(1) Standard operating procedures. Written standard operating procedures shall cover a complete respirator program and shall include information necessary for the proper use of respirators, including training of respirator wearers, respirator sealing tests, issuance of respirators, inspection of respirators prior to use, monitoring respirator use, monitoring respiratory hazard, and planning for routine, nonroutine, emergency, and rescue uses of respirators.

(a) The written standard operating procedures shall include plans necessary to ensure the safe routine use and nonroutine use of respirators. Emergency and rescue uses of respirators shall be anticipated, and the written standard operating procedures shall include plans necessary to ensure the safe emergency and rescue uses of respirators. Persons who wear respirators routinely, who wear respirators nonroutinely, and who may be required to wear respirators for emergency and rescue work shall be given adequate information concerning plans covering these respirator uses to ensure the safe use of respirators.

(b) Standard operating procedures for emergency and rescue use of respirators. It is recognized that it is not possible to foresee every emergency and rescue use of respirators for every kind of operation. Nevertheless, a wide variety of possible conditions requiring the emergency or rescue use of respirators can be envisioned and an adequate emergency and rescue respirator-response capability can be achieved through a serious effort to anticipate the worst possible consequences of particular malfunctions or mishaps.

The written standard operating procedures governing the emergency and rescue uses of respirators shall be developed in the following manner:

(i) An analysis of the emergency and rescue uses of respirators that may occur in each operation shall be made by careful consideration of materials, equipment, processes, and personnel involved. Such an analysis shall be reviewed by the person who is thoroughly familiar with the particular operation. Consideration shall be given to past occurrences requiring emergency or rescue uses of respirators as well as conditions which resulted in such respirator applications. The possible consequences of equipment or power failures, uncontrolled chemical reactions, fire, explosion, or human error shall be given consideration. All potential hazards which may result in emergency or rescue use of respirators shall be listed.

(ii) Based upon the analysis, appropriate types of respirators shall be selected, an adequate number shall be provided for each area where they may be needed for emergency or rescue use, and these respirators shall be maintained and stored so that they are readily accessible and operational when needed.

(iii) In areas where the wearer, with failure of the respirator, could be overcome by a toxic or oxygen-deficient atmosphere, at least one additional man shall be present. Communications (visual, voice, or signal line) shall be maintained between both or all individuals present. Planning shall be such that one individual will be unaffected by any likely incident and have the proper

rescue equipment to be able to assist the other(s) in case of emergency.

(iv) When self-contained breathing apparatus or hose masks with blowers are used in atmospheres immediately dangerous to life or health, standby workers must be present at the nearest fresh air base with suitable rescue equipment.

(v) Persons using air line respirators in atmospheres immediately hazardous to life or health shall be equipped with safety harnesses and safety lines for lifting or removing persons from hazardous atmospheres or other and equivalent provisions for the rescue of persons from hazardous atmospheres shall be used. A standby worker or workers with suitable self-contained breathing apparatus shall be at the nearest fresh air base for emergency rescue.

(2) Training. The supervisor, the person issuing respirators, and the respirator wearers shall be given adequate training by a qualified person(s) to ensure the proper use of respirators. Written records shall be kept of the names of the persons trained and the dates when training occurred.

(a) Training of supervisor. A supervisor – that is, a person who has the responsibility of overseeing the work activities of one or more persons who must wear respirators – shall be given adequate training to ensure the proper use of respirators.

(b) Training of person issuing respirators. A person assigned the task of issuing respirators to persons who must wear respirators for protection against harmful atmospheres shall be given adequate training to ensure that the correct respirator is issued for each application in accordance with written standard operating procedures.

(c) Training of respirator wearer. To ensure the proper and safe use of a respirator, the minimum training of each respirator wearer shall include the following elements:

(i) The reasons for the need of respirator protection.

(ii) The nature, extent, and effects of respiratory hazards to which the person may be exposed.

(iii) An explanation of why engineering controls are not being applied or are not adequate and of what effort is being made to reduce or eliminate the need for respirators.

(iv) An explanation of why a particular type of respirator has been selected for a specific respiratory hazard.

(v) An explanation of the operation, and the capabilities and limitations, of the respirator selected.

(vi) Instruction in inspecting, donning, checking the fit of, and wearing the respirator.

(vii) An opportunity for each respirator wearer to handle the respirator, learn how to don and wear it properly, check its seals, wear it in a safe atmosphere, and wear it in a test atmosphere.

(viii) An explanation of how maintenance and storage of the respirator is carried out.

(ix) Instructions in how to recognize and cope with emergency situations.

(x) Instructions as needed for special respirator use.

(xi) Regulations concerning respirator use.

(A) Wearing instructions and training. Wearing instructions and training, including practice demonstrations, shall be given to each respirator wearer and shall cover:

(aa) Donning, wearing, and removing the respirator.

(bb) Adjusting the respirator so that its respiratory-inlet covering is properly fitted on the wearer and so that the respirator causes a minimum of discomfort to the wearer.

(cc) Allowing the respirator wearer to wear the respirator in a safe atmosphere for an adequate period of time to ensure that the wearer is familiar with the operational characteristics of the respirator.

(dd) Providing the respirator wearer an opportunity to wear the respirator in a test atmosphere to demonstrate that the respirator provides protection to the wearer. A test atmosphere is any atmosphere in which the wearer can carry out activities simulating work movements and respirator leakage or respirator malfunction can be detected by the wearer.

(B) Retraining. Each respirator wearer shall be retrained as necessary to assure effective respirator use. Refresher training shall be given at least annually.

(3) Respirator sealing problems. Respirators shall not be worn when conditions prevent a seal of the respirator to the wearer.

(a) A person who has hair (stubble, moustache, sideburns, beard, low hairline, bangs) which passes between the face and the sealing surface of the facepiece of the respirator shall not be permitted to wear such a respirator.

(b) A person who has hair (moustache, beard) which interferes with the function of a respirator valve(s) shall not be permitted to wear the respirator.

(c) A spectacle which has temple bars or straps which pass between the sealing surface of a respirator full facepiece and the wearer's face shall not be used.

(d) A head covering which passes between the sealing surface of a respirator facepiece and the wearer's face shall not be used.

(e) The wearing of a spectacle, a goggle, a faceshield, a welding helmet, or other eye and face protective device which interferes with the seal of a respirator to the wearer shall not be allowed.

(f) If scars, hollow temples, excessively protruding cheekbones, deep creases in facial skin, the absence of teeth or dentures, or unusual facial configurations prevent a seal of a respirator facepiece to a wearer's face, the person shall not be permitted to wear the respirator.

(g) If missing teeth or dentures prevent a seal of a respirator mouthpiece in a person's mouth, the person shall not be allowed to wear a respirator equipped with a mouthpiece.

(h) If a person has a nose of a shape or size which prevents the closing of the nose by the nose clamp of a mouthpiece/nose-clamp type of respirator, the person shall not be permitted to wear this type of respirator.

(4) Respirator sealing tests. To ensure proper protection, the wearer of a respirator equipped with a facepiece shall check the seal of the facepiece prior to each

entry into a hazardous atmosphere. This may be done using procedures recommended by respirator manufacturers or by approved field tests.

(5) Issuance of respirators. The proper respirator shall be specified for each application and shall be listed in the written standard operating procedures. If a respirator is marked for the worker to whom it is assigned or for other identification purposes, the markings shall not affect the respirator performance in any way.

(6) Respirator inspection prior to use. Each person issued a respirator for routine, nonroutine, emergency, or rescue use shall inspect the respirator prior to its use to ensure that it is in good operating condition.

(7) Monitoring respirator use. The use of respirators on a routine or nonroutine basis shall be monitored to ensure that the correct respirators are being used, that the respirators are being worn properly and that the respirators being used are in good working condition.

(8) Evaluation of respiratory hazard during use. The level of the respiratory hazard in the workplace to which a person wearing a respirator is exposed shall be evaluated periodically.

(9) Leaving a hazardous area. A respirator wearer shall be permitted to leave the hazardous area for any respirator-related cause. Reasons which may cause a respirator wearer to leave a hazardous area include, but are not limited to, the following:

(a) Failure of the respirator to provide adequate protection.

(b) Malfunction of the respirator.

(c) Detection of leakage of air contaminant into the respirator.

(d) Increase in resistance of respirator to breathing.

(e) Severe discomfort in wearing the respirator.

(f) Illness of respirator wearer, including: sensation of dizziness, nausea, weakness, breathing difficulty, coughing, sneezing, vomiting, fever, and chills.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 296-62-07117 MAINTENANCE OF RESPIRATORS. (1) General. A program for the maintenance of respirators shall be adjusted to the type of plant, working conditions, hazards involved, and shall include the following:

(a) Cleaning and sanitizing.

(b) Inspection for defects.

(c) Repair.

(d) Storage.

Each respirator shall be properly maintained to retain its original shape and effectiveness.

(2) Cleaning and sanitizing. Each respirator shall be cleaned and sanitized to ensure that the respirator wearer is provided with a clean and sanitized respirator at all times. A respirator issued for other than continuous personal use by a particular worker, such as with routine, nonroutine, emergency, or rescue use, shall be cleaned and sanitized after each use.

(3) Inspection. Each respirator shall be inspected routinely before and after use. A respirator shall be inspected by the user immediately prior to each use to ensure that it is in proper working condition.

(a) After cleaning and sanitizing, each respirator shall be inspected to determine if it is in proper working condition, if it needs replacement of parts or repairs, or if it should be discarded. Each respirator stored for emergency or rescue use shall be inspected at least monthly. Respirator inspection shall include a check for tightness of connections; for the condition of the respiratory-inlet covering, head harness, valves, connecting tubes, harness assemblies, filters, cartridges, canisters, end-of-service-life indicator, and shelf life date(s); and for the proper function of regulators, alarms, and other warning systems.

(b) Each rubber or other elastomeric part shall be inspected for pliability and signs of deterioration. Each air and oxygen cylinder shall be inspected to ensure that it is fully charged according to the manufacturer's instructions.

(c) A record of inspection dates, findings, and remedial actions shall be kept for each respirator maintained for emergency or rescue use.

(4) Part replacement and repair. Replacement of parts or repairs shall be done only by persons trained in proper respirator assembly and correction of possible respirator malfunctions and defects. Replacement parts shall be only those designed for the specific respirator being repaired. Reducing or admission valves, regulators, and alarms shall be returned to the manufacturer or to a trained technician for repair or adjustment. Instrumentation for valve, regulator, and alarm adjustments and tests must be approved by the valve, regulator, or alarm manufacturer.

(5) Storage. Respirators shall be stored in a manner that will protect them against dust, sunlight, heat, extreme cold, excessive moisture, or damaging chemicals. Respirators shall be stored to prevent distortion of rubber or other elastomeric parts. Respirators shall not be stored in such places as lockers and tool boxes unless they are protected from contamination, distortion, and damage. Emergency and rescue-use respirators that are placed in work areas shall be quickly accessible at all times, and the storage cabinet or container in which they are stored shall be clearly marked.

NEW SECTION

WAC 296-62-07119 IDENTIFICATION OF AIR-PURIFYING RESPIRATOR CANISTERS. (1)

The primary means of identifying a gas mask canister shall be by means of properly worded labels. The secondary means of identifying a gas mask canister shall be by a color code.

(2) Employers or their representative who issue or use gas masks falling within the scope of this section shall see that all gas mask canisters purchased or used by them are properly labeled and colored in accordance with these requirements before they are placed in service and that the labels and colors are properly maintained at all times thereafter until the canisters have completely served their purpose.

(3) On each canister shall appear in bold letters the following:

(a) Canister for

 (Name for atmospheric contaminant)
 or
 Type N Gas Mask Canister

(b) In addition, essentially the following wording shall appear beneath the appropriate phrase on the canister label: "For respiratory protection in atmospheres containing not more than _____ percent by volume of _____"

 (Name of atmospheric contaminant)

(c) All of the markings specified above should be placed on the most conspicuous surface or surfaces of the canister.

(4) Canisters having a special high-efficiency filter for protection against radionuclides and other highly toxic particulates shall be labeled with a statement of the type and degree of protection afforded by the filter. The label shall be affixed to the neck end of, or to the gray stripe which is around and near the top of, the canister. The degree of protection shall be marked as the percent of penetration of the canister by a 0.3 - micron-diameter dioctyl phthalate (DOP) smoke at a flow rate of 85 liters per minute.

(5) Each canister shall have a label warning that gas masks should be used only in atmospheres containing sufficient oxygen to support life (at least 16 percent by volume), since gas mask canisters are only designed to neutralize or remove contaminants from the air.

(6) Each gas mask canister shall be painted a distinctive color or combination of colors indicated in Table I. All colors used shall be such that they are clearly identifiable by the user and clearly distinguishable from one another. The color coating used shall offer a high degree of resistance to chipping, scaling, peeling, blistering, fading, and the effects of the ordinary atmospheres to which they may be exposed under normal conditions of storage and use. Appropriately colored pressure sensitive tape may be used for the stripes.

TABLE I

Atmospheric Contaminants to be Protected Against	Colors Assigned*
Acid gases	White.
Hydrocyanic acid gas	White with 1/2 - inch green stripe completely around the canister near the bottom.
Chlorine gas	White with 1/2 - inch yellow stripe completely around the canister near the bottom.
Organic vapors	Black.
Ammonia gas	Green.
Acid gases and ammonia gas	Green with 1/2 - inch white stripe completely around the canister near the bottom.
Carbon monoxide	Blue.
Acid gases and organic vapors	Yellow.
Hydrocyanic acid gas and	

TABLE I

Atmospheric Contaminants to be Protected Against	Colors Assigned*
chloropicrin vapor	Yellow with 1/2 - inch blue stripe completely around the canister near the bottom.
Acid gases, organic vapors, and ammonia gases	Brown.
Radioactive materials, excepting tritium and noble gases	Purple (Magenta).
Particulates (dusts, fumes, mists, fogs, or smokes) in combination with any of the above cases or vapors	Canister color for contaminant, as designated above, with 1/2 - inch gray stripe completely around the canister near the top.
All of the above atmospheric contaminants	Red with 1/2 - inch gray stripe completely around the canister near the top.

*Gray shall not be assigned as the main color for a canister designed to remove acids or vapors.

NOTE: Orange shall be used as a complete body, or stripe color to represent gases not included in this table. The user will need to refer to the canister label to determine the degree of protection the canister will afford.

NEW SECTION

WAC 296-62-07121 EFFECTIVE DATE. This standard shall become effective thirty days after filing with the Code Reviser.

NEW SECTION

WAC 296-62-07519 THIRAM. (1) Scope and application. This section applies to occupational exposure to thiram (tetramethylthiuram disulfide), in addition to those requirements listed in WAC 296-62-07515. Nothing in this section shall preclude the application of other appropriate standards and regulations to minimize worker exposure to thiram.

(2) Definitions. The following definitions are applicable to this section:

(a) Clean - the absence of dirt or materials which may be harmful to a worker's health.

(b) Large seedlings - those seedlings of such size, either by length or breadth, that it is difficult to avoid contact of the thiram treated plant with the mouth or face during planting operations.

(3) General requirements.

(a) Workers should not be allowed to work more than five days in any seven day period with or around the application of thiram or thiram treated seedlings.

(b) Washing and worker hygiene.

(i) Workers shall wash their hands prior to eating or smoking at the close of work.

(ii) Warm (at least 85°F, 29.4°C) wash water and single use hand wiping materials shall be provided for washing.

(iii) The warm water and hand wiping materials shall be at fixed work locations or at the planting unit.

(iv) Where warm water is not available within 15 minutes travel time, non-alcoholic based waterless hand cleaner shall be provided.

(v) Every planter or nursery worker shall be advised to bathe or shower daily.

(vi) The inside of worker carrying vehicles shall be washed or vacuumed and wiped down at least weekly during the period of thiram use.

(c) Personal protective measures.

(i) Clothing shall be worn by workers to reduce skin contact with thiram to the legs, arms and torso.

(ii) For those workers who have thiram skin irritations, exposed areas of the body shall be protected by a suitable barrier cream.

(iii) Clothing worn by workers shall be washed or changed at least every other day.

(iv) Only impervious gloves may be worn by workers.

(v) Workers hands should be clean of thiram before placing them into gloves.

(vi) Thiram applicators shall be provided with and use respiratory protection in accordance with WAC 296-62-071, disposable coveralls or rubber slickers or other impervious clothing, rubberized boots, head covers and rubberized gloves.

(vii) Nursery workers, other than applicators, who are likely to be exposed to thiram shall be provided with and use disposable coveralls or rubber slickers or other impervious clothing, impervious footwear and gloves, and head covers in accordance with WAC 296-24 075, unless showers have been provided and are used.

(viii) Eye protection according to WAC 296-24-078, shall be provided and worn by workers who may be exposed to splashes of thiram during spraying, plug bundling, belt line grading and plugging or other operations.

(ix) Item (viii) of this subdivision need not be complied with where pressurized emergency eye wash fountains are within 10 seconds travel time of the work location. (Approved Respirator - See WAC 296-62-071.)

(x) A dust mask shall be worn, when planting large seedlings, to avoid mouth and face contact with the thiram treated plant unless equally effective measures or planting practices have been established.

(d) Food handling.

(i) Food snacks, beverages, smoking materials, or any other item which is consumed shall not be stored or consumed in the packing area of the nursery.

(ii) Worker carrying vehicles shall have a clean area for carrying lunches.

(iii) The clean area of the vehicle shall be elevated from the floor and not used to carry other than food or other consumable items.

(iv) The carrying of lunches, food or other consumable items in tree planting bags is prohibited.

(v) Care shall be taken to insure that worker exposure to thiram spray, including downwind driftings, is minimized or eliminated.

(vi) When bags that contained thiram or thiram treated seedlings are burned, prevent worker exposure to the smoke.

- (e) Thiram use and handling.
- (i) Thiram treated seedlings shall be allowed to dry or stabilize prior to packing.
- (ii) Seedlings shall be kept moist during packing and whenever possible during planting operations.
- (iii) Floors, where thiram is used, shall not be dry swept but instead vacuumed, washed or otherwise cleaned at least daily.
- (iv) Silica chips used to cover thiram treated seedling plugs shall be removed at the nursery.
- (f) Training.
 - (i) Each worker engaged in operations where exposure to thiram may occur shall be provided training on the hazards of thiram, as well as the necessary precautions for its safe use and handling.
 - (ii) The training shall include instruction in:
 - (A) The nature of the health hazard(s) from exposure to thiram including specifically the potential for alcohol intolerance, drug interaction, and skin irritation;
 - (B) The specific nature of operations which could result in exposure to thiram and the necessary protective steps;
 - (C) The purpose for, proper use, and limitations of protective devices including respirators and clothing;
 - (D) The necessity for and requirements of good personal hygiene; and
 - (E) A review of the thiram rules at the worker's first training and indoctrination, and annually thereafter.
- (4) Effective date. This standard shall become effective 30 days after being filed with the Code Revisor.

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

AMENDATORY SECTION (Amending Order 80-14, filed 8/8/80)

WAC 296-62-09011 OCCUPATIONAL NOISE EXPOSURE. (1) Workers shall be protected against the effects of exposure to noise which exceeds the permissible noise exposure shown in Table 7 of this section.

(2) Permissible exposure limits. These permissible exposure limits refer to sound pressure levels that represent conditions under which it is believed that nearly all workers may be repeatedly exposed without adverse effect on their ability to hear and understand normal speech. The medical profession has defined hearing impairment as an average hearing threshold level in excess of 25 decibels (ANSI S3.6-1969) at 500, 1000, and 2000 Hz, and the limits which are given have been established to prevent a hearing loss in excess of this value. These values shall be used as a standard in the control of noise exposure.

TABLE 7
Permissible Noise Exposure

Duration per day Hours	Sound Level dBA
16	85
8	90
6	92
4	95

TABLE 7
Permissible Noise Exposure

Duration per day Hours	Sound Level dBA
3	97
2	100
1-1/2	102
1	105
3/4	107
1/2	110
1/4	115*

*Ceiling Value: No exposure in excess of 115 dBA.

(3) Continuous or intermittent. The sound level shall be measured with a sound level meter, conforming as a minimum to the requirements of the American National Standards Institute ANSI ((A)S1.4 1971 (R1976), Type 2, and set to an A-weighted slow meter response or with an audiodosimeter of equivalent accuracy and precision. The unit of measurement shall be decibels Re 20 micropascals A-weighted. Duration of exposure shall not exceed that shown in Table 7.

These values apply to total time of exposure per working day regardless of whether this is one continuous exposure or a number of short-term exposures but does not apply to impact or impulsive type of noises.

(4) Intermittent exposure. When the daily noise exposure is composed of two or more periods of noise exposure of different levels, their combined effect shall be considered, rather than the individual effect of each. If the sum of the following fractions:

$$\frac{C_1}{T_1} + \frac{C_2}{T_2} + \dots + \frac{C_n}{T_n}$$

exceeds unity, then, the mixed exposure shall be considered to exceed the permissible exposure limits, C_1 indicates the total time of exposure at a specified noise level, and T_1 indicates the total time of exposure permitted at that level. Noise exposures shall be established according to the criteria of Table 7.

(5) Impulsive or impact noise. Impulsive or impact noise shall be those variations in noise levels which involve maxima at intervals greater than one second. Where the intervals are less than (1) second, it shall be considered continuous. All impact and impulsive noise measurements should be made on the C-weighting network of a sound level meter in conjunction with an impact noise analyzer or oscilloscope. Exposure to impulsive or impact noise should not exceed 140 decibels peak sound pressure level (ceiling value).

(6) Methods of compliance. (a) When employees are subjected to sound levels exceeding those listed in Table 7, feasible administrative or engineering controls shall be utilized.

(b) Upon request, the employer shall prepare and submit a written compliance plan to the director. This plan must include a description of the manner in which compliance will be achieved with respect to cited violations of WAC 296-62-09011(6)(a) and shall include proposed abatement methods, anticipated completion

dates, and provision for progress reports to the department.

(c) Personal hearing protective equipment shall be provided at no cost to the employee and shall be used whenever the sound levels prescribed in subsections (3), (4), or (5) of this section are exceeded.

((i) The employer shall assure that personal protective equipment is worn by each affected employee.

(ii) Insert type protectors, other than self-fitted malleable plugs, shall be individually fitted by a trained person.

(iii) Employees shall be instructed in the care and use of personal protective equipment.

(7) In all cases where the sound levels exceed the values shown in Table 7 of this section, it is recommended that workmen whose duties may subject them to these potentially harmful noise levels be provided with an audiometric examination at the time of employment and at reasonable intervals thereafter not exceeding an 18-month period.

(8) Workmen employed in areas where the sound level is above the level deemed to be safe should cooperate in an audiometric testing program. Workmen shall be informed of the test results by an authorized person.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

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

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- (1) WAC 296-24-081 RESPIRATORY PROTECTION.
- (2) WAC 296-24-08101 PERMISSIBLE PRACTICE.
- (3) WAC 296-24-08103 REQUIREMENTS FOR A MINIMAL ACCEPTABLE PROGRAM.
- (4) WAC 296-24-08105 SELECTION OF RESPIRATORS.
- (5) WAC 296-24-08107 AIR QUALITY.
- (6) WAC 296-24-08109 USE OF RESPIRATORS.
- (7) WAC 296-24-08111 MAINTENANCE AND CARE OF RESPIRATORS.
- (8) WAC 296-24-08113 IDENTIFICATION OF GAS MASK CANISTERS.

WSR 81-16-032
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1684—Filed July 29, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to medical assistance, amending chapters 388-87, 388-91 and 388-92 WAC and limited casualty program, adopting chapters 388-99 and 388-100 WAC.

This action is taken pursuant to Notice No. WSR 81-12-042 filed with the code reviser on June 3, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 29, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-005 PAYMENT—ELIGIBLE PROVIDERS DEFINED. (1) Eligible providers are:

- (a) Persons currently licensed by the state of Washington to practice medicine, osteopathy, dentistry, ((or)) optometry, or podiatric services,
- (b) Persons currently licensed by the state of Washington as professional or practical nurses, or as physical therapists,
- (c) A hospital currently licensed by the department,
- (d) A nursing home currently licensed and classified by the department as a skilled nursing or intermediate care facility,
- (e) A licensed pharmacy,
- (f) A home health services agency certified by the department,
- (g) An independent (outside) laboratory qualified to participate under Title XVIII or determined currently to meet the requirements for such participation,
- (h) A company or individual (not excluded in subsection (3) of this section) supplying items such as ambulance service, oxygen, eyeglasses, other appliances, or approved services,
- (i) A provider of screening services that has signed an agreement with the department to provide such services to eligible individuals in the EPSDT program,
- (j) A certified center for the detoxification of acute alcoholic conditions,

(k) An outpatient clinical community mental health center, drug treatment center or Indian health service clinic,

(l) A medicare certified rural health clinic,

(m) Approved prepaid health maintenance, prepaid health plans and/or health insuring organizations,

(n) An out-of-state provider of services listed in subsection (1) (a) through (g) of this section, with comparable qualifications in state of residence or location of practice.

(2) Under the mandatory and discretionary provision of RCW 74.09.530, the services of the following practitioners will not be furnished to applicants or recipients:

Chiropractors
 ((Podiatrists))
 Sanipractors
 Naturopaths
 Homopathists
 Herbalists
 Masseurs or manipulators
 Christian Science practitioners or theological healers
 Any other licensed or unlicensed practitioners not otherwise specifically provided for in these rules.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-010 CONDITIONS OF PAYMENT—GENERAL. (1) The department shall be responsible for payment of service rendered to a recipient only when the services are within the scope of care, properly authorized and the recipient certified as eligible.

(2) The fees and rates established by the department shall constitute the full charge for approved medical care and services provided to recipients by the providers, except as specified in chapter 388-86 WAC.

(3) When a provider of service furnishes services to a known eligible recipient and does not bill the department for services for which the department is responsible for payment, or fails to satisfy department conditions of payment such as prior approval and timely billing, the recipient is under no obligation to pay the provider.

(4) Payment for any service furnished to a recipient by a provider may not be made to or through a factor who advances money to that provider for accounts receivable.

(5) The department will not be responsible for payment for medical care and goods and/or services provided to a recipient enrolled in a department-contracted, prepaid medical plan who fails to use the provider under contract unless emergency conditions exist or the department has approved payment to another provider for provision of a service not covered by the prepaid plan.

(6) The department will not be responsible for payment of that portion of medical care or services reimbursable within a reasonable time by a ((third party)) third-party resource available to the recipient such as health insurance coverage, casualty insurance or when

medical needs result from accident or injury caused by another party. See chapter 388-83 WAC.

(7) Payment for care ((on the federally aided medical)) under the medical assistance or limited casualty-medically needy programs will be retroactive for three months prior to the month of application provided the applicant would have been eligible when the care was received. The applicant ((to a federally aided program)) need not be eligible ((for medical assistance)) at the time of actual application. Medical services that require approval ((under the appropriate medical program)) must be approved by the CSO medical consultant for the retroactive period.

(8) Payment for care under the limited casualty program-medically indigent and GAU may be retroactive for seven days prior to the date of application if applicant is otherwise eligible. Medical services that require approval must be approved by the CSO medical consultant for the retroactive period.

((#)) (9) A claim by a provider for payment for services rendered to a person who subsequently is determined to be ineligible at the time service was rendered may be paid under the following conditions only:

(a) The ineligible person must have been certified as both financially and medically eligible,

(b) Payment has not been made from sources outside the department~~((:))~~ 2

(c) A request for such payment must be submitted and approved by the division of medical assistance.

((#)) (10) The department reimbursement level will not exceed the maximum rates established by medicare. Payment for medically necessary services shall be made on the basis of usual and customary charges or the rates established by the department, whichever is lower.

((#)) (11) Payment for ((well baby)) well-baby care is not authorized except as provided under the EPSDT program. See WAC 388-86-027.

(12) The department will not reimburse a hospital for the deductible amount the limited casualty program-medically needy recipient is required to pay for each hospital admission.

(13) The department will not reimburse an emergency room for the copayment amount the limited casualty program-medically needy recipient is required to pay for each emergency room visit.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-012 CONDITIONS OF PAYMENT—CONSULTANT'S AND SPECIALIST'S SERVICES AND FEES. (1) When services of a consultant or specialist are required, whether the patient has been referred by a physician or is being treated by the specialist as the attending physician, the approval of the medical consultant is not necessary. This rule applies to consultation or treatment in the home, office, or medical institution.

(2) A copy of the consultation report ((must accompany the claim for consultant fees. If the report is not submitted with the billing, the fee for an initial office or hospital call will be paid dependent upon where consultation was given)) may be requested.

(3) When a specialist treats a patient for minor conditions or for chronic conditions of long duration, the ~~((standard))~~ fee for initial and subsequent office calls is ~~((allowed))~~ reimbursed at the department rate.

(4) Consultant's fees shall not be paid when the consulting physician specialist or other provider subsequently performs surgery or renders treatment for which flat fees are applicable, see WAC 388-86-095.

(5) If more than one specialist is called in to examine a patient during a spell of illness, billings are subject to review and approval by the chief of the office of medical ~~((assistance))~~ policy and procedure. (See WAC 388-87-025).

(6) Payment will be made for a psychological evaluation only when a physician has obtained the necessary approval to refer an eligible patient, whom he is treating, for such evaluation. Treatment by a psychologist is not provided. ~~((See WAC 388-87-025(2)(n)):~~)

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-013 CONDITIONS OF PAYMENT—HOSPITAL CARE. (1) A hospital must request approval of admission for nonemergent conditions from the local medical consultant before payment is made for services provided to recipients of the state funded ~~((program))~~ programs.

(2) The department will not be responsible for payment for additional days of hospitalization in the case of a hospitalized recipient when the PAS limitations have been exceeded and the provider has not requested an extension within termination of service or an extension request has been denied unless prior contractual arrangements are made by the department for a specified length of stay. Payment for the additional days spent in the hospital would then depend upon any private agreement or contract between the provider and the patient.

(3) A beneficiary of Title XVIII medicare who is not in a state institution shall use his nonrenewable lifetime hospitalization reserve of sixty days before payment for hospitalization will be made from Title XIX funds.

(4) A deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care for each admission is the responsibility of the limited casualty program—medically needy recipient.

AMENDATORY SECTION (Amending Order 1458, filed 11/26/79)

WAC 388-87-015 BILLING LIMITATIONS—ONE HUNDRED TWENTY-DAY PERIOD. (1) Providers shall submit their charges at least monthly and shall present their final charges not more than one hundred twenty days after termination of services. See RCW 74.09.160. An exception to this shall be made as a result of a fair hearing decision or court order involving a fair hearing decision which is favorable to the recipient. In such case, providers must present final charges to the department within one hundred twenty days of the day of the decision or the date the order was entered (see RCW 74.08.080).

(2) When it is obvious that clearance of resources for an applicant will require more time than the one hundred twenty-day billing period permits, an immediate request for permission for late billing shall be made to the department's state office. Permission for late billing cannot be granted if the request is received after expiration of the one hundred twenty-day billing period.

~~(3) ((The one hundred twenty-day billing limitation does not apply to those individuals eligible for federal aid medical care whose medical care and services are being paid for during the three-month retroactive period prior to the month of application. The one hundred twenty-day limitation begins for such eligible individuals as of the date of certification. (See WAC 388-87-010(5)))~~ The one hundred twenty-day billing limitation begins with the date of certification for retroactive medical coverage approved for payment. See chapter 388-80 WAC for definition of retroactive.

~~((4) The one hundred twenty-day billing limitation does not apply to those individuals receiving supplemental security income benefits or disability related medical assistance when notification of related eligibility for medical care and services is delayed in the federal and state data processing system. The one hundred twenty-day limitation begins for such eligible individuals on the last day of the month of certification. Medical only (no) certifications may be similarly delayed pending disability determination.))~~

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-025 SERVICES REQUIRING APPROVAL OF MEDICAL CONSULTANT. (1) Services to recipients of medical assistance, limited casualty program, and continuing general assistance require certain approvals.

(2) All surgical procedures require approval by the local medical consultant - see WAC 388-86-095 and 388-86-110. Only the surgeon need obtain written approval for surgery. The services of the surgical assistant and the anesthesiologist or anesthetist do not require approval. Their billings for payment, however, must show the patient's diagnosis and a ~~((cross-reference))~~ cross-reference to the surgeon.

~~((3) Requests for medical appliances and prosthetic devices must have prior approval according to WAC 388-86-100.~~

~~((4))~~ (3) Requests for allergy testing shall be submitted on appropriate state form for prior approval by the local medical consultant. The extent of service to be provided shall be indicated. In the event an independent laboratory bills for the allergy testings, the requesting physician shall send the approved state form to the laboratory as the billing authority.

~~((5))~~ (4) Drugs not listed in the department's formulary or any single prescription exceeding the maximum limit established - see WAC 388-91-020.

~~((6))~~ (5) Admission to a hospital - see WAC 388-87-070 and 388-86-050.

~~((7))~~ (6) Initial provision of oxygen service for a recipient under sixty-five years of age in his own home. Repeat deliveries of oxygen for the same illness do not

require medical consultant approval - see WAC 388-86-080 and 388-87-080.

~~((8))~~ (7) Approval of physical therapy on an outpatient basis or in a nursing home when prescribed by the attending physician - see WAC 388-86-090.

~~((9))~~ (8) For certain bordering cities and out-of-state medical care - see WAC 388-82-030 and 388-86-115.

~~((10))~~ (9) For consultant or specialist referral when such referrals exceed two such consultants or specialists - see WAC 388-86-095.

~~((11))~~ (10) Respiratory therapy in excess of five treatments requires approval.

~~((12))~~ (11) Speech therapy requires an initial evaluation; both the evaluation and subsequent therapy require prior approval - see WAC 388-86-098.

~~((13))~~ (12) Psychological evaluation requires prior approval and is provided in connection with medical diagnosis and treatment (see WAC 388-87-012).

~~((14))~~ (13) Requests for taxi transportation.

(14) Requests for air transportation.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-027 SERVICES REQUIRING PRIOR APPROVAL BY STATE OFFICE. (1) The following services requiring approval of the local medical consultant shall also receive prior approval of the chief of the office of medical policy and procedure:

(a) Nonemergent surgical procedures - see WAC 388-86-095;

(b) Prosthetic devices and ~~((major appliances - see WAC 388-86-100))~~ durable medical equipment and nonreusable medical equipment costing more than five hundred dollars;

~~((i) Purchase of reusable medical appliances and aids to mobility costing more than five hundred dollars;~~

~~((ii) Purchase of nonreusable surgical appliances or prosthetic devices costing more than five hundred dollars except those described in WAC 388-87-025.))~~

(c) All out-of-state air transportation.

(2) With the exception of prosthetic devices and major appliances, subsection (1) of this section, does not apply to CSOs or regions which have ~~((full-time))~~ full-time medical consultants who are authorized to give approval.

(3) The medical director or designee may approve the purchase of a hearing aid for less than 50 decibel loss if social information justifies the need.

(4) All out-of-state air transportation.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-030 RESPONSIBILITY OF PHYSICIAN-PATIENT ADMITTED TO HOSPITAL. Admission to a hospital shall be requested by the attending physician. The signature of the attending physician on the department's hospital invoice is not required; however, the hospital must enter the diagnosis, justification for admission, and the physician's name ~~((and provider number in the appropriate section of the invoice)).~~

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-070 PAYMENT-HOSPITAL CARE. The department will pay hospital costs of eligible persons who are patients in general hospitals when such hospitals meet the criteria as defined in RCW 70.41.020. Except for nonallowable revenue codes, reimbursable cost will be determined according to medicare cost reimbursement methods. Recipients of medicaid funded hospital services must have been approved as financially and medically eligible for hospitalization. They are:

(1) ~~((Recipients of federal aid grants, including essential persons))~~ Categorically needy recipients,

(2) ~~((Children in foster care for whom the department is making payment, who are eligible for medical assistance))~~ Limited casualty program recipients with exception of deductible for the medically needy,

(3) Recipients of continuing general assistance.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-87-075 PAYMENT-LABORATORY SERVICES. (1) A physician using his own laboratory to provide necessary laboratory services shall bill the department according to the ~~((its))~~ schedule of maximum allowances, using form DSHS 525-100.

(2) A physician using the services of an independent laboratory shall request services for a recipient in the same manner he requests services for his private patient.

(3) An independent laboratory ~~((may))~~ must bill the department directly ~~((on form DSHS 525-100 or may bill the physician. The physician is reimbursed by the department))~~ . No reimbursement will be made to a physician for services performed by an independent laboratory.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-87-095 PAYMENT-PHYSICIAN SERVICE. (1) General provisions.

(a) Billing and payment for physician services will be made in accordance with divisional billing instructions and schedule of maximum allowances.

(b) The CSO may request a physician to complete a physical examination as described in WAC 388-86-095(2). In such cases, the local office requests the physician to arrange an appointment for the individual and provides the physician with a preapproved form A-19 for billing. A predetermined fee has been established for the cost of such examination, plus necessary laboratory and X-ray procedures. If the physician completes form 13-21, medical report, from available medical records without conducting an examination, an adjusted fee shall be paid.

(2) Exclusions and limitations.

(a) No payment is made to the physician for mileage.

(b) No payment is made to the physician for prescription refills.

(c) No payment is generally made for medical supplies used in conjunction with an office visit; however,

payment may be made for items such as sling and swathe, clavicle and shoulder splints, cervical collars and ace bandages, subject to the limitations of the physician's acquisition cost.

(d) When it comes to the attention of the ~~((office))~~ division of medical assistance that a physician bills the department for inpatient hospitalization visits and the period of hospitalization has been denied, no payment will be made.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-87-105 PAYMENT—MEDICAL CARE OUTSIDE STATE OF WASHINGTON. (1) Medical care furnished in designated bordering cities ~~((mentioned in WAC 388-82-030))~~ is not considered to be out-of-state care. Payment is made to the provider of service as for care provided within the state of Washington. Provider licensure requirements, however, would be those of the state in which care is rendered.

(2) Payment is not authorized for out-of-state medical care furnished ~~((only to categorically needy recipients))~~ to state-funded recipients.

(3) ~~The ((three month))~~ three-month retroactive coverage applies to out-of-state care given to eligible applicants.

(4) When out-of-state service is provided (excluding state office approved care in a skilled nursing home) in a state with a Title XIX medical care program, payment shall be authorized at the rate paid by the medical care program of the state in which the service is rendered. If provided in a state without a Title XIX program, payment shall be authorized at the rate charged, but not to exceed the rate paid for the service under Title XVIII medicare.

(5) Out-of-state providers shall be furnished with necessary billing forms and instructions.

(6) If the deductible or coinsurance portions of medicare are claimed, it will be necessary for the provider to submit his billing to the intermediary or carrier in his own state on the appropriate medicare billing form. If the state of Washington is checked as being responsible for medical billing on the form, the intermediary or carrier may bill on behalf of the provider or may return the billing to the provider for submitting to the state.

(7) Approved care in out-of-state skilled nursing home will be paid either at the rates for care charged in that state for recipients of public assistance, or in an amount not to exceed the rate for skilled nursing home care in the state of Washington, whichever is the lesser amount. Exceptions to the rule in this subsection may be granted only by the director of the bureau of nursing home affairs.

AMENDATORY SECTION (Amending Order 1648, filed 4/27/81)

WAC 388-91-010 DRUGS—PERSONS ELIGIBLE. (1) A drug formulary will list all drug preparations which are provided without prior approval of

medical consultant. It will include a description of program limitations, rules and program policy and penalties. The decision to place drugs in the division of medical assistance program drug formulary is based on these criteria:

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

(b) The drug must be in general use by the physicians practicing in Washington.

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

(d) Drugs must not be classified "ineffective" or "possibly effective" by the food and drug administration.

(e) The drug must not be experimental.

(2) The following process is used to determine the acceptability of a drug preparation for possible listing in the formulary:

(a) Objective, scientific information and utilization data is reviewed for appropriateness according to the criteria in subsection (1) of this section, by the program medical staff, or,

(b) The secretary may appoint an advisory committee in accordance with RCW 43.20A.360 to review and advise the division of medical assistance on the acceptability of the drug preparation.

(c) The medical director or his designee may make appropriate changes in the formulary consistent with subsection (1) of this section, and may accept recommendations of the advisory committee providing that action is in compliance with regulations governing the program and with acceptable management policies.

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

(3) In accordance with the department's rules and regulations drugs are provided for:

(a) The necessary and essential medical care of recipients of ~~((federal))~~ medical assistance ~~((grant))~~ and the limited casualty program.

(b) Recipients of state-funded medical care are furnished maintenance medications as listed by therapeutic classifications in the current division of medical assistance drug formulary. These persons are identified by the notation "GAU" on their medical identification coupons.

AMENDATORY SECTION (Amending Order 475, filed 9/8/70)

WAC 388-91-050 OUT-OF-STATE PRESCRIPTIONS. (1) Drugs provided residents of the state of Washington who are temporarily out of the state as defined in WAC 388-26-060 and 388-30-055 shall be authorized as part of medical care within the scope of WAC 388-86-115. Border situations as described by WAC 388-82-030(4) and (5) are not subject to out-of-state rules and are to be considered as care provided in the state of Washington.

(2) Drugs provided by out-of-state pharmacists ~~((border situations))~~ bordering cities excepted shall

require the approval of the local medical consultant before payment can be made.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-025 COMPUTATION OF AVAILABLE INCOME. (1) Total income of a beneficiary of supplemental security income, except for institutionalized recipients, is not considered an available resource.

(2) Income and resources are considered jointly for spouses who live together in a common household and blind or disabled children who live with their parent(s). Income and resources are considered separately when spouses and/or children and parents cease to live together (~~((except for purposes of eligibility determination only, then))~~). Income and resources are considered mutually available.

(a) For the first six months after the month they cease to live together where both spouses apply as SSI related (aged, blind or disabled),

(b) For the month of separation where only one spouse applies as SSI related (aged, blind((-)) or disabled), or where blind or disabled children are separated from parents.

(3) For SSI related individuals, age eighteen to twenty-one, (~~((parents))~~) parents' income is not ((considered)) deemed available.

(4) For SSI related individuals under age eighteen, parents' income is deemed available when living in the same household.

(5) When the spouse of an SSI related applicant is ineligible or does not apply, the exclusions in subsection (6) ((below)) of this section, shall be applied to his/her income in determining the amount to be deemed to the applicant. If the remaining income of the ineligible spouse exceeds the single monthly state supplement benefit all the remaining income shall be deemed to the applicant.

(6) Exclusions from income. The following (~~((items))~~) shall be excluded sequentially from income:

(a) Any amount received from any public agency as a return or refund of taxes paid on real property or on food purchased by such individual or spouse;

(b) State public assistance based on financial need;

(c) Any portion of any grant, scholarship, or fellowship received for use in paying the cost of tuition and fees at any educational institution;

(d) Income that is not reasonably anticipated, or received infrequently or irregularly, if such income does not exceed twenty dollars per month if unearned, or ten dollars per month if earned;

(e) Any amounts received for the foster care of a child, who is not an eligible individual, but who is living in the same house as such individual and was placed in such home by a public or nonprofit private child-placement or child-care agency;

(f) One-third of any payment for child support received from an absent parent will be excluded;

(g) The first twenty dollars per month of earned or unearned income, not otherwise excluded (~~((above))~~) in subsection (6)(a) through (f) of this section, for a person

at home. The exclusion is considered only once for a husband and wife. There is no exclusion on income which is paid on the basis of need of the eligible individual, such as VA pension and cash from private charitable organizations((-));

(h) Tax exempt payments received by Alaska natives under the Alaska Native Claims Settlement Act;

(i) Tax rebates or special payments exempted by federal regulations will be exempted and publicized by numbered memoranda from the state office;

(j) Compensation provided to volunteers in ACTION programs established by Public Law 93-113, the Domestic Volunteer Service Act of 1973((-);

(k) When an ineligible minor is in the household of an SSI applicant, an amount will be excluded for such child's needs. The exclusions will be the difference between the SSI couple cash benefit and the SSI individual cash benefit((-);

(l) Veteran's aid and attendance allowance is to be excluded in determining financial eligibility.

(i) If the sum is paid to a spouse, it is considered that individual's earned income and may be deemed to the applicant.

(ii) For institutionalized applicants, the amount subsequently is considered in the cost of institutional care.

(7) An ineligible or nonapplying individual under the age of twenty-one who is a student regularly attending a school, college or university or pursuing a course of vocational or technical training designed to prepare him for gainful employment will have all earned income excluded unless that income is actually contributed to the applicant.

(8) Earned income exclusions for SSI related individuals shall be the first sixty-five dollars per month of earned income not excluded according to subsection (6) of this section, plus one-half of the remainder.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-030 MONTHLY STANDARD. (1) After computing available income according to WAC 388-92-025 for SSI related individuals, the monthly standard shall be the state supplement standard.

(2) The monthly maintenance standard for SSI related couples (both applying) shall be the state supplement standard for a couple.

(3) When computing available income for a family of three or more the relative responsibility requirement of the appropriate cash assistance program shall be applied, except that relative responsibility shall be limited to spouse for spouse and parent for child.

(4) In mixed households (AFDC and SSI related members) two separate determinations must be made.

(5) Applicants and/or recipients eligible for limited casualty program-medically needy will have the monthly standard applied as in WAC 388-99-020.

(6) When one or both of the applicants is SSI related in a medical facility, a full calendar month standards defined in WAC 388-83-135 and 388-83-140 must be used.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-92-040 AVAILABILITY OF RESOURCES. In establishing eligibility for medical assistance, only those resources actually available or "in hand", or expected to be "in hand", within a ~~((three month))~~ three-month period shall be considered. ~~((In cases of retroactive coverage, the three month period includes the month in which covered medical services were initiated))~~ The resources must not exceed the specified standard to be eligible for medical care.

Chapter 388-99 WAC
LIMITED CASUALTY PROGRAM—MEDICALLY
NEEDY

NEW SECTION

WAC 388-99-005 LIMITED CASUALTY PROGRAM—MEDICALLY NEEDY. (1) The department of social and health services provides a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not categorically needy for medical assistance.

(2) A potentially medically needy individual is defined as a person who is aged, blind, or disabled, or families and children whose income and resources are above the limits prescribed for the categorically needy but are within limits set for the medically needy program.

NEW SECTION

WAC 388-99-010 PERSONS ELIGIBLE FOR MEDICALLY NEEDY ASSISTANCE. (1) Medically needy refers to a resident of the state of Washington whose income is above the categorically needy income level (CNIL), who meets the resource limits of the AFDC or SSI program and is:

(a) Related to aid to families with dependent children (AFDC). See chapter 388-83 WAC.

(b) Related to state supplemental security income (SSI). See chapter 388-92 WAC.

(c) Related to state supplementary payment program (SSP).

(d) A financially eligible person under age twenty—one who is in:

(i) Foster care, or

(ii) Subsidized adoption, or

(iii) Skilled nursing facility, intermediate care facility, intermediate care facility/mentally retarded,

(iv) An inpatient psychiatric facility.

(e) Aged, blind, and disabled individuals residing in a medical facility whose income is above the three hundred percent of the SSI benefit cap.

(2) Groups defined as categorically needy rather than medically needy are:

(a) Those described in chapters 388-82 and 388-93 WAC, and

(b) SSI presumptively eligible.

NEW SECTION

WAC 388-99-015 ELIGIBILITY—GENERAL. All applicants for the limited casualty program—medically needy are required to meet the requirements of WAC 388-83-010 through 388-83-025.

NEW SECTION

WAC 388-99-020 ELIGIBILITY DETERMINATION—MEDICALLY NEEDY IN OWN HOME. (1) The medically needy income level (MNIL) shall be:

(a) One person	\$303
(b) Two persons	\$434
(c) Three persons	\$468
(d) Four persons	\$501
(e) Five persons	\$593
(f) Six persons	\$671
(g) Seven persons	\$778
(h) Eight persons	\$859
(i) Nine persons	\$939
(j) Ten persons	\$1,019 and above.

(2) For families and children countable income is determined by deducting, from gross income, amounts that would be deducted in determining AFDC eligibility.

(3) For aged, blind, and disabled countable income is determined by deducting, from gross income, amounts that would be deducted in determining eligibility for the state supplementary payment program.

(4) If countable income is equal to or less than the appropriate MNIL, the family or individual is certified eligible.

(5) If countable income is greater than the appropriate MNIL, the applicant is required to spenddown the excess countable income based on a three-month calculation.

(6) Financial responsibility of relatives.

(a) For families and children,

(i) Income and resources of spouse or parent are considered available to the applicant whether or not actually contributed if they live in the same household.

(ii) Income and resources of spouse or parent are considered only to the extent of what is actually contributed if not in same household.

(b) For aged, blind, and disabled, see chapter 388-92 WAC for deeming of income.

NEW SECTION

WAC 388-99-030 ALLOCATION OF EXCESS INCOME—SPENDDOWN. (1) On initial or subsequent applications previously incurred medical expenses are deducted from excess countable income subject to the following restrictions.

(a) The medical expense must be a current liability of the individual or financially responsible relative in the same household. See WAC 388-92-025(4).

(b) The medical expenses have not been used at any other time to reduce excess countable income on a medical application which resulted in eligibility.

(c) The portion of the medical expense paid or covered by third-party liability can not be considered toward spenddown.

(d) Only medical services provided by practitioners recognized under state law will be considered. See WAC 388-87-005.

(e) Certain services recognized under state law will not be considered.

(2) If the incurred medical bills equal or exceed the excess countable income at the time of application, the applicant is certified eligible.

(3) If the incurred medical bills are less than the excess countable income, the application is not approved and the individual is required to spenddown the remaining excess countable income. The applicant is certified eligible only when excess countable income has been completely spenddown. Medical expenses incurred during the spenddown period are deducted in the following order:

(a) Medicare and other health insurance premiums, deductibles, coinsurance charges, enrollment fees, or copayments.

(b) Expenses for necessary medical and remedial care not covered by the limited casualty program.

(c) Expenses for necessary medical and remedial care covered by the limited casualty program which have been paid by the applicant.

(d) Expenses for necessary medical and remedial care covered by the limited casualty program which have not been paid.

(4) The applicant is responsible for providing complete documentation of incurred medical expenses. Once medical eligibility has been approved, expenses which were not listed or which were omitted will not be considered. Such expenses may be used to reduce excess countable income on a subsequent application provided the conditions in subsection (1) of this section are met.

(5) The applicant is liable for any expenses incurred prior to the spenddown satisfaction date.

NEW SECTION

WAC 388-99-035 RESOURCE STANDARDS.

(1) To determine eligibility on the basis of resources, use the resource standards under AFDC or SSI, whichever is higher for a given resource. If applicant has resources in excess of the standards applied, the individual is not eligible and the application is denied.

(2) A medically needy applicant who has transferred assets at less than fair market value within twenty-four months prior to the month of application without adequate consideration is presumed to have disposed of the resource for the purpose of obtaining eligibility for medical assistance.

(a) The uncompensated value is to be considered an available resource.

(b) If uncompensated value is in excess of twelve thousand dollars, the application is to be denied.

(c) If less than twelve thousand dollars, consideration is to be given to disposition of resources.

NEW SECTION

WAC 388-99-040 AVAILABILITY OF RESOURCES. (1) Consider resources according to chapter 388-92 WAC.

(2) Consider only resources available during the period for which income is computed.

(3) For families and children deduct the value of resources which would be deducted in determining AFDC eligibility.

(4) For aged, blind, and disabled, deduct the value of resources which would be deducted in determining eligibility for SSI.

NEW SECTION

WAC 388-99-045 MEDICALLY NEEDY—ELIGIBILITY DETERMINATION—INSTITUTIONAL.

(1) Individuals are considered institutionalized if they reside in a medical facility at least a full calendar month.

(a) SSI/state supplement related individuals in medical facilities shall have their eligibility determined by comparing their gross income to three hundred percent of the SSI benefit (SSI cap).

(b) Allocation of recipient income is defined in WAC 388-83-140.

(c) Use other SSI financial criteria for consideration of resources as defined in chapters 388-92 and 388-83 WAC.

(d) Income remaining after computation will be used to participate in the cost of care at the department rate.

(2) Individuals who reside in a medical facility less than a full calendar month shall have their eligibility determined as for a noninstitutionalized person for that month.

NEW SECTION

WAC 388-99-050 LIMITED CASUALTY PROGRAM—MEDICALLY NEEDY—APPLICATION PROCESS.

(1) Applications will be disposed of according to WAC 388-84-105 and 388-84-110.

(2) The effective date shall be as in chapter 388-84 WAC, except that the effective date for LCP-MN in own home shall be the date spenddown, if any, has been met.

NEW SECTION

WAC 388-99-055 CERTIFICATION. (1) A recipient in own home shall be certified for no more than three months.

(2) An applicant who is required to spenddown shall be certified from the day the spenddown requirement is met through the last day of the three-month period which began at the time of application.

(3) If retroactive coverage was applied, a spenddown applicant shall be certified from the day the spenddown requirement was met through the last day of the three-month period which began up to three months prior to the month of application.

(4) A new application is required for any subsequent period of eligibility for LCP-MN.

(5) An applicant who is required to spenddown shall be certified the day the spenddown requirement is met.

(6) Full-month coverage is not available during the first month of eligibility for persons who must establish

eligibility by deducting incurred medical expense from countable income.

(7) A recipient in a medical facility, other than a hospital, shall be certified for twelve months.

(8) All medically needy recipients shall receive individual notification of the disposition of their application.

(9) Any change in circumstances shall be promptly reported to the local community service office.

(10) Any recipient, aged, blind or disabled who has been terminated from SSI/SSP shall have their eligibility for LCP-MN determined in accordance with chapter 388-85 WAC.

NEW SECTION

WAC 388-99-060 SCOPE OF CARE FOR MEDICALLY NEEDY. (1) The medical coverage under the limited casualty-medically needy program will include inpatient hospital services; outpatient hospital and rural health clinic services; physician and clinic services; prescribed drugs; dentures; prosthetic devices; eyeglasses; skilled nursing facility services; intermediate care facility services; intermediate care facility services for the mentally retarded; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) A medically needy recipient deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care shall apply to each hospital admission.

(3) A medically needy recipient copayment not to exceed three dollars shall apply to each emergency room visit.

(4) For other conditions and limitations under which these services may be provided, refer to appropriate service in chapter 388-86 WAC.

(5) A request for an exception to policy shall not be approved without review by the division of medical assistance.

Chapter 388-100 WAC LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT

NEW SECTION

WAC 388-100-005 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT. (1) The department of social and health services provides a limited casualty program of medical care, administered through the division of medical assistance, designed to meet the health care needs of persons not eligible for any other medical program.

(2) An individual potentially eligible for the medically indigent program is a person who:

(a) Has an acute and emergent condition which is defined as having a short and relatively severe course, not chronic; occurring unexpectedly and demanding immediate action, and

(b) Meets the financial eligibility as defined in this section.

NEW SECTION

WAC 388-100-010 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—ELIGIBILITY DETERMINATION. (1) Citizenship is not a requirement of eligibility.

(2) Persons receiving LCP-MI shall meet the following eligibility standards:

(a) The individual is not eligible for or receiving federal or state-funded cash assistance, or the limited casualty program-medically needy.

(b) Income shall not exceed the grant standards for AFDC.

(c) Nonexempt resources shall not exceed the resource standard for AFDC.

(d) The applicant has not transferred resources within two years prior to the date of application without having received adequate consideration according to the provisions of chapter 388-28 WAC.

(3) The following shall be deducted or exempted from income:

(a) Mandatory deductions of employment.

(b) Total income and resources of a noninstitutionalized SSI beneficiary.

(c) Support payments paid under a court order.

(d) Payments to a wage earner plan specified by a court in bankruptcy proceedings, or previously contracted major household repairs if failure to make such payments would result in garnishment of wages or loss of employment.

(4) The following shall be considered an exempted resource:

(a) A home.

(b) Used and useful household furnishings and personal clothing.

(c) Personal property of great sentimental value.

(d) Livestock or similar property owned by children when profit is reserved for education.

(e) Other personal property used to reduce need for assistance or medical care.

(f) One cemetery plat for each member of the assistance household.

(g) A used and useful automobile.

(5) The following resources are not exempt:

(a) Cash, marketable securities, and any other resource not specifically exempted that can be converted to cash.

(b) The potential earning power of the applicant or recipient. Even if an applicant has no cash resources, current employment or possibility of employment in the future, as evidenced by past opportunities, may be such that the individual could be reasonably expected to pay all or part of the cost of medical care out of future earnings.

NEW SECTION

WAC 388-100-015 ALLOCATION OF EXCESS INCOME AND NONEXEMPTED RESOURCE. (1) All excess income and nonexempted resources shall be used toward the cost of medical care.

(2) On initial or subsequent applications all previously incurred medical expenses are deducted from excess

countable income as described in WAC 388-99-030. These expenses cannot have been used toward a previous spenddown or deductible requirement.

NEW SECTION

WAC 388-100-020 LIMITED CASUALTY PROGRAM—MEDICALLY INDIGENT—APPLICATION PROCESS. (1) Applications will be disposed of according to WAC 388-84-105 and 388-84-110.

(2) The effective date shall be the date spenddown, if any, has been met.

(3) Medical care received within seven working days prior to the date of application shall be provided when:

- (a) The condition was acute and emergent, and
- (b) The individual was otherwise eligible.

NEW SECTION

WAC 388-100-025 CERTIFICATION. (1) A recipient shall be certified eligible for the duration of treatment not to exceed three months.

(2) An applicant who is required to spenddown shall be certified from the day the spenddown requirement is met through the last day of the three-month period which began at the time of application.

(3) All medically indigent applicants shall be individually notified in writing of the disposition of their application.

(4) Any change in circumstances shall be promptly reported to the local community services office.

NEW SECTION

WAC 388-100-030 DEDUCTIBLE. A deductible of fifteen hundred dollars per family over a twelve-month period is required.

(1) Only eligible family members can accumulate expenses against the deductible.

(2) The accumulation of the deductible commences with the date of certification not to exceed seven working days prior to the date of application. The department may on an exception to policy basis waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

(3) Only medical services as specified in WAC 388-100-035 are countable toward meeting the deductible requirement.

(4) The expenses incurred against the deductible are the liability of the recipient.

(5) If the deductible has not been satisfied during the certification period, the remaining amount is applied to any subsequent acute and emergent certification period which begins within twelve months of application.

NEW SECTION

WAC 388-100-035 SCOPE OF CARE FOR MEDICALLY INDIGENT. (1) The medical coverage under the limited casualty program—medically indigent shall be available to an eligible individual for treatment of acute and emergent conditions only. This may include: Inpatient hospital services; outpatient hospital and rural health clinic services; physician and clinic services;

prescribed drugs; dentures; prosthetic devices; eyeglasses, SNF, ICF, ICF/MR; home health services; laboratory and x-ray services; and medically necessary transportation.

(2) Payment by the department will not be made until expenses are incurred by the recipient equal to the deductible amount.

(3) All services require the approval of the medical consultant.

(4) When any other medical need is identified for recipients undergoing detoxification for an acute alcohol condition as defined in chapter 388-40 WAC, the requirements for acute and emergent need and the fifteen hundred dollar deductible shall apply.

(5) When an applicant indicates that an urgent undefined medical illness exists, the condition will be regarded as acute and emergent and one office visit for diagnosis may be allowed, provided all financial eligibility criteria have been met. Treatment will be contingent upon the criteria for acute and emergent having also been met.

(6) For other conditions and limitations under which these services may be provided refer to appropriate service in chapter 388-86 WAC.

(7) No out-of-state care is provided except in the designated bordering cities.

(8) A request for an exception to policy shall not be approved without review by the division of medical assistance.

WSR 81-16-033

ADOPTED RULES

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 1685—Filed July 29, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to medical assistance, amending chapters 388-80, 388-81, 388-82, 388-83, 388-84, 388-85 and 388-86 WAC.

This action is taken pursuant to Notice No. WSR 81-12-043 filed with the code reviser on June 3, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 29, 1981.

By David A. Hogan
Director, Division of Administration

NEW SECTION

WAC 388-80-002 APPLICABILITY. These rules are immediately applicable to determinations of eligibility under the medical care program enacted by Substitute Senate Bill No. 4299, effective July 1, 1981.

AMENDATORY SECTION (Amending Order 1655, filed 5/20/81)

WAC 388-80-005 DEFINITIONS. ~~((1)) "Acute and emergent" medical care for GAU, see WAC 388-86-120.~~

~~((2))~~ (1) "Application" shall mean a written request for ~~((financial or))~~ medical assistance or limited casualty program from the department of social and health services made by a person in his/her own behalf or in behalf of another person.

~~((3))~~ (2) "Assignment" is the method by which the provider receives payment for services under Part B of medicare.

~~((4))~~ (3) "Assistance unit" means a person or members of a family unit who are eligible for cash or medical assistance under a federally matched program including state supplement.

~~((5))~~ (4) "Authorization" means an official approval of a departmental action.

~~((a)) "Authorization date" means the date the prescribed form authorizing assistance for a new, reopened or reinstated case is signed.~~

~~(b) "Authorization of grant" means attesting the applicant's eligibility for assistance in an amount as determined by his/her circumstances and department standards and giving authority to make payment accordingly.~~

~~((6))~~ (5) "Beneficiary" is an eligible individual who receives a federal cash benefit and/or state supplement under Title XVI.

~~((7))~~ (6) "Benefit period" is the time period used in determining whether medicare can pay for covered Part A services. A benefit period begins the first day a beneficiary is furnished inpatient hospital or extended care services by a qualified provider. It ends when the beneficiary has not been an inpatient of a hospital or other facility primarily providing skilled nursing or rehabilitation services for sixty consecutive days. There is no limit to the number of benefit periods a beneficiary can have.

~~((8))~~ (7) "Carrier" is an organization who has a contract with the federal government to process claims under Part B of medicare.

~~((9))~~ (8) "Categorically needy" refers to a resident of the state of Washington whose income and resources are evaluated ~~((as))~~ for cash assistance and who is:

(a) Receiving cash assistance.

(i) Aid to Families of Dependent Children (AFDC).

(ii) Supplemental Security Income (SSI), including grandfathered individuals and individuals with essential spouses.

(iii) State supplement.

~~((b) Eligible for but not receiving assistance:~~

~~(i) AFDC.~~

~~(ii) SSI and/or state supplemental.~~

~~((iii))~~ (iv) Special categories.

~~((c))~~ (b) A financially eligible person under twenty-one who would be eligible for AFDC but does not qualify as a dependent child and who is in:

(i) Foster care, or

(ii) Subsidized adoption, or

(iii) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded, or

(iv) An inpatient psychiatric facility.

(c) Individuals who would be eligible for cash assistance except for their institutional status.

(d) Individuals related to SSI ~~((above))~~ in institutions who would not be eligible for such assistance if they were not institutionalized solely because of the cash level of their income.

~~((10))~~ (9) "Central disbursements" is the state office section which audits nonmedicaid medical claims for payment.

~~((11))~~ (10) "Certification date" means the date the worker certifies changes in a recipient's circumstances and authorizes an action.

~~((12))~~ (11) "CFR" means the code of federal regulations and is a codification of the general and permanent rules published in the federal register by the executive departments and agencies of the federal government.

~~((13))~~ (12) "Child" or "minor child" means a person under eighteen years of age.

~~((14)) "Chiropractor" is a person licensed by the state of Washington to practice chiropractic according to chapter 18.25 RCW.~~

~~((15))~~ (13) "Client" means an applicant or recipient of financial and/or social services provided by the department of social and health services.

~~((16))~~ (14) "Coinsurance" means the portion of reimbursable hospital and medical expenses, after subtraction of any deductible, which medicare does not pay. Under Part A, coinsurance is a per day dollar amount, and under Part B, is twenty percent of reasonable charges.

~~((17))~~ (15) "CSO" (community service office) is an office of the department which administers the various social and health services at the county level.

~~((18))~~ (16) "Continuing assistance" means payments to persons who presumably will be eligible for and receive, from the date of authorization, regular monthly grants on a prepayment basis. Continuing assistance includes federal aid and continuing general assistance grants to unemployable persons.

~~((19))~~ (17) "Deductible" means an initial specified amount that is the responsibility of the applicant and/or recipient.

(a) Part A of medicare – Inpatient hospital deductible – an initial amount in each benefit period which medicare does not pay.

(b) Part B of medicare – The first sixty dollars in expenses which must be incurred before medicare starts to pay.

(c) Limited casualty program—medically needy—inpatient hospital deductible—an initial amount as specified in chapter 388-99 WAC, the department does not pay.

(d) Limited casualty program—medically indigent—means incurring a dollar amount as specified in chapter 388-100 WAC, the department does not pay.

~~((20))~~ (18) "Delayed certification" shall mean the date of certification for medicaid and date of application for SSI are the same for an SSI beneficiary whose eligibility decision was delayed due to administrative action.

~~((21))~~ (19) "Department" shall mean the state department of social and health services.

~~((22))~~ (20) "Division of medical assistance" shall mean the single state agency authorized to administer the Title XIX medical assistance program.

~~((23))~~ (21) "Eligible couple" means an eligible individual and eligible spouse.

~~((24))~~ (22) "Eligible individual" means an aged, blind or disabled person as defined in Title XVI of the Social Security Act. If two such persons are husband and wife (and have not been living apart for more than six months), only one of them may be considered an eligible individual.

~~((25))~~ (23) "EPSDT" shall mean a program providing early and periodic screening, diagnosis and treatment to persons under ~~((21))~~ twenty-one years of age who are eligible under Title XIX of the Social Security Act.

~~((26))~~ (24) "Essential spouse" means a spouse whose needs were taken into account in determining the need of OAA, AB, or DA recipient for December, 1973, who continues to live in the home of such recipient, and continues to be an essential spouse.

~~((27))~~ (25) "Extended care facility" (ECF). See "skilled nursing facility".

~~((28))~~ (26) "Extended care patient" is a recently hospitalized medicare patient who needs relatively short-term skilled nursing and rehabilitative care in a skilled nursing facility.

~~((29))~~ (27) "Fair hearing" means an administrative proceeding by which the department hears and decides the appeal of an applicant/recipient from an action or decision of the department.

~~((30))~~ (28) "Federal aid" means the assistance ~~((grant))~~ programs for which ~~((funds-in-aid-are-received-by))~~ the state receives matching funds from the federal government.

~~((31))~~ (29) "Fraud" shall mean a deliberate, intentional, and wilful act, with the specific purpose of deceiving the department with respect to any material, fact, condition, or circumstances affecting eligibility or need.

~~((32))~~ (30) "General assistance - continuing" (GAU) means assistance to unemployable persons who are not eligible for or not receiving federal aid assistance and whose medical care is defined in chapter 388-86 WAC.

~~((33))~~ (31) "Grandfathering" refers to:

(a) A noninstitutionalized individual who meets all current requirements for medicaid eligibility except the criteria for blindness or disability; and

(i) As eligible for medicaid in December, 1973, as blind or disabled, whether or not he/she was receiving cash assistance in December, 1973; and

(ii) For each consecutive month after December, 1973, continue to meet the criteria for blindness and disability and other conditions of eligibility used under the medicaid plan in December, 1973; and

(iii) The needs of the "essential person" shall only be considered when he/she is living with such person in the same household.

(b) An institutionalized individual who was eligible for medicaid in December, 1973, or any part of that month, as an inpatient of a medical institution or resident of intermediate care facility that was participating in the medicaid program and for each consecutive month after December, 1973:

(i) Continued to meet the requirements for medicaid eligibility that were in effect under the state's plan in December, 1973, for institutionalized individuals; and

(ii) Remained institutionalized.

~~((34))~~ (32) "Home health agency" is an agency or organization certified under medicare to provide skilled nursing and other therapeutic services to the patient in his/her place of residence.

~~((35))~~ (33) "Hospital" shall mean any institution licensed as a hospital by the official state licensing authority.

~~((36))~~ (34) "Institution" shall mean an establishment which furnishes food and shelter to four or more persons unrelated to the proprietor and, in addition provides medically related services and medical care. This would include hospitals, skilled nursing facilities, intermediate care facilities, and institutions for the mentally retarded, but does not include correctional institutions.

~~((37))~~ (35) "Intermediary" is an organization who has an agreement with the federal government to process medicare claims under Part A.

~~((38))~~ (36) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.

~~((39))~~ (37) "Intermediate care facility/IMR" shall mean a state institution or a licensed nursing home either of which has been certified by state office (SO) as meeting the CFR regulations to provide twenty-four hour health-related care and services to mentally retarded persons or persons with related conditions.

~~((40))~~ (38) "Legal dependents" are persons whom an individual is required by law to support.

(39) "Limited casualty program" means a medical care program for medically needy as defined in chapter 388-99 WAC, and for medically indigent as defined in chapter 388-100 WAC.

~~((41))~~ (40) "Medicaid" or "Medical assistance" ~~((MA))~~ (MA) shall mean the federal aid Title XIX program under which medical care is provided to ~~((:))~~ categorically needy as defined in chapter 388-82 WAC.

~~((a))~~ A recipient of AFDC.

~~((b))~~ A recipient of SSI.

~~((c))~~ A recipient of state supplement.

~~((d))~~ A financially eligible person under twenty-one who is in:

~~((i))~~ Foster care, or

~~((ii))~~ Subsidized adoption, or

~~((iii))~~ A skilled nursing home, intermediate care facility, or intermediate care for mentally retarded, or

(iv) ~~An inpatient psychiatric facility.~~

~~(c) Individuals related to category (b) above in institutions who would not be eligible for cash assistance solely because of the level of their income if they were not institutionalized.~~

~~(f) Individuals who are eligible but not receiving cash assistance under (a), (b), or (c) above.~~

~~(42)) (41) "Medical consultant" shall mean a physician employed by the department at the CSO level.~~

~~((43)) (42) "Medical facility". See "Institution".~~

~~((44)) (43) "Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no other equally effective more conservative or substantially less costly course of treatment available or suitable for the recipient requesting the service. For the purpose of this section "course of treatment" may include mere observation or, where appropriate, no treatment at all.~~

~~((45)) (44) "Medicare" is a commonly used term for the federal government health insurance program for certain aged or disabled recipients under Titles II and XVII of the Social Security Act.~~

~~((46)) (45) "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the department at the CSO level.~~

~~((47)) (46) "Outpatient" is a nonhospitalized patient receiving care in an outpatient or emergency department of a hospital, or away from a hospital such as in a physician's office or the patient's own home.~~

~~((48)) (47) "Part A" is the hospital insurance portion of medicare.~~

~~((49)) (48) "PAS" - professional activity study is a compilation of inpatient hospital data by diagnosis and age, conducted by the commission of professional and hospital activities, which resulted in the determination of an average length of stay for patients. These data were published in a book entitled "Length of Stay in PAS Hospitals, Western". The department has adopted this book as the basis for authorizing payment for the maximum number of inpatient hospital days for recipients of ~~(state-funded)~~ state-funded programs, or where no memorandum of understanding with a PSRO exists.~~

~~((50)) (49) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor portion" of medicare.~~

~~((51)) (50) "Physician" is a doctor of medicine, ~~(or)~~ osteopathy, or podiatrist who is legally authorized to perform the functions of his profession by the state in which he performs them.~~

~~((52)) (51) "Professional standards review organization" (PSRO). See "Washington state professional standards review organization".~~

~~((53)) (52) "Provider" or "provider of service" means an institution, agency, or individual who has a signed agreement to furnish medical care and goods and/or services to recipients and who is eligible to receive payment from the department.~~

~~((54)) (53) "Provider services" shall mean the office of the division of medical assistance which processes claims for payment under Title XIX and ~~(state-funded)~~ state-funded programs.~~

~~((55)) (54) Residence, state of means:~~

(a) The state where the applicant/recipient is living with the intent to remain there permanently or for an indefinite period;

(b) The state which he/she entered with a job commitment or to seek employment, whether or not currently employed;

(c) The state making a state supplementary payment;

(d) The state making placement in an out-of-state institution;

(e) The state of the parents or legal guardian, if one has been appointed, of an institutionalized individual who is under age twenty-one or is age twenty-one or over and who became incapable of determining residential intent before age twenty-one;

(f) The state where the person over age twenty-one judged to be legally incompetent is living.

~~((56)) (55) "Retroactivity" means:~~

(a) Under ~~(medicaid)~~ medical assistance, the period of no more than three months prior to month of application to an otherwise eligible individual.

(b) Under state-funded, the period of no more than seven days prior to date of application, to an otherwise eligible continuing general assistance recipient. The seven days shall not include Saturday, Sunday or legal holidays. The department may on an exception to policy basis waive the seven-day rule if the person failed to apply because of medical reasons or other good cause.

~~((57) "Skilled nursing facility" shall mean a licensed facility certified to provide skilled nursing care for which an agreement has been executed.)~~

~~((58)) (56) "Skilled nursing ~~(home)~~ facility", unless otherwise described, shall mean any institution or facility licensed by the department as a nursing home, or is a nursing home unit of a hospital licensed by the state department of social and health services. ~~(Also known as "skilled nursing facility".~~~~

~~(59)) (57) "Spell of illness" ~~(=)~~ ~~(see)~~ See "Benefit period".~~

~~((60)) (58) "Spouse" -~~

(a) "Eligible spouse" means an aged, blind or disabled individual who is the husband or wife of an eligible individual and who has not been living apart from such eligible individual for more than six months.

(b) "Ineligible spouse" means the husband or wife of an eligible individual who is not aged, blind or disabled; or who although aged, blind or disabled has not applied for such assistance.

(c) "Nonapplying spouse" means the husband or wife of an eligible individual who although aged, blind or disabled has not applied for such assistance.

~~((61)) (59) "State-funded medical care" shall mean medical care, as defined by DSHS, provided to eligible persons on continuing general assistance.~~

~~((62)) (60) "State office" or "SO" shall mean the division of medical assistance of the department.~~

~~((63)) (61) "Supplementary payment" means the state money payment to individuals receiving benefits~~

under Title XVI (or who would, but for their income, be eligible for such benefits) as assistance based on need in supplementation of SSI benefits. This payment includes:

(a) "Mandatory state supplement" means the state money payment with respect to individuals who, for December, 1973, were recipients of money payments under the department's former programs of old age assistance, aid to the blind and disability assistance.

(b) "Optional state supplement" means the elected state money payment to individuals eligible for SSI benefits or who except for the level of their income would be eligible for such benefits.

~~((64))~~ (62) "Supplemental security income (SSI) program, Title XVI," means the federal program of supplemental security income for the aged, blind, and disabled established by section 301 of the social security amendments of 1972, and subsequent amendments, and administered by the Social Security Administration (SSA).

~~((65))~~ (63) "Third party" means any entity that is or may be liable to pay all or part of the medical cost of injury, disease, or disability of an applicant or recipient of medicaid.

~~((66))~~ (64) "Washington State Professional Standards Review Organization" (WSPSRO) is the state level organization responsible for determining whether health care activities are medically necessary, meet professionally acceptable standards of health care, and are appropriately provided in an ~~((out-patient))~~ outpatient or institutional setting for beneficiaries of medicare and recipients of medicaid and maternal and child health.

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

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-81-005 MEDICAL CARE PROGRAM. The department of social and health services provides a medical care program, administered through the division of medical assistance, designed to meet the health care needs of eligible individuals who have been determined eligible as defined in ~~((WAC 388-80-005))~~ chapters 388-82, 388-99, and 388-100 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-81-025 ELIGIBILITY—GENERAL. (1) Financial eligibility is established when the department certifies that the applicant meets the appropriate financial requirements in chapters 388-83, 388-99 or 388-100 WAC.

(2) The department shall be responsible for payment of medical care provided within the scope of the program to eligible persons.

AMENDATORY SECTION (Amending Order 1655, filed 5/20/81)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance is available to any individual who is categorically needy.

(1) Individuals receiving ~~((or eligible to receive))~~ a cash assistance payment. Categories under which individuals may qualify include:

- (a) Aid to families with dependent children (AFDC);
- (b) Supplemental security income (SSI);
- (c) State supplemental payment; and
- (d) Individuals under age twenty-one whose income is less than the one person AFDC standard and who are in:
 - (i) Foster care; or
 - (ii) Subsidized adoption; or
 - (iii) Skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or
 - (iv) Inpatient psychiatric facilities.

(2) Individuals in medical facilities:

(a) Who would be eligible for cash assistance if they were not institutionalized. This includes all categorically needy groups;

(b) Who are SSI categorically related and would not be eligible for cash assistance if they were not institutionalized and whose gross income does not exceed the three hundred percent SSI benefit cap. This includes only aged, blind, and disabled groups.

(3) Individuals who would not receive cash assistance because of special provisions as defined in WAC 388-83-028.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-82-126 STATE FUNDED MEDICAL CARE PROGRAM. (1) State-funded medical care is a more limited scope of medical care provided to eligible individuals ~~((State-funded medical care services are))~~ as defined in chapter 388-86 WAC.

(2) Continuing general assistance recipients in skilled nursing homes, intermediate care facilities or intermediate care facilities for mentally retarded shall be provided medical care to the same extent as a recipient of medical assistance.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-82-130 MEDICAL CARE PROVIDED IN BORDERING CITIES. Medical care will be provided to eligible individuals in a bordering city on the same basis as in-state care. The only recognized bordering cities are Moscow, Sandpoint, Priest River, and Lewiston, Idaho; Portland, The Dalles, Hood River, Rainier, Milton-Freewater, and Astoria, Oregon.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-82-135 OUT-OF-STATE MEDICAL CARE. (1) A categorically needy resident of the state of Washington temporarily out of the state may be provided medical assistance within the scope of the medicaid program.

(a) Residency requirements in chapter 388-80 WAC must be met.

(b) Medical assistance may be provided only in areas of Canada that border on the United States when no other resource is available.

(2) Persons eligible for the limited casualty program—medically needy may be provided medical care within the scope of that program.

~~((2))~~ (3) When an eligible individual goes to another state, excluding bordering cities, expressly to obtain medical care that is available within the state of Washington, medical assistance will only be provided on an emergency basis.

~~((3))~~ (4) Medical assistance will be provided to persons who enter the state and are determined to be financially eligible, provided the residency requirements in chapter 388-80 WAC are met.

~~((4))~~ (5) State-funded medical care is not provided out-of-state except in designated bordering cities.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-005 MEDICAL ASSISTANCE ELIGIBILITY. The department shall provide medical assistance within the limitations set forth under these rules and regulations to any individual who has been certified Title XIX eligible categorically needy. The recipient shall be responsible for furnishing the provider with a medical identification coupon or other adequate notification of eligibility provided by the department. Eligibility for medically needy is described in chapter 388-99 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-006 STATE-FUNDED MEDICAL CARE SERVICES. The department shall provide state-funded medical care within the limitations set forth under these rules and regulations to any individual who has been certified as eligible to receive such services as a continuing general assistance recipient. The recipient shall be responsible for furnishing the provider with a medical identification coupon or other adequate verification of eligibility provided by the department. Eligibility for medically indigent is described in chapter 388-100 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-020 AGE. No age ~~((requirements))~~ requirement is imposed as a condition of eligibility in regard to medical assistance. The age of the applicant is established to determine whether the individual may be related to a federal aid category, or may be eligible for the under age twenty-one category.

NEW SECTION

WAC 388-83-036 MONTHLY MAINTENANCE STANDARD—APPLICANT NOT IN OWN HOME. (1) The monthly standard for a Title XVI related individual or GA-U recipient living in a

CCF, adult family home or group home shall be the cost standard of the facility. Cost plus a specified CPI may not exceed three hundred percent of the current SSI federal benefit level.

(2) The AFDC recipient receiving intensive (thirty days or less) alcohol treatment may be granted GA-U funds within the maximum which are paid to the facility for the cost of care.

(3) For the Title XVI related person with income, all earned and unearned exemptions allowed by SSI may be retained for personal needs. The GA-U recipient is subject to GA-U income and resource standards.

(4) If income available to the recipient is less than the CPI standard, a state payment is authorized to the recipient to meet his or her personal needs.

(5) Payment is made by the department to the facility for the difference between income available for payment on care and the cost standard of the facility.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-130 ELIGIBILITY DETERMINATION—NONINSTITUTIONAL. (1) Eligibility determination for AFDC shall be as follows:

(a) Applicants who are eligible for but not receiving cash assistance shall be determined as for the appropriate cash assistance category.

(b) Individuals under age twenty-one shall have eligibility determined based on the AFDC ~~((one person))~~ one-person standard if they are:

(i) Not SSI related.

(ii) Not AFDC related (dependent child).

(iii) When an under twenty-one person resides in the same family unit with parents, the parents' income is considered available whether or not actually contributed.

(iv) The AFDC earned income exemption of ~~(($\$30 + 1/3$))~~ thirty dollars plus one-third of remainder does not apply to individuals applying solely for medical assistance.

(v) Families applying for medical assistance who received AFDC in any of the four preceding months shall be allowed the ~~(($\$30 + 1/3$))~~ thirty dollars plus one-third disregard.

(c) Individuals under twenty-one who are AFDC related but are ineligible solely because of AFDC age or school attendance requirements are eligible for medicaid while living in the home with a relative of specified degree on the same basis as the dependent children in that home. Individuals eligible under this provision include:

(i) AFDC children age sixteen or seventeen who are terminated from AFDC cash assistance unit because they have ceased to attend school and have refused to register for WIN;

(ii) AFDC children who are terminated from AFDC cash assistance unit because they have reached age eighteen, but have not yet reached age twenty-one.

(2) Eligibility for ~~((SSI-related applicants who are eligible but not receiving cash assistance))~~ special categories shall be determined as for the appropriate ~~((SSI))~~ cash assistance category. See chapter 388-92 WAC ~~((for income and resources computation)).~~

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-135 ELIGIBILITY DETERMINATION—INSTITUTIONAL. ~~((+)) SSI/state supplement related individuals in medical facilities shall have their eligibility determined by comparing their gross income to three hundred percent of the SSI benefit (SSI cap).~~

~~(a)) (1) Individuals are considered institutionalized if they reside in a medical facility at least a full calendar month.~~

~~(a) SSI/state supplement related individuals in medical facilities shall have their eligibility determined by comparing their gross income to the three hundred percent SSI cap (SSI benefit).~~

~~(b) ((Use other SSI financial criteria for consideration of resources as defined in chapter 388-92 WAC)) If gross income is greater than three hundred percent of SSI cap, eligibility must be determined under the limited casualty program—medically needy in chapter 388-99 WAC.~~

~~(c) Allocation of recipient income is defined in WAC 388-83-140.~~

~~(d) Use other SSI financial criteria for consideration of resources as defined in chapter 388-92 WAC.~~

~~(2) Individuals who reside in a medical facility less than a full calendar month shall have their eligibility determined as for a noninstitutionalized person. See chapter 388-92 WAC.~~

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-83-140 ALLOCATION OF INCOME—INSTITUTIONALIZED RECIPIENT. (1) All institutionalized recipients will retain ~~((32.50))~~ a specified personal needs allowance.

(2) The AFDC related individual in a medical facility is eligible to receive an amount as a cash assistance payment sufficient to bring income up to the personal needs allowance.

(3) SSI related recipients may retain the current personal needs allowance plus wages received for work approved by the department as part of a training or rehabilitative program designed to prepare the individual for less restrictive placement. The total personal needs allowance ~~((including the initial \$32.50))~~ may not exceed the monthly noninstitutional state supplement standard. There are no deductions for expenses of employment. When the total amount of wages received plus the initial personal needs allowance exceeds the monthly standard, the excess wages are applied to the cost of care.

(4) In addition to the allocations in subsections (1) and (3) ((above)) of this section, SSI related individuals residing in a medical facility throughout a calendar month are entitled to the following allocations of income as applicable:

(a) Maintenance needs of spouse not to exceed state supplement standard,

(b) Maintenance needs of family adjusted for number of family members living at home, but not to exceed

highest need standard for a family of same size under AFDC,

(c) Amounts for incurred medical expenses not subject to third-party payment including but not limited to:

(i) Health insurance premiums, co-insurance or deductible charges,

(ii) Necessary medical care recognized under state law but not covered under medicaid.

(d) For a single person, maintenance of the home where the individual has been certified by a physician to need institutional care for no more than six consecutive months,

(i) Income thus exempted must be used to retain the independent living situation of an individual with no dependents through payment of such requirements as rent or mortgages, real estate taxes, insurance, gas, electricity, oil, water or sewer necessary to maintain the home. Also see chapter 388-28 WAC,

(ii) Up to one hundred eighty dollars per month may be exempted from the individual's actual income based on the verified actual cost to retain the home during six consecutive months,

(iii) The six-month period begins on the first of the month following date of admission for medicaid eligible recipients or the date of eligibility for individuals changing from private to medicaid, and ceases when the patient is discharged to an independent living arrangement or at the end of six months if the recipient has not been discharged,

(iv) CSO social service staff shall document initial need for the income exemption and review the individual's circumstances after ninety days. Also see chapter 388-28 WAC.

(5) Income remaining in subsections (1), (2), (3) or (4) of this section, will be used to compute payment of the participation amount (that income remaining after allocation of income) ~~((which shall be a matter solely between the recipient and the medical facility))~~ at the department rate.

REPEALER

The following section of the Washington Administrative Code is repealed.

(1) WAC 388-83-040 MONTHLY PERSONAL NEEDS ALLOWANCE—APPLICANT IN INSTITUTION.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-84-105 MEDICAL ASSISTANCE. (1) All individuals wishing to make application for medical assistance or the limited casualty program shall have the opportunity to do so without delay.

(a) Applicants will be provided with:

(i) An explanation of the civil rights act,

(ii) Fair hearing information,

(iii) Information on early and periodic screening, diagnosis and treatment, when appropriate,

(iv) Information on family planning, when appropriate.

(b) The application shall be in writing; a verbal request is not an application.

(c) If death of applicant intervenes, the application may be completed by a relative or interested person(s).

(2) Individuals who receive cash assistance payment under AFDC, SSI or state supplement are eligible without a separate application.

(3) A spouse ineligible for SSI benefits solely because of the level of his/her income must apply individually for medical assistance.

(4) A resident of the state of Washington temporarily out of the state may make application directly to the community services office (CSO) in his/her area of the state through either an individual or agency acting in his/her behalf.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-84-120 APPLICATION FOR STATE FUNDED MEDICAL CARE. (1) Individuals ineligible for a categorically needy program (AFDC, aged, blind, disabled, or under twenty-one) may be provided medical care under the state-funded program of continuing general assistance.

(2) The effective date of eligibility for state-funded (GAU) medical care is concurrent with certification for cash assistance; except that medical care may be provided for no more than seven days prior to date of application for financial assistance to an otherwise eligible individual. The seven days shall not include Saturday, Sunday or legal holidays. The department may on an exception basis waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

(3) Termination of state-funded medical occurs with termination of continuing general assistance grant.

(4) The CSO may issue temporary medical coupons until state office issued coupons arrive.

(5) Individuals ineligible under subsection (1) of this section may be eligible under the limited casualty program—medically indigent. See chapter 388-100 WAC.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-85-105 CERTIFICATION OF ELIGIBILITY. Entitlement to medical assistance continues until the individual is determined ineligible for cash assistance.

(1) When eligibility for AFDC is terminated:

(a) For AFDC cash assistance due to increased income or increased hours from employment, medical assistance shall continue for four calendar months beginning with month of ineligibility.

(b) Because an individual has been removed from AFDC cash assistance due to reaching state legal age of majority, a redetermination and a certification of eligibility for medical assistance for those under twenty-one shall be made.

(c) ((For)) Lack of cooperation in WIN or lack of school attendance is not an eligibility factor, redetermination of eligibility for medical assistance will be made according to appropriate cash program.

(2) Redetermination of eligibility for medical assistance shall be the same as for the cash assistance program:

(a) For individuals under age twenty-one, not related to SSI, eligibility shall be redetermined every six months.

(b) For individuals in medical institutions eligibility shall be determined every twelve months.

(3) Any change in circumstances relating to the individual's financial or medical eligibility must be promptly reported to the CSO.

AMENDATORY SECTION (Amending Order 1646, filed 4/27/81)

WAC 388-85-110 SSI/STATE SUPPLEMENT TERMINATION. (1) When an SSI/state supplemental beneficiary is terminated by SSA because of failure to meet blindness and disability criteria under Title XVI, medical assistance shall be terminated at the end of the second month following the month in which eligibility for these conditions ceases ((if the beneficiary has filed a timely request for a hearing from SSA regarding eligibility for cash assistance)).

(a) If a timely request for a hearing under SSA jurisdiction has been filed by the individual and SSA continues the benefits, medical assistance would be continued concurrently.

(b) The CSO is not authorized to resubmit a request for a redetermination of blindness or disability for consideration of the medically needy program.

(c) If the individual presents medical evidence to the CSO, a referral to SSA is required.

(2) ((Individuals in medical facilities who are not receiving cash assistance shall be notified in writing when eligibility ceases)) For individuals who are terminated by SSA for SSI/SSP financial benefits, financial eligibility and disability must be redetermined within thirty days for consideration of the limited casualty program—medically needy.

(3) Institutional recipients must be notified in writing of termination.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF MEDICAL ASSISTANCE. (1) For recipients of medical assistance (MA), the department shall authorize early and periodic screening diagnosis and treatment services including dental, vision, and hearing services, to eligible individuals under twenty-one years of age, family planning services, home health agency services, inpatient and outpatient hospital care, other laboratory and x-ray services, skilled nursing home care, and physicians' services in the office or away from the office as needed for necessary and essential medical care. The department may authorize medically justified ambulance service and other approved transportation.

(2) The following additional services shall also be authorized when medically necessary: anesthetization services; blood; dental services to EPSDT recipients;

drugs and pharmaceutical supplies; eyeglasses and examination; hearing aids and examinations; oxygen; physical therapy services; special-duty nursing services; surgical appliances, prosthetic devices, and certain other aids to mobility.

(3) Treatment, transplants, dialysis, equipment and supplies for acute and chronic nonfunctioning kidneys are provided in the home, hospital and kidney center. See WAC 388-86-050(5).

(4) Organ transplants, other than kidney transplants are not provided as a part of physician services or hospital care authorized under the medical assistance program.

(5) Treatment to detoxify narcotic addiction cases in a hospital or on an outpatient basis is not provided as a part of the medical care program. The department will provide treatment for concurrent diseases and complications.

(6) Detoxification of an acute alcoholic condition will be provided only in a certified detoxification center or in a general hospital with certified detoxification facilities.

(7) The following medical services are not provided:

- (a) Adult dental services, and
- (b) Chiropractic services(, and) ;
- ~~((c) Podiatry:)~~

(8) Treatment for obesity is not provided as part of the medical care program. The department will provide treatment for concurrent diseases and complications.

(9) Where evidence is obtainable to establish medical necessity, as defined in WAC 388-80-005, the department shall approve the request if the recipient or provider submits sufficient objective clinical information (including, but not limited to, a physiological description of the disease, injury, impairment or other ailment; pertinent laboratory findings; x-ray reports; and patient profiles).

(10) A request for medical services may be denied by the department if the requested service is not medically necessary as defined by WAC 388-80-005, is generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient can demonstrate through sufficient objective clinical evidence the existence of particular circumstances which render the requested service medically necessary.

(11) The department shall approve or deny all requests for medical services within fifteen days of the receipt of the request, except that if additional justifying information is necessary before a decision can be made, the request shall be neither approved nor denied but shall be returned to the provider within five working days of the original receipt. If additional justifying information is not returned within thirty days of the date it was returned to the provider, then the original request shall be approved or denied. However, if such information is returned to the department, the request shall be acted upon within five working days of the receipt of the additional justifying information.

(12) Whenever the department denies a request for medical services the department shall, within five working days of the decision, give written notice of the denial to the recipient and the provider. In order to fully inform the recipient, the notice shall state:

(a) The specific reasons for the department's conclusion to deny the requested service.

(b) If a fair hearing is requested, a medical assessment other than that of the person or persons involved in making the original decision may be obtained at the expense of the department of social and health services, and instructions on how to obtain such assessment.

(c) The recipient has a right to a fair hearing if the request is made within ninety days of receipt of the denial, with the instruction on how to request the hearing.

(d) The recipient may be represented at the hearing by legal counsel or other representative.

(e) That upon request, the CSO shall furnish the recipient the name and address of the nearest legal services office.

(13) The limited casualty program—medically needy is defined in chapter 388-99 WAC, and the limited casualty program—medically indigent is defined in chapter 388-100 WAC.

NEW SECTION

WAC 388-86-021 DENTURES. The department will provide to the extent of these rules dentures to recipients of medical assistance and the limited casualty program that includes only fabrication and fitting. All denture requests require prior approval.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-86-030 EYEGLASSES AND EXAMINATIONS. (1) The department shall provide eye examinations and eyeglasses when a refractive error of sufficient magnitude exists to require corrective lenses. Payment shall be made on the basis of rates established by the department or through HMO or optical supplier contracts.

(2) Under the limited casualty program only one refraction and one pair of glasses will be provided during a twelve-month period.

~~((2))~~ (3) Prior authorization by the CSO medical consultant or his designee in the county of residence is not required for eye examinations performed for the purpose of prescribing corrective lenses except in the provision of certain eyeglasses (lenses or frames).

~~((3))~~ (4) Examinations, unless medically indicated, are limited to two in a twelve-month period, except for eye examinations and eyeglasses provided to recipients of EPSDT, see ((WAC 388-86-027(1)(c) and (3))) chapter 388-86 WAC.

~~((4))~~ (5) A choice of frames listed in current division of medical assistance numbered memoranda is offered recipients. Frames are not provided for cosmetic effect or psychological support.

~~((5))~~ (6) Sunglasses, photochromic ((aspheric)) or varalux type lenses are not provided.

~~((6))~~ (7) Two pair of glasses in lieu of bifocal or trifocal lenses are not provided.

~~((7))~~ (8) Contact lenses and orthoptics therapy are not provided.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-035 FAMILY PLANNING. (1) The department shall make known to clients the availability of family planning services. The department shall provide to eligible categorically needy recipients necessary physicians' services, clinic or hospital services, supplies and drugs needed in conjunction with family planning. ((See WAC 388-15-240 for Title XX services for nonrecipients including minors.))

(2) Under the limited casualty program—medically needy only physicians' services and supplies will be provided.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-040 HEARING AIDS. (1) The department shall provide to categorically needy recipients:

(a) One new hearing aid under the following conditions:

(i) On prescription of an otolaryngologist, or the attending physician where no otolaryngologist is available in the community, within six months prior to receiving hearing aid dispenser services, and

(ii) With a minimum of 50 decibel loss in the better ear based on auditory screening at 500, 1000, 2000 and 4000 Hertz (Hz) with effective masking as indicated, and

(iii) When covered by a one year warranty, and/or

(b) One-time repair of a state purchased or privately owned hearing aid when covered by a ninety day warranty.

(2) Prior approval is required for the purchase or trial period rental of hearing aids and for one-time repair of a state purchased or privately owned hearing aid.

(3) After expiration of warranties, the owner is responsible for repairs and for purchase of batteries, any attachments and replacements.

(4) Individuals under age twenty-one must be referred to the crippled children's service conservation of hearing program.

(5) Individuals twenty-one years of age and over may sign a waiver statement declining the medical evaluation for religious or personal beliefs that preclude consultation with a physician.

(6) Hearing aids are not provided to recipients of continuing general assistance grants and the limited casualty program.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The department will provide hospitalization for recipients under age sixty-five and for recipients sixty-five and over who have exhausted medicare benefits. With exceptions and limitations ~~((listed below;))~~ the recipient will have free choice of hospitalization.

~~((2) Hospitalization for services covered by the program requires approval by:~~

~~(a) The local medical consultant for:~~

~~(i) Prior approval of nonemergent surgery;~~
~~(ii) Admission and length of stay for recipients on the GAU program;~~

~~(iii) Retroactive certification and out-of-state care, including hospitalization in bordering cities, for categorically needy recipients;~~

~~(b) The Washington state professional standards review organization (WSPSRO) by certification, when previous agreement with the department and the PSRO exists, and when review is timely and concurrent with hospitalization, for:~~

~~(i) Medical illness and emergent surgery for recipients on federal programs;~~

~~(ii) Admission and length of stay for categorically needy recipients.))~~

(2) Certain hospitalization services covered by the program require approval of the medical consultant.

(a) Prior approval for nonemergent surgery;

(b) Admission and length of stay for recipients of the GAU and limited casualty—medically indigent programs;

(c) Retroactive certification and out-of-state care including bordering cities.

(3) The Washington state professional standards review organization (WSPSRO) will certify admission, length of stay and/or services for the categorically needy and limited casualty—medically needy recipients.

~~((3)) (4) Department authorization for inpatient hospital care for eligible individuals shall be limited to the lesser of the minimum number of days consistent with practice normally followed in the community or the maximum number of days established at the 75th percentile in the edition adopted by the department of the publication "Length of Stay in PAS Hospitals, by Diagnosis United States Western Region", unless prior contractual arrangements are made by the department for a specified length of stay (as defined in WAC 388-80-005 and 388-87-013). Hospital stays shall be subject to the same utilization review as established for private patients in the community. A daily list of all recipient inpatients with diagnostic information shall be submitted by the hospital to the local medical consultant. When hospitalization of a recipient of GAU or limited casualty program—medically indigent exceeds the maximum number of days specified in PAS, an extension request shall be presented with adequate justification by the attending physician to the chief, office of medical policy and procedure or his designee within sixty days of final service. ~~((The Washington state professional standards review organization (WSPSRO) will certify days of stay and/or services (i.e., approve as necessary, appropriate, and of acceptable quality) for categorically needy recipients.))~~~~

(a) Eligible recipients are covered for involuntary admissions for acute psychiatric conditions up to a maximum of seventeen days under the Involuntary Treatment Act in hospitals certified as evaluation and treatment facilities. If an involuntarily committed recipient reverts to voluntary status, PAS days are computed from day of admission and applied to any period exceeding the mandatory seventeen days. If PAS days are less than seventeen, the maximum of seventeen days will prevail.

(b) No payment will be made for care in a private psychiatric hospital that has not been certified under Title XVIII. Authorization for admission of an eligible individual to a private psychiatric hospital shall be under the same conditions and program limitations as for treatment of psychiatric conditions in a general hospital.

(c) Medicaid payment will be made for care in a state mental institution for AFDC recipients or SSI beneficiaries under age twenty-one and for all categorically needy recipients age sixty-five and older. Other age groups are covered under the Involuntary Treatment Act and/or other state funded programs. ~~((See WAC 388-82-025.~~

~~((4))~~ (5) The department is prohibited from paying for hospitalization of any individual for the treatment of tuberculosis in a general hospital after such a diagnosis has been established. ~~((See WAC 388-82-025.~~

~~((5))~~ (6) Hospitalization for the treatment of acute and chronic renal failure shall be provided, except that the department shall pay only deductibles and coinsurance for a recipient who is a medicare beneficiary and who is hospitalized for such treatment or for kidney transplant.

~~((6))~~ (7) Except for an emergency no hospital admission shall be made on Friday or Saturday for scheduled surgery on Monday. The attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.

~~((7))~~ (8) Approval for hospitalization of a recipient shall be based on the recipient's need for semi-private accommodations and reimbursement made at the multiple occupancy rate regardless of accommodations provided by the hospital. Special rates may be established for recipients covered by the Involuntary Treatment Act. Semi-private accommodations shall mean not less than two nor more than a four-bed room.

(9) A deductible not to exceed one-half the payment the department makes for the first day of inpatient hospital care for each admission is the responsibility of the limited casualty program-medically needy recipient.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-067 MENTAL HEALTH CENTER SERVICES. (1) The department shall provide mental health or day health care services to a cash assistance recipient under SSI, state supplement or AFDC and to an eligible recipient of a state funded continuing general assistance grant. A recipient of the limited casualty program may be provided mental health center services. The services provided through these agencies are not subject to the limitation on the number of visits under the provisions of WAC 388-86-095.

(2) Community mental health services provided shall be as specified in a contract between the department and the participating center.

(3) For the purposes of this section, community mental health center shall mean an agency or program which meets the following criteria:

(a) Is included as a part of the approved county mental health plan, or is approved by the department to hold

a subcontract from the area agency on aging to provide day health care.

(b) Receives state grant-in-aid funds as authorized by the Community Mental Health Services Act, chapter 71.24 RCW, and as described in WAC 275-25-030, or receives money through a contractual agreement with the area agency on aging for the provision of day health care.

(c) Provides treatment by, or under the direction of, a licensed doctor of medicine who has sufficient knowledge of the caseload and clinical program to be assured that the quality of the service is satisfactory.

(4) An agency or program must be either:

(a) An outpatient clinic, with its own governing body, administration and staff, or

(b) A county-administered outpatient clinic, or

(c) A separate identifiable outpatient clinic of a general hospital or psychiatric inpatient facility, or

(d) An outpatient clinic with a residential component within its administrative structure, or

(e) A separate identifiable outpatient clinical program of an agency which has other service functions.

(5) Agencies which have functions in addition to outpatient care (see ~~((items))~~ subsection (4)(c), (d), and (e) of this section) shall adhere to the following criteria:

(a) Specific staff are delineated to provide outpatient clinical services exclusively,

(b) Outpatient clinical records are separated from other service records of the agency,

(c) The center's accounting and bookkeeping procedures are such that:

(i) If the center has an existing contract, a review or audit finds that these procedures assure adequate fiscal accountability. Audits will be conducted by either the department or the office of the state auditor.

(ii) If an agency is applying for a contract, the application will be accompanied by a statement from a licensed or certified public accountant reflecting the accountant's unqualified opinion of the adequacy, accuracy and accountability of the agency's records.

(6) The final decision regarding a mental health center's participation in this program shall be made by the department.

(7) Mental health service records-content:

An adequate clinical record shall be maintained for each eligible client receiving outpatient mental health services in a mental health center. The clinical records at a minimum shall contain the following:

(a) History,

(b) Diagnostic/evaluative statements,

(c) Treatment plan,

(d) Treatment notes,

(e) Periodic treatment review,

(f) Documentation of case conferences,

(g) Clinical summaries on termination of service,

(8) Subcontracts:

An agency which has a contract under this section shall not enter into subcontracts for any work agreed upon under the contract without obtaining prior written approval of the department from the office of medical assistance.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-075 OUTPATIENT AND EMERGENCY CARE. (1) No authorization is required for categorically needy recipients to receive outpatient service, acute and emergent outpatient surgical care and other emergency care performed on an outpatient basis in a hospital. Justification for the service must be presented for payment.

(2) A recipient of the limited casualty program—medically needy may receive services without approval, and is required to make a copayment not to exceed three dollars for each emergency room visit.

(3) A recipient of the limited casualty program—medically indigent must have medical consultant approval for emergency room services.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-085 PATIENT TRANSPORTATION. (1) The department will assure the availability of necessary transportation for recipients to and from medical care providers.

(2) Ambulance or cabulance transportation shall be provided when medical necessity is clearly demonstrated or the physical condition of the recipient is such that the use of any other method of transportation is inadvisable.

(3) Transportation by taxi will be provided only when approved by the local medical consultant.

(4) Transportation by private automobile other than owned by recipient is payable at rates established by the department.

(5) Air transportation may be provided when medical necessity requires this mode of transportation.

(a) Intrastate services must have prior approval of the medical consultant.

(b) Interstate services must have approval of the medical director, office of medical policy and procedure.

(c) Prior approval is required for nonemergent air transportation when:

(i) Need for medical treatment is justified.

(ii) A closer location is not available.

(d) Method of reimbursement for air transportation and ancillary services will be published as necessary by the division of medical assistance.

(6) Providers of ambulance, cabulance, and private automobile transportation must show medical necessity justification on the billing document.

(7) Transportation provided to the limited casualty program—medically indigent requires approval.

AMENDATORY SECTION (Amending Order 1542, filed 9/9/80)

WAC 388-86-090 PHYSICAL THERAPY. Physical therapy, other than that provided in a hospital as part of inpatient treatment, may be authorized only when such therapy:

(1) Will avoid the need for hospitalization, or

(2) Will reduce the length of stay of a recipient in a nursing home, or

(3) Will assist the recipient in becoming employable, or

(4) Is medically indicated in unusual circumstances and is requested by the attending physician and concurred with by the medical consultant, and

(5) Is performed by a registered physical therapist or physiatrist and has approval by the local medical consultant.

(6) Physical therapy is not provided under the limited casualty program.

AMENDATORY SECTION (Amending Order 1610, filed 2/19/81)

WAC 388-86-095 PHYSICIANS' SERVICES. The department shall purchase the services of physicians participating in the program on a fee-for-service or contract basis subject to the exceptions and restrictions listed (~~(below)~~) as follows.

(1) Physicians' services are provided through contract agreements for certain voluntary child care agencies and maternity homes.

(2) Cost of a physical examination is authorized only for recipients related to federal programs under the following circumstances:

(a) For admission to skilled nursing facility if within ~~((48))~~ forty-eight hours of admission or change of status from a private-pay to a medicaid-eligible patient.

(b) Given as a screening under the EPSDT program; see WAC 388-86-027.

(c) For physical examination not covered by medicaid, see the following:

(i) AFDC incapacity, see ~~((WAC 388-24-065(2)))~~ chapter 388-24 WAC.

(ii) Determination of whether an individual's health will or will not permit his return to his home, see ~~((WAC 388-28-420(4)(b)))~~ chapter 388-28 WAC.

(iii) Request by the claimant or examiner in a fair hearing procedure, see chapter 388-08 WAC.

(iv) Foster home placement, see chapter 388-70 WAC.

(v) Adoptive home placement, see ~~((WAC 388-70-440))~~ chapter 388-70 WAC.

(vi) Employability for WIN program, see ~~((WAC 388-24-107(1)(b)))~~ chapter 388-24 WAC.

(vii) Incapacity for GAU program, see ~~((WAC 388-37-032(4)))~~ chapter 388-37 WAC.

(3) When covered services of a consultant or specialist are necessary, approval need not be obtained from the medical consultant. Payment shall be made in accordance with local medical bureau practices.

(a) A fee for consultation shall not be paid when the specialist subsequently performs surgery or renders treatment for which flat fees or fees-for-service accrue.

(b) On initial or subsequent visits for the purpose of establishing a diagnosis and when services of a specialist or consultant are required, payment shall be limited to not more than two such services. Any additional specialist or consultant requests shall be justified by the attending physician and approved by the medical consultant.

(4) Limitations on payment for physicians' services:

(a) Payment for physicians' calls for nonemergent conditions in a skilled nursing facility or an intermediate care facility, is limited to two calls per month. Requests for payment for additional visits must be justified at the time the billing is submitted by the physician.

(b) Payment for hospital calls is limited to one call per day. This is applicable to other than flat fee care.

(c) Individual outpatient psychotherapy provided by a psychiatrist shall be limited to one hour per month or equivalent combinations. Up to a maximum of two hours psychotherapy may be authorized when justified during the first month of treatment. Subdivisions of (4)(a) and (b) of this section, also apply unless other rules take precedence. See WAC 388-86-067(1) for service provided by a contracting mental health center.

(5) All surgical procedures require approval by the medical consultant.

(6) Nonemergent hospital admissions for state funded recipients require prior approval by the chief of the office of medical policy and procedure or his designees.

(7) Minor surgery and diagnostic procedures performed in a physician's office do not require prior approval.

(8) No payment will be made for cosmetic, reconstructive or plastic surgery which is defined as surgery performed to revise or change the texture, configuration or relationship of structure with continuous structure when the purpose is primarily psychological and will not correct or materially improve body function, or is intended to alter any part of the body which could be considered to be "normal" within broad range of variation for function, age, ethnic, or familial origin.

(9) A recipient of public assistance is not required to obtain medical care in the county of his residence. ((See also WAC 388-83-025.))

(10) For limitations on out-of-state physicians' services see WAC 388-86-115.

NEW SECTION

WAC 388-86-09601 PODIATRIC SERVICES.

(1) Medically necessary podiatric services shall be provided to include:

(a) Evaluation, diagnosis, and treatment of skin disease, infections, inflammation, ulcers, and symptomatic conditions including bursitis, osteoarthritis and tendonitis.

(b) Reductions of fractures and dislocations, and treatment of sprains and strains.

(c) Surgery for bunions, exostosis, hammertoes, neuromas, and ingrown toenails.

(d) Initial diagnostic services in connection with conditions whose subsequent treatment would be excluded as routine palliative care.

(e) One visit every six months may be permitted for debridement and cutting of mycotic toenails.

(2) Elective surgery requires prior approval of the medical director or designee. Where less expensive, more conservative treatment is available, surgery will not be approved.

(3) The following services shall be excluded:

(a) Routine foot care that includes removal of corns, warts, or calluses, trimming of nails and other hygienic

and preventive care except as specified in subsection (4) of this section.

(b) Treatment of flat foot.

(c) Treatment undertaken to correct a subluxated structure of the foot as an isolated entity.

(d) Supportive devices for the feet, such as orthopedic shoes.

(e) Procedures regarded as experimental.

(4) Where a person has a severe systemic condition that would result in circulatory embarrassment or desensitization in the legs or feet, more frequent foot care may be provided when:

(a) The performance of such procedures by unskilled person might pose a hazard.

(b) The severity of the condition has been established by clinical or physical findings.

(c) Such care requires prior approval of the medical director or designee.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-098 SPEECH THERAPY SERVICES. (1) Speech therapy, when required as an adjunct to necessary treatment of a medical or remedial condition for which the department has assumed initial responsibility, may be authorized subject to the following:

(a) The evaluation and/or treatment must have prior approval by the local medical consultant,

(b) The fee for service must be agreed to in advance of therapy,

(c) The services must be performed by a speech pathologist who has been granted the certificate of clinical competence by the American speech and hearing association, or who has completed the equivalent educational and work experience necessary for such a certificate,

(d) The department reserves the right to limit the number of treatments based on professional judgment. See WAC 388-87-025(2)(p).

(2) Speech and language therapy is not provided under the limited casualty program.

AMENDATORY SECTION (Amending Order 1610, filed 2/19/81)

WAC 388-86-100 ((SURGICAL APPLI- ANCES)) DURABLE MEDICAL EQUIPMENT— PROSTHETIC DEVICES((=AIDS TO MOBIL- ITY)). (1) The department shall authorize the purchase or rental of ((surgical appliances)) durable medical equipment, prosthetic devices, ((aids to mobility)) and other ((durable)) nonreusable medical equipment only when such items will:

(a) Reduce the length of hospitalization,

(b) Aid the rehabilitation of an employable person,

(c) Enable the person to return to or continue to live in his own home,

(d) Be used full time by a nursing home patient who will benefit materially from its use,

(e) Result in financial saving to the department.

(2) No approval is required for the purchase of external braces involving the neck, trunk and extremities; nor

pressure garments, support hose, canes, or wood crutches.

(3) Other nonreusable items costing less than one hundred fifty dollars do not require approval if provision of the appliance will expedite a recipient's release from a hospital.

(4) Prior approval by the division of medical assistance is required for:

(a) Purchase of reusable (~~((medical appliances and aids to mobility))~~) durable medical equipment costing more than five hundred dollars,

(b) Purchase of nonreusable (~~((surgical appliances))~~) medical equipment or prosthetic devices costing more than five hundred dollars, except as described in subsection (2) of this section,

(c) Metal crutches and other appliances require prior approval of the local medical consultant(:(:)) ,

(d) All rentals and repairs require prior approval by the local medical consultant.

(5) A recipient who has medicare part B benefits must utilize this resource for the purchase or rental of any items provided by medicare. Payment of medicare coinsurance and deductibles will be made by the department for purchase of all medicare items.

(6) Medical (~~((appliances))~~) equipment and supplies purchased by the department become the property of the recipient.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-112 PHYSICAL MEDICINE AND REHABILITATION EVALUATION AND REVIEW.

(1) The department may authorize physical medicine and rehabilitation inpatient evaluation and review for a period not exceeding one week when all the following conditions are met:

(a) The person suffers from severe motor disabilities following accident or illness such as stroke,

(b) The person has been rejected by the department's division of vocational rehabilitation for such medical service on the basis that there is little or no potential for gainful employment,

(c) Physical medicine and rehabilitation treatment would potentially enable the person to move from the hospital to a nursing home or from a nursing home to adult family home or from an adult family home into his own assisted and/or independent living situation, or afford the bedridden person cared for in his own home a degree of self-care and independence,

(d) No other financial resources are available,

(e) Prior approval of the state office of medical assistance is obtained.

(2) Extension of the evaluation and review for a period up to ninety days may be authorized by the office of medical assistance if requested and justified by the physical medicine and rehabilitation facility.

(3) These services are not provided under the limited casualty program.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-115 MEDICAL CARE PROVIDED OUT-OF-STATE. (1) The department shall authorize and provide comparable medical care services to a recipient of medical assistance (MA) or limited casualty program-medically needy who is temporarily outside the state to the same extent that such medical care services are furnished to an eligible recipient in the state, subject to the exceptions and limitations in this section.

(2) (~~((Border situations mentioned))~~) Bordering cities listed in ((WAC 388-82-030(4)) chapter 388-82 WAC are not considered "out-of-state" and are excluded from these provisions. ((However,)) When a recipient ((who visits)) goes to another state, other than the specified ((border locations)) bordering cities, specifically for the purpose of obtaining medical care that is ((not eligible for such care at the expense of)) available in the state of Washington, only emergency care will be provided by the state of Washington.

(3) (~~((A recipient who moves to another state for the purpose of establishing residence in that state is not eligible for medical care after eligibility has been terminated by the department.~~)

(a) ~~When determining the effective date of change in the eligibility of a categorically needy recipient, see WAC 388-33-365 for appropriate guidelines. Medical care coverage terminates the same date as termination of the grant.~~

(b)) State funded medical care is not provided out-of-state. Medical services in designated bordering cities may be authorized.

(4) The medical consultant shall review all cases involving out-of-state medical care to determine whether the services are within the scope of the medical assistance program.

(5) Medical assistance may be provided only in areas of Canada that border on the United States when no other resources are available.

AMENDATORY SECTION (Amending Order 1647, filed 4/27/81)

WAC 388-86-120 STATE FINANCED MEDICAL CARE. A recipient of a continuing general assistance grant who cannot be related to a federal aid category is eligible to receive the same scope of care (WAC 388-86-005) as a recipient of medicaid, except that no care will be provided outside the state of Washington other than in designated bordering ((states)) cities as specified in ((WAC 388-82-030(4))) chapter 388-82 WAC, and shall be subject to the following medical program limitations. Continuing general assistance medical coupons bear the imprint "GAU".

(1) Elective hospital admissions and elective surgery requests require prior medical consultant approval.

(2) Criteria used to determine that the proposed surgery is elective are:

(a) Medical necessity must be established. Definition in chapter 388-80 WAC applies.

(b) Procedure cannot reasonably be delayed.

(3) Prescribed drugs are limited to specific therapeutic classifications. Lists are published through the Drug Formulary and/or official memoranda.

(4) Mental health services will be provided only in community mental health centers.

(5) Hearing aids are not provided.

(6) Covered medical care services may be provided for no more than seven days prior to the date of application. The department may on an exception basis waive the seven-day rule if a person fails to apply for medical reasons or other good cause.

WSR 81-16-035
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)
[Filed July 29, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning Voluntary admission—Involuntary commitment, treatment and/or evaluation of mentally ill persons, amending chapter 275-55 WAC.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration
Department of Social and Health Services
Mailstop OB-33C
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Washington, Phone (206) 753-7015, by September 8, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Tuesday, September 22, 1981, in the Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 30, 1981, in William B. Pope's Office, 3rd Floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 71.05.560.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at 10:00 a.m., Tuesday, September 22, 1981, Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: July 27, 1981

By: David A. Hogan
Director, Division of Administration

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend chapter 275-55 WAC.

Purpose of the change is to place the main subject at the beginning of the title.

The reason the change is necessary is to eliminate ambiguity and to clarify the scope of the chapter.

Statutory authority: RCW 71.05.560.

Summary of change: Title changed to Mentally Ill Persons: Voluntary Treatment—Involuntary Commitment, Evaluation and/or Treatment.

Amend WAC 275-55-010, Purpose.

Purpose of the rule change is to update statutory references, and to cross-reference additional RCW, (chapter 72.23 RCW).

The reason(s) this rule change is necessary is to further clarify application to voluntary and minor patients. The language is otherwise modified to be consistent with chapter 275-55 WAC title change.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Changes "chapter 142, Laws of 1973, 1st ex. sess." to chapter 71.05 RCW, and adds chapter 72.23 RCW.

Amend WAC 275-55-020, Definitions.

Purpose of the rule change is to expand definitions.

The reason(s) this rule change is necessary is to update designations, reflect changes to date in statute, and provide clarifying definitions for other rule amendments and proposed new rules made elsewhere is chapter 275-55 WAC.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Amends definitions for: Director, Facility, Chapter, Seventy-two hour period, Designated mental health professional, Mental health professional, and Professional person in charge. Adds new definitions: Superintendent, Available physician or other professional person, Agency, Person, Component, Evaluation and treatment facility, Evaluation and treatment program, Medical evaluation, Patient, Mental disorder, Involuntary patient, Detention, Initial detention, Provisional acceptance, Admission, Discharge, Transfer, Release from commitment, Early release, Conditional release, Outpatient treatment, and Shock treatment.

New WAC 275-55-021, Application of Rules to Minors.

Purpose of the new rule is to permit chapter 275-55 WAC to more clearly and more consistently apply to minors.

The reason(s) these rules are necessary to close gaps existing in responding to the need for services by minors.

Statutory authority: RCW 71.05.560.

Summary of the rule: Allows any rule in chapter 275-55 WAC to apply to a minor where the minor is not specifically referenced in the rule, and where no other specific rule in the chapter or in related RCW sections apply.

Amend WAC 275-55-030, Private Institutions Which May Admit Voluntary Patients. Purpose of the rule change is to update this section.

The reason(s) this rule change is necessary is to delete language already defined, to modify title to be consistent with changes in Definitions, WAC 275-55-020 and to facilitate logical grouping of sections related to voluntary patients, and to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Title changed to Private Agencies Which May Admit Voluntary Patients. Deletes "Mental illness or derangement" and "Department or ward." Substitutes agency for "institution, hospital, or sanitarium. . ."

Amend WAC 275-55-040, Voluntary Admission to Public or Private Institution—Adult Patient—No Conservator or Guardian.

Purpose of the rule change is to update this section.

The reason(s) this rule change is necessary is to coordinate language and intent with changes in Definitions section and other related rules, and to modify title to be consistent with changes in Definitions, WAC 275-55-020 and to facilitate logical grouping of sections related to voluntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Title changed to Admission to Public or Private Agency—Voluntary Adult. Substitutes agency for "institution, hospital, or sanitarium. . ."

Repeal WAC 275-55-041, Voluntary Adult Patient—Detention.

Purpose of the rule change is to delete reproduction of statute.

The reason(s) this rule change is necessary is that the rule duplicates RCW 71.05.050.

Statutory authority: RCW 71.05.560.

Amend WAC 275-55-050, Voluntary Admission—Minor.

Purpose of the rule change is to safeguard individual rights.

The Reason(s) this rule change is necessary is to clarify age groups, to circumscribe use of medications, to specify rights of minors, and to modify title to facilitate logical

grouping of sections related to voluntary patients.

Statutory authority: RCW 71.05.510[71.05.560].

Summary of the rule change: Specifies conditions under which a minor may apply for voluntary treatment, by age group; restricts use of inpatient care and/or psychotropic medications for self-admitted minors; assures rights of persons 17 years of age or under; title changed to Application for Admission—Voluntary Minor.

Amend WAC 275-55-060, Voluntary Admission to Public Institutions, Hospitals, Sanitariums or Facilities—Minor.

Purpose of the rule change is to update this section and to clarify reporting procedure.

The reason(s) this rule change is necessary to specify to whom the county designated mental health professional submits a written evaluation, to coordinate language and intent with changes in Definitions section and other related rules, to modify title to be consistent with changes in Definitions, WAC 275-55-020 and to facilitate logical grouping of sections related to voluntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: County designated mental health professional submits written recommendations to appropriate agency person. Substitutes agency for "institution, hospital, or sanitarium . . ." Title changed to Admission to Public Agency—Voluntary Minor.

Repeal WAC 275-55-061, Voluntary Admission—Adult—Conservator.

Purpose of the rule change is to delete reproduction of statute.

The reason(s) this rule change is necessary is that the rule duplicates Guardianship statute.

Statutory authority: RCW 71.05.560.

Repeal WAC 275-55-070, Forwarding Information to Department.

Purpose of the rule change is to delete reproduction of statute.

The reason(s) this rule change is necessary is that the rule duplicates RCW 71.12.560.

Statutory authority: RCW 71.05.560.

New WAC 275-55-071, Discharge—Voluntary Minor.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-130, that section is moved to this location to become part of a logical grouping of sections related to voluntary patients. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Additionally, changes are made in the rule to coordinate language and intent with

changes in Definitions section and other related rules, and to clarify age groups for minors.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Specifies conditions under which a voluntarily admitted minor may be released upon self or other appropriate request, by age group; substitutes involuntary detention for "involuntary commitment."

Repeal WAC 275-55-080, Alternatives to Admittance to Inpatient Treatment.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-301.

The reason(s) this rule change is necessary is to give greater visibility to the issue of exploring less restrictive alternatives.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-301.

New WAC 275-55-081, Periodic Review—Voluntary Patient.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-150, that section is moved to this location to become part of a logical grouping of sections related to voluntary patients. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Section otherwise modified to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Substitutes professional person in charge for "professional person having chief clinical responsibility within the facility."

Amend WAC 275-55-090, Voluntary Patients—Limitations on Length of Stay—Readmission.

Purpose of the rule change is to modify title. The reason(s) this rule change is necessary is to modify title to facilitate logical grouping of sections related to voluntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Title changed to Limitations on Length of Stay—Readmission—Voluntary Patient.

Repeal WAC 275-55-100, Mental Health Professional, Psychologist, Social Worker, Psychiatric Nurse.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-251.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to certification standards.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-251.

Amend WAC 275-55-110, Release of Voluntary and Involuntary Patient.

Purpose of the rule change is to separate and expand original section into this and other sections to more clearly specify grounds and procedures for discharge of patient by type of admission, and to better assure patient's right to confidentiality of clinical records.

The reason(s) this rule change is necessary is to coordinate language and intent with changes in Definitions section and other related rules: to facilitate logical grouping of sections related to voluntary patients, involuntary patients, and patient rights; and to otherwise accomplish the objectives stated under "Purpose", above.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Title changed Discharge of Voluntary Patient—Release of Clinical Summary. Section rewritten to apply only to voluntary patients. Deletes wording referring to effect of admission on competency and refers to new section WAC 275-55-221. States clearly that patient permission required for release of clinical summary. Transfers requirement for notification of court of early release of involuntary patient to new section WAC 275-55-171. Transfers requirement for transportation of non-admitted, involuntarily detained person to new section WAC 275-55-131.

Repeal WAC 275-55-120, Conditional Release of Patient.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-181.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to inpatient treatment, specifically types of release.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-181.

New WAC 275-55-121, Involuntary Detention and Commitment—Minor.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-140, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Additionally, minor changes are made in the rule to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule: Deletes the words "care" and "observation" and adds involuntarily detained for evaluation. Specifies that the accepting facility must be certified pursuant to new section, WAC 275-55-331, relating to facilities serving minors.

Repeal WAC 275-55-130, Voluntary Minor—Release.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-071.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to voluntary patients, specifically minors.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-071.

New WAC 275-55-131, Non-admission of Involuntarily Detained Person—Transportation.

Purpose of the new rule is to give prominence to the issue of responsibility for transportation of non-admitted, involuntarily detained persons, and to group sections according to type of patient.

The reason(s) these rules are necessary is, in addition to the specified purpose, to specify priority for admission and grounds for denial of admission, and to reflect current changes in statute related to detention at facility until pick-up by arresting officer.

Statutory authority: RCW 71.05.560.

Summary of the rule: This section was formerly WAC 275-55-110(5). As rewritten, now specifies first priority for admission for involuntarily detained person, admission cannot be denied except pursuant to new WAC 275-55-263(3), and an arrested person who is not admitted must be held by the facility for not over 8 hours when requested by peace officer for pick-up.

Repeal WAC 275-55-140, Involuntary Commitment and Detention of Minor.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-121.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to involuntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-121.

New WAC 275-55-141, Protection of Patient's Property—Involuntary Patient.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-200, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients.

Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, extends reasonable protection to involuntary patient's home.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Adds requirement that reasonable efforts be made to lock and secure patient's domicile after initial detention.

Repeal WAC 275-55-150, Voluntary Patient—Periodic Review.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-081.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to voluntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-081.

New WAC 275-55-151, Evaluation and Examination—Involuntary Patient.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-180, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Additionally, assures elimination of conflict of interest.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Retains essence of original section. Deletes "... unless no other mental health professional is reasonably available and specific exemption has been granted by the director."

Repeal WAC 275-55-160, Available Physician or Other Professional Person.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-020(8).

The reason(s) this rule change is necessary is to group definitions in one section.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-020(8).

New WAC 275-55-161, Treatment Prior to Hearing—Involuntary Patient.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-190, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, assures patient right to refuse

treatment beginning 24 hours prior to any hearing.

Statutory authority: RCW 71.05.560.

Summary of the rule: Any involuntary patient may refuse treatment beginning 24 hours prior to a hearing, must be informed of this right at admission and again one hour prior to commencement of the 24-hour period, and must indicate his decision in writing where possible. Procedure must be documented. Allows facility to use restraints or emergency lifesaving treatment where appropriate.

Repeal WAC 275-55-170, Advising Patient of Rights.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-211.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to patient rights.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-211.

New WAC 275-55-171, Early Release/Discharge of Involuntary Patient—Release of Clinical Summary—Notification of Court.

Purpose of the new rule is to separate and expand original section WAC 275-55-110 into this and other sections to more clearly specify grounds and procedures for discharge of patient by type of admission, and to better assure patient's right to confidentiality of clinical records.

The reason(s) these rules are necessary is to coordinate language and intent with changes in Definitions section and other related rules; to facilitate logical grouping of sections related to voluntary patients, involuntary patients, and patient rights; and to otherwise accomplish the objectives stated under "Purpose", above.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Formerly part of WAC 275-55-110, this section written to apply only to involuntary patients. Cites specific grounds upon which early release and/or discharge may be granted an involuntary patient, and refers to new section WAC 275-55-181 for guidance when conditional release is considered. Deletes wording referring to effect of admission on competency and refers to new section (WAC 275-55-221).

Repeal WAC 275-55-180, Involuntary Patient—Evaluation and Examination.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-151.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to involuntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-151.

New WAC 275-55-181, Conditional Release—Involuntary Patient.

Purpose of the new rule is to group sections according to type of patient, better specify procedures, and better assure patient's right to adequate treatment.

The reason(s) these rules are necessary is: Formerly WAC 275-55-120, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients, specifically types of release. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Additionally, these rules are necessary to bring this section more clearly in line with the intent of RCW 71.05.340, and to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Title changed to Conditional Release—Involuntary Patient. States patient's home community should be considered as release location. Specifies procedures to assure timely consideration for conditional release, and specifies standards for receiving facilities and components by reference to new sections WAC 275-55-263 and 275-55-271. More clearly specifies notifications to and receipt thereof by patient.

Repeal WAC 275-55-190, Involuntary Patients—Treatment Prior to Hearings.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-161.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to involuntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-161.

New WAC 275-55-191, Revocation of Conditional Release—Secretary's Designee—Involuntary Patient.

Purpose of the new rule is to group sections according to type of patient.

The reason(s) these rules are necessary is: Formerly WAC 275-55-230, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients, specifically types of release. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Retains essence of original section. Substitutes division for "bureau". Changes subsection (2) to directly refer to RCW 71.05.340.

Repeal WAC 275-55-200, Protection of Patients' Property.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-141.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to involuntary patients.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-141.

New WAC 275-55-201, Discharge of Indigent Patient—Involuntary Patient.

Purpose of the new rule is to group sections according to type of patient, and to expand coverage for involuntary indigent patients.

The reason(s) these rules are necessary is: Formerly WAC 275-55-240, that section is moved to this location to become part of a logical grouping of sections related to involuntary patients, specifically types of release. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, minor changes in the rule necessary to reduce hardship for indigents under initial detention.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Retains essence of original section. Subsections numbered for easier reading and reference. Changes "... any 14-day or longer involuntary confinement period ..." to any involuntary confinement period. Adds new subsection (2) to define procedure for the provision of suitable clothing and funds to an indigent patient under initial detention.

Repeal WAC 275-55-210, Voluntary Treatment of Involuntary Patient.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-231.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to patient rights.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-231.

New WAC 275-55-211, Advising Patient of Rights.

Purpose of the new rule is to group sections according to major subject area, specifically patient rights, and to further specify those rights.

The reason(s) these rules are necessary is: Formerly WAC 275-55-170, that section is moved to this location to become part of a

logical grouping of sections related to patient rights. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, changes in the rule necessary to clarify notification rights of patient, depending on type of admission.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Retains essence of original section. Specifies procedure for advising patient of rights upon admission to an inpatient or emergency component, and further specifies that an involuntary patient shall be informed of who has been notified concerning his admission. New subsection added which specifies procedure for advising patient of rights, and lists rights to be given, for person involuntarily admitted for initial detention to an outpatient component.

Repeal WAC 275-55-220, Professional Persons in Charge.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-020(7).

The reason(s) this rule change is necessary is to group definitions in one section.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-020(7).

New WAC 275-55-221, Competency—Effect of Admission for Mental Disorder.

Purpose of the new rule is to group sections according to major subject area.

The reason(s) these rules are necessary is: Formerly the second sentence of WAC 275-55-110(1), that piece is moved to this location to become part of a logical grouping of sections related to patient rights. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, rule gives greater visibility and easier reference to issue of non-effect upon competency of admission for mental disorder.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Wording remains essentially unchanged. Specifies when patient must be advised.

Repeal WAC 275-55-230, Revocation of Conditional Release.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-191.

The reason(s) this rule change is necessary to facilitate logical grouping of sections related to involuntary patients, specifically types of release.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-191.

New WAC 275-55-231, Conversion to Voluntary Status by Involuntary Patient—Rights.

Purpose of the new rule is to group sections according to major subject area.

The reason(s) these rules are necessary is: Formerly WAC 275-55-210, that section is moved to this location to become part of a logical grouping of sections related to patient rights. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Specifies rights by referral to new section WAC 275-55-241(1), (2). Wording otherwise unchanged.

Repeal WAC 275-55-240, Release of Indigent Patients.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-201.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to involuntary patients, specifically type of release.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-201.

New WAC 275-55-241, Rights of Patient.

Purpose of the new rule is to group sections according to major subject area, specifically patient rights, and to further clarify certain rights.

The reason(s) these rules are necessary is: Formerly WAC 275-55-270, that section is moved to this location to become part of a logical grouping of sections related to patient rights. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Additionally, rule change necessary to further assure confidentiality of records and to define 72 hour period.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Substitutes agency for "institution, hospital, or sanitarium. . ." Specifies location for posting of rights for both inpatient and outpatient units. In subsection (1)(a), deletes "physician in charge of patient". In subsection (1)(d), deletes "...for canteen expenses and for small purchases". Adds subsection (1)(o), which specifies confidentiality of records. In subsection (3)(a), adds further definition of 72 hours. In subsection (3)(d), rewords right to be told how statements made by involuntary patient may be used. Wording in remainder of section 241 is unchanged.

Repeal WAC 275-55-250, Research.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-351.

The reason(s) this rule change is necessary is to facilitate logical grouping of other related sections.

Statutory authority: RCW 71.05.560.

Summary of the rule: See new WAC 275-55-351.

New WAC 275-55-251, Mental Health Professional, Psychologist, Social Worker, Psychiatric Nurse.

Purpose of the new rule is to group sections according to major subject area.

The reason(s) these rules are necessary is: Formerly WAC 275-55-100, that section is moved to this location to become part of a logical grouping of sections related to certification standards. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, adds necessary definitions to further specify qualifications for mental health professionals.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Expands definition in subsection (1), reduces years of experience from three to two in subsection (1)(b), requires a physician to be licensed in the state of Washington in subsection (1)(c), increases years of experience from two to three in subsection (1)(d)(ii). Replaces subsection (2) with definition for "Psychiatrist". Definitions for "Psychologist", "Social Worker", and "Psychiatric Nurse" moved to subsections (3), (4), and (5), respectively. Adds subsection (6), new definition for "Psychiatric Nurse Clinician".

Repeal WAC 275-55-260, Release of Information.

Purpose of the rule change is to delete reproduction of statute.

The reason(s) this rule change is necessary is that the rule duplicates RCW 71.05.390 and 71.05.400.

Statutory authority: RCW 71.05.560.

New WAC 275-55-261, Requirements for Certifying Evaluation and Treatment Components—County Responsibility—Role of Department.

Purpose of the new rule is to group sections according to major subject area, to separate and expand original section WAC 275-55-280 into this and other sections to more clearly specify standards and procedures for certification of evaluation and treatment components, and to establish the framework for the development of a unified evaluation and treatment program.

The reason(s) these rules are necessary is: Formerly WAC 275-55-280, parts of that section are moved to this location to become

part of a logical grouping of sections related to certification standards. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, these rules are necessary to: Assure the implementation of RCW 71.05.010(2), (4), (5), and (6), relating to legislative intent to provide prompt evaluation, short term treatment and continuity of care, as well as to encourage full use of resources and provision of services within the community; and to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule: This section is largely new and promulgates the rules for the establishment of an evaluation and treatment program, wherein county responsibility for operation of the program, designation of administrative authority for the program, and the requirement for binding contractual relationships between the county, administrative authority and operating components of the program are specifically delineated.

The development of such a unified operational and administrative approach is designed to ensure the coordination of services and continuity of care for the involuntary patient, a systematic approach that does not now exist in the state in any reasonably consistent fashion.

Subsection (1) provides specific definitions for County, County Designated Mental Health Professional, and Coordinator; subsections (2)(a), (2)(b) specify that the county is responsible for the operation of the evaluation and treatment program, and details the options that are available for designation of administrative authority by the county; subsection (3) requires that arrangements for an evaluation and treatment program be contractual, in compliance with new section WAC 275-55-321; subsection (4) details additional responsibilities for the administrator of the program; subsection (5) specifies that an agency desiring certification of a component must first apply to the county or designee; subsections (6) and (7) details department's responsibilities for certification, and for periodic inspections after certification; and subsection (8) expands former subsection WAC 275-55-280(2)(n) to specify additional information concerning certified components which must be included in the county's annual mental health plan.

New WAC 275-55-263, Certification Standards for Evaluation and Treatment Components.

Purpose of the new rule is to group sections according to major subject area, and to separate and expand original section WAC

275-55-280 into this and other sections to more clearly specify standards for certification of evaluation and treatment components.

The reason(s) these rules are necessary is: Formerly WAC 275-55-280, parts of that section are moved to this location to become part of a logical grouping of sections related to certification standards. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, these rules are necessary to: Assure the implementation of RCW 71.05.010(2), (4), (5), and (6), relating to legislative intent to provide prompt evaluation, short term treatment and continuity of care, as well as to encourage full use of resources and provision of services within the community; to further safeguard individual rights pursuant to RCW 71.05.010(3); to further assure the right to adequate treatment pursuant to RCW 71.05.360(2); and to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This section is substantially the same as former section WAC 275-55-280. Some subsections have been combined, some expanded, and others added as new.

Subsection (1) defines "transfer"; subsections (2)(a), (2)(b) combines former subsections 280(1), (2)(1), (3) and further specifies the requirements for contractual relationships; subsection (2)(c) is new, and requires that an agency be responsible for the compliance of its components; subsection (2)(d) essentially repeats former subsection 280(3)(d) and refers to new section WAC 275-55-331 for minors; subsections (2)(e), (2)(f)(i), (2)(f)(ii), (2)(f)(iii), (2)(f)(iv), (2)(f)(vi) essentially repeat former subsections 280(2)(m), (2)(f), elements of (2)(l), and (2)(h), respectively; subsection (2)(f)(v) is new, and assures immediate transfer of patient between outpatient and inpatient or emergency components when necessary; subsection (2)(g) is new, and specifies how an agency shall make application for certification; subsection (3) essentially consolidates former subsections 280(3)(a), (3)(b), (3)(c), and refers to new sections WAC 275-55-271, 281, and 291 for specific requirements for each of the service components; subsection (3)(a) is new and specifies that initially detained persons have first priority for admission, and shall not be denied admission. Five exceptions are listed; subsections (3)(b), (3)(c) essentially repeat former subsections 280(3)(b)(iv), (2)(b),

(2)(c), respectively; subsection (3)(d) incorporates the principal elements of former subsections 280(3)(b)(ii), (2)(e), (2)(i), respectively.

Subsection (3)(e) repeats former subsection 280(2)(p). Sequence of actions have been altered slightly. Terminology has been modified in keeping with current language usage (e.g. seclusion replaces "isolation"); subsection (3)(f) is new. Requires that each involuntary patient be evaluated for release from commitment at specified times during the commitment period; subsection (3)(g) is based on former subsection 280(2)(k). Requirements for training additionally include: Managing assaultive behavior; related services as specified; the provisions and requirements of chapter 275-55 WAC and chapter 71.05 RCW; and subsection (3)(h) is based, in part, on former subsections 280(2)(g), (2)(a), (2)(d), and adds as new the prominent posting of the facility's organizational structure, objectives, and philosophy, as well as procedures for managing assaultive patient behavior.

Repeal WAC 275-55-270, Patient's Rights. Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-241.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to patient rights.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-241.

New WAC 275-55-271, Outpatient Component.

Purpose of the new rule is to group sections according to major subject area, and to expand original section WAC 275-55-282 to more clearly specify standards for certification of evaluation and treatment components, thereby further assuring the right to adequate treatment pursuant to RCW 71.05.360(2).

The reason(s) these rules are necessary is: Formerly WAC 275-55-282, that section is moved to this location to become part of a logical grouping of sections related to certification standards, specifically type of component. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Although this section remains substantially the same as former section WAC 275-55-282, deletions

have been made in order to consolidate requirements applying to each type of evaluation and treatment component into one subsection. Changes have been made in the order in which subsections appeared in former section WAC 275-55-282.

Subsection (1) replaces "encourage growth" with facilitates recovery; subsection (2)(a) requires that outpatient services be available 8 hours per day, five days per week; subsection (2)(c) is transferred from former subsection 280(2)(j); deletes requirement for training package (transferred to new subsections 263(3)(g)(iv), (3)(g)(v)); amends subsections (2)(d) and (2)(f) to permit the mental health professional to modify review or consultation periods; and deletes requirement for availability of outpatient services for persons discharged from involuntary treatment (now covered by new subsection WAC 275-55-321(4)(d)(v)).

Repeal WAC 275-55-280, Standards for Certification of Evaluation and Treatment Facilities.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-263 and 275-55-261.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to certification standards.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-263 and 275-55-261.

New WAC 275-55-281, Emergency Component.

Purpose of the new rule is to group sections according to major subject area.

The reason(s) these rules are necessary is: Formerly WAC 275-55-284, that section is moved to this location to become part of a logical grouping of sections related to certification standards, specifically type of component. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Although this section remains substantially the same as former section WAC 275-55-284, deletions have been made in order to consolidate requirements applying to each type of evaluation and treatment component into one subsection. Other changes are minor.

Subsection (2)(a) adds or to arrange for such admission to an inpatient component; deletes "access to licensed physician" (former subsection WAC 275-55-284(1)(c)) and transfers to new subsection WAC 275-

55-263(3)(b); deletes "immediate availability of professional personnel" (former subsection WAC 275-55-284(1)(d) and transfers to new subsection WAC 275-55-263(3)(d); deletes "medical and psychosocial evaluation" (former subsection, WAC 275-55-284(1)(f) and transfers to new subsection, WAC 275-55-263(3)(b).

Repeal WAC 275-55-282, Outpatient Component.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-44-271.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to certification standards, specifically type of component.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-271.

Repeal WAC 275-55-284, Emergency Component.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-281.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to certification standards, specifically type of component.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-281.

Repeal WAC 275-55-286, Inpatient Component.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-291.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to certification standards, specifically type of component.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-291.

Repeal WAC 275-55-288, Standards for Evaluation and Treatment Facilities Serving Minors.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55 WAC, See new WAC 275-55-331.

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to certification standards.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-331.

Repeal WAC 275-55-290, Financial Assistance to Counties.

Purpose of the rule change is to transfer rule to a different location in chapter 275-55

WAC, See new WAC 275-55-361, 275-55-363, 275-55-365, 275-55-367 and 275-55-369.)

The reason(s) this rule change is necessary is to facilitate logical grouping of sections related to involuntary evaluation and treatment costs.

Statutory authority: RCW 71.05.560.

Summary of the rule change: See new WAC 275-55-361, 275-55-363, 275-55-365, 275-55-367 and 275-55-369.

New WAC 275-55-291, Short-Term Inpatient Component.

Purpose of the new rule is to group sections according to major subject area.

The reason(s) these rules are necessary is: Formerly WAC 275-55-286, that section is moved to this location to become part of a logical grouping of sections related to certification standards, specifically type of component. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Although this section remains substantially the same as former section WAC 275-55-286, deletions have been made in order to consolidate requirements applying to each type of evaluation and treatment component into one subsection. Additions are as noted. Some changes in order in which subsections appeared in former section WAC 275-55-286. Subsection (2) adds definition for "short-term inpatient" (based on JCAH Standard 125.5.1.2 - Principles for Accreditation of Community Mental Health Service Programs); subsection (3)(a) deletes "surgical" and "skilled nursing facility"; deletes "access to licensed physician" (former subsection WAC 275-55-286(1)(c) and transfers to new subsection WAC 275-55-263(3)(b); deletes "medical and psychosocial evaluation" (former subsection WAC 275-55-286(1)(f) and transfers to new subsection WAC 275-55-263(3)(b); and adds subsection (3)(h), requiring periodic evaluation of each involuntary patient for conditional release.

New WAC 275-55-293, Certification Procedure—Waivers—Provisional Certification—Renewal of Certification.

Purpose of the new rule is to provide rules, not previously specified, to remove ambiguities and inconsistent practices from the certification procedure.

The reason(s) these rules are necessary is to assure a uniform approach to the certification of evaluation and treatment components, and to permit reasonable flexibility in response to unpredictable situations.

Statutory authority: RCW 71.05.560.

Summary of the rule: Certification of a component by the department requires a formal request from the county, to be followed by a department site visit to the component. Based on its inspection of the component, the department may issue: Full certification, if the component is in full compliance with the applicable rules; provisional certification in accordance with division guidelines, if the component is in substantial compliance; or a variance from full compliance, pursuant to new section WAC 275-55-371. Certification renewal is required annually, and requires a new, complete site visit before such recertification can be granted.

New WAC 275-55-295, Decertification.

Purpose of the new rule is to give greater visibility to the department's responsibility to monitor compliance with standards.

The reason(s) these rules are necessary is to assure the implementation of RCW 71.05.010(2), (4), (5) and (6), relating to legislative intent to provide prompt evaluation, short term treatment and continuity of care, as well as to encourage full use of resources and provision of services within the community, and to further safeguard individual rights and assure the right to adequate treatment.

Statutory authority: RCW 71.05.560.

Summary of the rule change: The department may decertify any component in accordance with statutory provisions, and guidelines and procedures set forth by the division.

New WAC 275-55-297, Appeal Procedure.

Purpose of the new rule is to provide rules, not previously promulgated, permitting an agency recourse in the event of denial of certification or decertification.

The reason(s) these rules are necessary is to safeguard agency rights.

Statutory authority: RCW 71.05.560.

Summary of the rule: Any agency whose component(s) has been denied certification or has been decertified, may appeal to the Secretary in accordance with a specified format. An administrative review and redetermination must be conducted by the department within 30 days of the appeal, and the written findings forwarded to the affected agency.

New WAC 275-55-301, Alternatives to Inpatient Treatment.

Purpose of the new rule is to assure prompt, appropriate treatment.

The reason(s) these rules are necessary is: Formerly WAC 275-55-080, that section is moved to this location to give greater visibility to the issue of exporting less restrictive alternatives to inpatient treatment.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This section remains substantially the same as former section WAC 275-55-080. Adds preferably within the patient's home community.

New WAC 275-55-321, Contractual Arrangements for Evaluation and Treatment Services, and Evaluation and Treatment Programs.

Purpose of the new rule is to require the development and maintenance of a unified evaluation and treatment program, and to assure the coordination of services therein.

The reason(s) these rules are necessary is to assure the implementation of RCW 71.05.010(2), (4), (5) and (6), relating to legislative intent to provide prompt evaluation, short term treatment and continuity of care, as well as to encourage full use of resources and provision of services within the community; to further safeguard individual rights pursuant to RCW 71.05.010(3); and to further assure the right to adequate treatment pursuant to RCW 71.05.360(2).

Statutory authority: RCW 71.05.560.

Summary of the rule: Requires a binding contractual relationship between the county and its designee, or between the county and its affiliates for the purpose of operating an evaluation and treatment program, and between any designee or agency and their affiliates for the purpose of providing evaluation and treatment services. Details specific provisions that must be included within the contract.

New WAC 275-55-331, Requirements for Evaluation and Treatment Facilities Serving Minors.

Purpose of the new rule is to group sections according to major subject area, and to further assure adequate treatment for and protection of the rights of minors.

The reason(s) these rules are necessary is: Formerly WAC 275-55-288, that section is moved to this location to become part of a logical grouping of sections related to certification standards. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required. Further, these rules are necessary to clarify joint use of services by adults and minors, and to coordinate language and intent with changes in Definitions section and other related rules.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This section remains substantially the same as former section WAC 275-55-288. From former subsection WAC 388-55-288(1)(a)[275-55-288(1)(a)], deletes "These evaluations must be used to determine the nature of the disorder and the treatment(s) required." Adds, as new, subsection (3) prohibiting placement of a minor on an adult inpatient unit except where no other alternative or an emergency exists. Expands former subsection WAC 275-55-288(1)(d) to better specify type of professionals permitted to evaluate and treat minors.

New WAC 275-55-341, Use of Restraints and Seclusion by Agency not Certified as an Evaluation and Treatment Facility.

Purpose of the new rule is to further safeguard patient rights.

The reason(s) these rules are necessary is to cover usage of restraints and seclusion by uncertified facilities.

Statutory authority: RCW 71.05.560.

Summary of the rule: States that an uncertified facility may use restraints and seclusion only in compliance with new subsection WAC 275-55-263(3)(e).

New WAC 275-55-352, Research.

Purpose of the new rule is to facilitate grouping of unrelated sections.

The reason(s) these rules are necessary is: Formerly WAC 275-55-250, that section is moved to this location to be generally positioned with those sections not specifically related to major subject areas.

Statutory authority: RCW 71.05.560.

Summary of the rule change: Unchanged, except for location in chapter.

New WAC 275-55-361, Involuntarily Evaluation and Treatment Costs—Responsibility of Involuntary Patient.

Purpose of the new rule is to separate and expand original section WAC 275-55-290 into this and four other directly related sections in order to clearly delineate levels of responsibility for collection and payment of involuntary evaluation and treatment costs.

The reason(s) these rules are necessary is: Formerly WAC 275-55-290, that section has been separated into new sections WAC 275-55-361, 275-55-363, 275-55-365, 275-55-367 and 275-55-369, and moved to this location to become a logical grouping of sections related to involuntary evaluation and treatment costs. Such grouping facilitates reading and understanding the rules, and the sequential actions that may be required.

Primarily, these rules are necessary to: Remove, or otherwise reduce, ambiguities and inconsistent practices in the identification, assessment, and collection of costs; stipulate

what costs are properly reimbursable by the department; stipulate levels of accountability for audit and other fiscal control purposes; clearly establish that payment of state funds shall be for evaluation and treatment services, only if such services are certified; stipulate "maintenance of effort" level for reimbursement of administrative expenses; and clearly establish that reimbursement by the department is subject to the availability of state and federal funds.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This rule is original subsection WAC 275-55-290(6) rewritten and expanded. Clearly specifies: Involuntary patient is responsible for costs of evaluation and treatment; to which service entity payment is to be made by patient, and which service entity has responsibility for billing and collecting such payment; and in the event inability to pay is determined, the county is responsible for bearing any unpaid costs pursuant to stated limits.

New WAC 275-55-363, Involuntary Evaluation and Treatment Costs—Collection by Agency.

Purpose of the new rule: See statement for "Purpose" under WAC 275-55-361(67)b. of this document.

The reason(s) these rules are necessary: See statement for "Reasons" under WAC 275-55-361(67)c. of this document.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This rule is derived, in part, from original subsections WAC 275-55-290(6)(a), (6)(b), (6)(c) and (6)(d). The main text is substantially new. This rule specifies: Full collection of costs for involuntary evaluation and treatment is the responsibility of the non-department agency; such agency must make every reasonable effort to collect from the patient, and may refer apparently eligible patients to a local Community Services Office for determination of Title XIX or "inability to pay" eligibility; such agency may bill the county for the balance of costs not collectable by any actions specified in the section, and such billing must be pursuant to stated requirements; if a patient is determined able to pay, and refuses to do so, the non-department agency is responsible for collecting and cannot bill the county; and such agency is required to maintain appropriate records of billings and collections, and must permit authorized reviews of these records.

New WAC 275-55-365, Involuntary Evaluation and Treatment Costs—Responsibility of County.

Purpose of the new rule: See statement for "Purpose" under WAC 275-55-361(67)b. of this document.

The reason(s) these rules are necessary: See statement for "Reasons" under WAC 275-55-361(67)c. of this document.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This rule is derived, in part, from original subsection WAC 275-55-290(6). The main text is substantially new. This rule specifies that the county is responsible for paying any uncollected balance of involuntary evaluation and treatment costs, and may subsequently seek reimbursement from the department for such payment pursuant to stated requirements. These requirements include appropriate cross-references to applicable chapter sections.

New WAC 275-55-367, Involuntary Evaluation and Treatment Costs—Responsibility of Department.

Purpose of the new rule: See statement for "Purpose" under WAC 275-55-361(67)b. of this document.

The reason(s) these rules are necessary: See statement for "Reasons" under WAC 275-55-361(67)c. of this document.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This rule is original subsections WAC 275-55-290(1), (2), (3), (4) and (5) rewritten and, in places, expanded.

The requirements, as transferred from the original subsections, remain substantially the same. Added as new are:

Subsection (1), Definitions. Specifies meanings for involuntary patient, (qualifying) agency, Title XIX rate, initial 17-day period, and 1973 Amendatory Act; reimbursements made by the department to the counties are subject to the availability of state and federal funds, subsection (2); basic level of department funding for county's increased administrative costs is specified (also called "maintenance of effort"), subsection (3), (3)(b); and the department will reimburse the counties for uncollected costs of involuntary evaluation and treatment provided by qualifying agencies, subsection (4).

New WAC 275-55-369, Involuntary Evaluation and Treatment Costs—Reimbursement Procedure—Department.

Purpose of the new rule: See statement for "Purpose" under WAC 275-55-361(67)b. of this document.

The reason(s) these rules are necessary: See statement for for "Reasons" under WAC 275-55-361(67)c. of this document.

Statutory authority: RCW 71.05.560.

Summary of the rule change: This rule is derived, in part, from original section WAC 275-55-290 and its subsections (1) through (6). The main text is substantially new. This rule specifies, as new:

The county will certify that the person being billed for was in fact an involuntary patient for the period specified, subsection (2)(b)(i); the department will reimburse the county directly for evaluation and treatment costs other than Title XIX payments. However, the county may elect to have such reimbursement made directly to a qualifying designee, subsection (3); payment to the county or its designee for billings from non-qualifying agencies will not be approved, subsection (4); the county is required to maintain appropriate records of billings, collections, and reimbursements, and must permit authorized reviews of these records, subsection (5); and the secretary may withhold department reimbursements for non-compliance as specified, subsection (6).

New WAC 275-55-371, Exception to rules—Waivers.

Purpose of the new rule is to facilitate adequate development of evaluation and treatment potential, in order to better implement legislative intent as detailed in RCW 71.05.010.

The reason(s) these rules are necessary is to permit reasonable flexibility in responding to unpredictable situations, unusual conditions, and marked differences in utilization of available resources.

Statutory authority: RCW 71.05.560.

Summary of the rule: States that any person or agency subject to the provisions of this chapter may seek a waiver of any requirement therein. This rule stipulates: What must be contained within an application for a waiver; how the division director must appoint a review board to consider the application, and the constituency of that board; what the review board must take into account in their deliberations, and what must be included in a majority recommendation filed with the director; the procedure for the director to follow in granting or denying the waiver; to whom an appeal may be made; and what requirements are not subject to waiver.

Person or persons responsible for the drafting, implementation and enforcement of the rule(s): Lyle Quasim, Assistant Director, Institutions, Mental Health Division, Phone: 234-5414, Mailstop: OB-42F.

The person or organization (if other than DSHS) who proposed these rules is: None.

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 900, filed 1/25/74)

WAC 275-55-010 PURPOSE. These regulations are adopted pursuant to and in accordance with chapter ((142, Laws of 1973, 1st

ex. sess)) 71.05 and 72.23 RCW. They are adopted to provide operational procedures for the voluntary ((admission)) treatment, involuntary commitment, evaluation and/or treatment((and/or evaluation)) of mentally ill persons; to provide standards for certification of evaluation and treatment facilities; and to provide procedures for financial assistance to counties.

AMENDATORY SECTION (Amending Order 1122, filed 6/2/76)

WAC 275-55-020 DEFINITIONS. (1) "Department" means the department of social and health services of the state of Washington.

(2) "Secretary" means the secretary of the department of social and health services or his designee.

(3) "Director" means the director of the ((bureau)) division of mental health of the department of social and health services or his designee.

(4) (("Facility" means an evaluation and/or treatment facility certified as such by the department)) "Superintendent" means the superintendent of a state hospital or his designee.

(5) (("Chapter" means chapter 142, Laws of 1973 1st ex. sess., or as thereafter amended)) "Mental health professional" means a person who meets the educational and/or experience requirements as specified in WAC 275-55-251.

(6) (("Rule" means a rule within these rules and regulations)) "County designated mental health professional" means a person who has been appointed by the county to perform the duties specified in chapter 71.05 RCW, and

(a) Who meets the educational and/or experience requirements as specified in WAC 275-55-251(1)(a), (b), (c), or

(b) Where exception has been granted by the director pursuant to WAC 275-55-251(1) (d).

(7) (("Section" means a section of chapter 142, Laws of 1973 1st ex. sess., or as thereafter amended)) "Professional person in charge" as used in chapter 71.05 RCW and these rules, unless otherwise defined, means the mental health professional having chief clinical responsibility for the mental health evaluation and treatment unit within the agency, or his designee who must also be a mental health professional.

(8) (("Seventy-two hour period" shall be computed by including Saturdays, but excluding Sundays and holidays as specified in RCW 1-16-050)) "Available physician or other professional person" as used in RCW 71.05.090 means either any mental health professional on staff of the facility or one who can meet the requirements of the facility for providing services in that facility.

(9) (("Designated mental health professional" means a person who has been appointed by the county commissioners to perform the duties specified in the act, and)) "Agency" means a public or private agency as specified in RCW 71.05.020(6), and (7), respectively.

(((a) Who meets the educational and/or experience requirements as specified in WAC 275-55-100(1)(a)(b)(c) of these rules and regulations, or

(b) Where exception has been granted by the director of the bureau of mental health pursuant to WAC 275-55-100(1)(d):)

(10) (("Mental health professional" means a person who meets the educational and/or experience requirements as specified in WAC 275-55-100 of these rules and regulations and who is primarily involved in evaluation and treatment. The duties and responsibilities of "mental health professionals" and "designated mental health professionals" shall be as defined in chapter 71.05 RCW)) "Person" as used in RCW 71.05.020(7) means psychiatrist or other mental health professional.

(11) (("Professional person in charge" as used in the chapter and these rules, unless otherwise defined, shall mean the professional person having chief clinical responsibilities for mental health evaluation and treatment within the institution, hospital, sanitarium or facility involved, or his designee)) "Facility" means an evaluation and treatment facility.

(12) "Component" means any one of the three evaluation and treatment services required to be provided within an evaluation and treatment program as specified by WAC 275-55-020(14)(a), (b), and required to be certified as specified by WAC 275-55-020(13)(b).

(13) "Evaluation and treatment facility" means an agency which provides directly and/or by contract one or more components in compliance with the following:

(a) The agency itself shall be under contract to an evaluation and treatment program pursuant to WAC 275-55-261 and 275-55-321. Exceptions to this rule are as specified in WAC 275-55-020(13)(c).

(b) Each component of the agency shall be certified by the department pursuant to WAC 275-55-261(5), and (6), and 275-55-263. Exceptions to this rule are as specified in WAC 275-55-020(13)(c).

Certification is required for any component serving involuntary patients. Certification of a component shall not preclude such component from serving voluntary patients also. A certified component shall comply with all rules and regulations of this chapter and with chapter 71.05 RCW as they apply to both involuntary and voluntary patients.

(c) Exceptions:

(i) Any agency operating a component serving voluntary patients exclusively will not require certification of such component nor require being under contract to an evaluation and treatment program.

(ii) A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility.

(iii) A facility which is part of, or operated by, the department or any federal agency will not require certification of their component or components nor require being under contract to an evaluation and treatment program.

(14) "Evaluation and treatment program" means a coordinated system of evaluation and treatment services that is administered by an agency or a county pursuant to WAC 275-55-321, and is provided to involuntary patients and to persons who voluntarily seek treatment for a mental disorder.

(a) Such evaluation and treatment services shall include at least all three of, but are not limited to, the following components:

(i) Outpatient.

(ii) Emergency.

(iii) Short-term inpatient.

(b) Such evaluation and treatment services shall be provided by an evaluation and treatment facility or facilities.

(15) "Medical evaluation" means an evaluation performed by a licensed physician which includes both a mental status and physical examination.

(16) "Patient" means a person admitted to an agency, facility or component, voluntarily or involuntarily, for observation, evaluation, care and/or treatment for a mental disorder.

(17) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on an individual's cognitive or volitional functions.

(18) "Involuntary patient" means a person who, as a result of a mental disorder, presents a likelihood of serious harm (RCW 71.05.020(3)) or is gravely disabled (RCW 71.05.020(1)), and is initially detained and/or court-committed for evaluation and treatment.

(19) "Detention" means a person being held in a facility involuntarily pursuant to applicable sections of chapter 71.05 RCW, and the person not being permitted willful physical movement beyond that facility without express prior permission.

(20) "Initial detention" means the first seventy-two hour period, or part thereof, or involuntary evaluation and treatment required by a petition for initial detention, emergency detention, or supplementary petition for initial detention.

(21) "Seventy-two hour period" shall be computed to:

(a) Start on the time and date the facility provisionally accepts the person to be detained as specified in RCW 71.05.170, and

(b) Exclude Saturdays, Sundays and holidays.

(22) "Provisional acceptance" means the facility shall immediately accept the person under initial detention brought to the facility by a peace officer or a county designated mental health professional, and shall detain such person until determination is made as to whether the person meets the criteria for admission. For hospitals not admitting directly to their inpatient unit, provisional acceptance and admission to the emergency room are one and the same.

(23) "Admission" means acceptance of a person as a patient by the facility at the first point of entry. Admission to a component of a facility is an admission to that facility.

(24) "Discharge" means release of a patient from a component or from a facility.

(25) "Transfer," unless otherwise defined, means a move of the patient by a facility between treatment services or components of the facility, or between facilities, and may or may not include a discharge from the transferring service, component or facility.

(26) "Release from commitment" means legal termination of the order of commitment.

(27) "Early release" means release of the involuntary patient from the order of commitment prior to the original expiration date of that commitment order.

(28) "Conditional release" means a transfer of the involuntary patient from inpatient to outpatient treatment pursuant to conditions specified for the patient by the transferring facility or component. The involuntary patient remains under order of commitment.

(29) "Outpatient treatment" means those services provided pursuant to WAC 275-55-271 and may include, in addition to the modalities cited in WAC 275-55-271(2)(b), such services as day treatment or those services that may be provided directly by a psychiatrist or other mental health professional in private practice who is certified as component of a facility.

(30) "Shock treatment" means electroconvulsive therapy.

(31) "Chapter" means chapter 275-55 WAC.

(32) "Rule" means a rule within these rules and regulations.

(33) Whenever used in this chapter, the masculine shall include the feminine and the singular shall include the plural.

NEW SECTION

WAC 275-55-021 APPLICATION OF RULES TO MINORS. Where no reference is made to a minor in a particular rule and no specific rule for minors found elsewhere in this chapter, or in chapter 71.05 RCW, or in RCW 72.23.070 applies, then the particular rule in question shall apply to the minor as well as to the adult.

AMENDATORY SECTION (Amending Order 900, filed 1/25/74)

WAC 275-55-030 PRIVATE ((INSTITUTIONS)) AGENCIES WHICH MAY ADMIT VOLUNTARY PATIENTS. Any private ((institution, hospital, or sanitarium which includes a department or ward conducted for the care and treatment of persons who are mentally ill or deranged)) agency, as defined in RCW 71.05.020(7), may receive ((therein)) as a voluntary patient any person suffering from a mental ((illness or derangement for the treatment for said illness)) disorder.

((+)) "Mental illness or derangement" as here used shall mean mental disorder which presents likelihood of serious harm to others or self or which causes a person to be gravely disabled.

(2) "Department or ward" as here used shall mean facilities programmed and staffed appropriately to provide adequate care to the mentally ill or deranged:))

AMENDATORY SECTION (Amending Order 955, filed 7/26/74)

WAC 275-55-040 VOLUNTARY ADMISSION TO PUBLIC OR PRIVATE ((INSTITUTION)) AGENCY—VOLUNTARY ADULT ((PATIENT—NO CONSERVATOR OR GUARDIAN)). Any ((institution, hospital, or sanitarium)) private agency receiving a voluntary patient 18 years of age or older pursuant to WAC 275-55-030 ((above)) and any public ((institution, hospital, or sanitarium)) agency as defined in RCW 71.05.020(6) receiving such patient, shall require written application signed by the voluntary patient stating that such application is a voluntary action by the patient, ((the application form to state rights retained by such voluntary patient under WAC 275-55-270(+)) and (2), with a copy to be retained by the patient personally)) and shall advise such patient of his rights pursuant to WAC 275-55-211(1).

AMENDATORY SECTION (Amending Order 1122, filed 6/2/76)

WAC 275-55-050 ((VOLUNTARY)) APPLICATION FOR ADMISSION—VOLUNTARY MINOR. A person ((under 18)) seventeen years of age or under, or others on his behalf, may make application for and authorize treatment pursuant to the following:

(1) All voluntary applications for admissions of persons ((under the age of 13)) thirteen years of age or under shall be made by the parent(s), conservator, guardian, or other person entitled to custody.

(2) All applications on behalf of minors ((more than 13)) fourteen years of age or over shall be accompanied by a written consent of the minor.

(3) ((A)) Any person ((under the)) age ((of 18 but over the age of 13)) fourteen through and including age seventeen may make application for and receive mental health care upon his own application without consent of his parent, parents, guardian, conservator, or other person entitled to custody, unless such treatment involves inpatient care and/or prescription of psychotropic medication.

(a) Applications for voluntary inpatient care made by persons in such age range shall be accompanied by a written consent of the parent(s), conservator, guardian, or other person entitled to custody.

(b) Prescription of psychotropic medications shall be made only with prior written consent of the parent(s), conservator, guardian, or other person entitled to custody.

(4) Every person seventeen years of age or under shall have all the rights provided for persons eighteen years of age or over as set forth in

this chapter, in chapter 71.05 and 72.23 RCW, except those rights specifically modified by RCW 72.23.070. Further, a copy of all such rights shall be provided to the minor upon admission.

AMENDATORY SECTION (Amending Order 1122, filed 6/2/76)

WAC 275-55-060 ((VOLUNTARY)) ADMISSION TO PUBLIC ((INSTITUTIONS, HOSPITALS, SANITARIUMS OR FACILITIES)) AGENCY—VOLUNTARY MINOR. (1) Upon receipt of any application for admission of a minor to an inpatient unit of a public agency as defined in RCW 71.05.020(6), such agency shall notify the designated county mental health professional of the county of the patient's residence, who shall submit a written report and evaluation with recommendations to the superintendent or the professional person in charge of such agency as to whether treatment is necessary and proper on a voluntary basis, and stating reasons for such voluntary ((commitment)) treatment.

(2) After receipt of such recommendations, the professional person in charge ((or his designee)) shall make final determination as to the admission of the minor.

(3) Before receipt of such recommendations, a patient may be temporarily admitted if the professional person ((or his designee)) in charge determines temporary admission to be in the best interest of that patient.

NEW SECTION

WAC 275-55-071 DISCHARGE—VOLUNTARY MINOR. (1) A voluntarily admitted minor fourteen years of age or over shall have the right to release on the next judicial day from the date of his request, unless a petition is filed in juvenile court setting forth grounds for involuntary commitment of the minor.

(2) When the minor fourteen years of age or over and his parent(s), conservator, guardian, or other person entitled to custody both request his discharge, the facility or agency shall immediately release such minor patient, unless the professional person in charge objects immediately in writing to the juvenile court specifying grounds sufficient to allow involuntary detention.

(3) Minors thirteen years of age or under shall not be released at the request of the minor but shall be released immediately upon the request of such minor's parent(s), conservator, guardian, or other person entitled to custody, unless the professional person in charge objects immediately in writing to the juvenile court specifying grounds sufficient for involuntary detention of the minor.

(4) When the facility objects immediately in writing to the juvenile court specifying grounds sufficient to allow involuntary detention, and serves a copy of such objection to the parent(s), conservator, guardian or other person entitled to custody, the facility may detain the minor patient until the next judicial day at which time a petition for involuntary treatment must be filed. When the petition is filed, the minor may be held for a further reasonable time, not to exceed five judicial days, in order for the juvenile court to hear such petition.

(5) The immediate objection in writing to the juvenile court as required by this rule shall be the same as a petition for initial detention of the minor, and shall be filed with the juvenile court on the next judicial day.

NEW SECTION

WAC 275-55-081 PERIODIC REVIEW—VOLUNTARY INPATIENT. The condition and status of a voluntary patient shall be reviewed at least each one hundred eighty days. At the time of such review, the patient shall again be advised orally of his right to release and in writing of his rights as set forth under WAC 275-55-241(1) and (2). The patient's review shall include but not be limited to an evaluation of the patient's individual treatment program and progress, recommendations for future treatment, and consideration of possibly less restrictive treatment. Such review shall be undertaken under the supervision and direction of the professional person in charge. Written documentation of such review shall be maintained in the patient's clinical record.

AMENDATORY SECTION (Amending Order 900, filed 1/25/74)

WAC 275-55-090 ((VOLUNTARY PATIENTS)) LIMITATION ON LENGTH OF STAY—READMISSION VOLUNTARY PATIENTS. No person shall be carried continuously as a voluntary

patient for a period of more than one year. A patient may be readmitted pursuant to admission procedures at the end of any one-year period.

AMENDATORY SECTION (Amending Order 1122, filed 6/2/76)

WAC 275-55-110 ((RELEASE)) DISCHARGE OF VOLUNTARY ((AND INVOLUNTARY)) PATIENT—RELEASE OF CLINICAL SUMMARY. (1) For the purposes of this section, "hospital" includes state and federal hospitals for the mentally ill.

~~((+)) (2) Nothing in these rules and regulations shall be construed so as to prohibit the superintendent or professional person in charge ((of a facility in which a person is being treated)) from ((releasing that person)) discharging a patient at any time when, in the opinion of ((said)) the superintendent or professional person in charge, ((further commitment would no longer be in the best interests of the patient: Upon release, every patient voluntarily or involuntarily admitted or committed pursuant to this chapter shall be advised both orally and in writing of the following: No person is presumed incompetent nor does any person lose any civil rights as a consequence of receiving evaluation and/or treatment for mental disorder, whether voluntary or involuntary, pursuant to Washington law dealing with mental illness)) the patient's condition is no longer appropriate for treatment at that hospital or facility.~~

~~((2) Any public or private institution, hospital, sanitarium or facility which receives a voluntary patient pursuant to this chapter shall forward notice of release of such patient to the director within 72 hours of such release if such patient has been receiving inpatient treatment on a continuous basis for over six months:))~~

~~(3) Upon ((release, the public or private institution, hospital, sanitarium or evaluation and treatment)) discharge of the voluntary patient the hospital or facility shall:~~

~~(a) Seek the patient's permission for release of a clinical summary concerning the patient's condition to the physician, psychiatrist or therapist of his choice, or to the local treatment facility or community mental health ((treatment)) program. ((The patient refusing such release shall be notified that a clinical summary concerning his condition and the fact of his release will be forwarded to the designated county mental health treatment agency or professional of the county of the patient's residence and shall remain confidential. All records will be available for use of the person to whom such summary is sent, and he will be so advised:))~~

~~(b) Advise the patient of his competency pursuant to WAC 275-55-221.~~

~~((4) Whenever any person involuntarily committed or detained pursuant to this chapter is released prior to expiration of court-ordered commitment, the court ordering such commitment shall be notified either orally or in writing prior to such release of the date of release and release plans through the office of the court clerk. If the court was notified orally and not in writing prior to release, then the facility shall send written confirmation of release by letter addressed to the clerk of court within 24 hours after such release. The county designated mental health professional shall be sent a copy of any written court notification:~~

~~(5) If the person is not approved for admission by a facility providing 72-hour evaluation and treatment and the person has not been arrested, the facility shall furnish transportation for the person to his place of residence or other appropriate place. If the person to be released has been arrested, he will be placed in the custody of the arresting agency:))~~

NEW SECTION

WAC 275-55-121 INVOLUNTARY DETENTION AND COMMITMENT—MINOR. No minor shall be involuntarily committed for treatment of a mental disorder or involuntarily detained for evaluation as to the existence of a mental disorder except according to the following requirements:

(1) The facility accepting the involuntary minor patient must;

(a) Be certified pursuant to WAC 275-55-331; or

(b) Be part of or operated by the department or any federal agency and be designated to provide services to minors by the department.

(2) The involuntary commitment is pursuant to a juvenile court order: PROVIDED HOWEVER, That a designated county mental health professional may detain a minor for a seventy-two hour period or part thereof, in a certified facility, pending petition to the juvenile court for further commitment if it is the opinion of the designated

county mental health professional that the minor presents an imminent likelihood of serious harm to himself or others.

NEW SECTION

WAC 275-55-131 NONADMISSION OF INVOLUNTARILY DETAINED PERSON—TRANSPORTATION. (1) Persons under initial detention shall have first priority for admission to a facility. Admission shall not be denied except pursuant to the circumstances specified in WAC 275-55-263(3)(a).

(2) If the person is not admitted by a facility and the person has not been arrested, the facility shall furnish transportation for the person in those instances where other transportation arrangements cannot be made to his place of residence or other appropriate place.

(3) If the person not admitted has been arrested, he shall be detained by the facility at the request of the peace officer for not more than eight hours, to enable the arresting agency to take the person back into custody.

NEW SECTION

WAC 275-55-141 PROTECTION OF PATIENT'S PROPERTY—INVOLUNTARY PATIENT. (1) Articles brought to the facility shall be inventoried and those not kept by the patient shall be housed by the facility giving due regard to reasonable precautions necessary to safeguard such property.

(2) The officer or mental health professional escorting the patient to the facility shall take reasonable precautions to safeguard the property of the patient which is in the immediate vicinity of the point of apprehension.

(3) Reasonable precautions shall be taken to safeguard belongings not in the immediate vicinity of the patient by the escorting officer or mental health professional, and/or facility when notice of possible danger thereto is received. Further, reasonable precautions shall be taken to lock and otherwise secure the domicile of the patient as soon as possible after the patient's initial detention.

NEW SECTION

WAC 275-55-151 EVALUATION AND EXAMINATION—INVOLUNTARY PATIENT. Persons doing the twenty-four hour evaluation and treatment pursuant to RCW 71.05.210 shall not include the county designated mental health professional responsible for the detention.

NEW SECTION

WAC 275-55-161 TREATMENT PRIOR TO HEARINGS—INVOLUNTARY PATIENT. Any involuntary patient may refuse all but emergency lifesaving treatment beginning twenty-four hours prior to any hearing. On admission to the facility such patient shall be informed of his right to refuse all treatment except lifesaving treatment during such twenty-four hour period and shall again be so informed within one hour prior to the twenty-four hour period before court hearing. The patient shall be asked if he wishes to decline treatment during such twenty-four hour period, and the answer shall be by signed writing where possible. Compliance with this procedure shall be documented in the patient's clinical record. This section does not preclude use of physical restraints and/or seclusion to protect against injury to the patient or others.

NEW SECTION

WAC 275-55-171 EARLY RELEASE/DISCHARGE OF INVOLUNTARY PATIENT—RELEASE OF CLINICAL SUMMARY—NOTIFICATION OF COURT. (1) For the purposes of this section, "hospital" includes state and federal hospitals for the mentally ill.

(2) Nothing in these rules and regulations shall be construed so as to prohibit the superintendent or professional person in charge from granting an early release to and/or discharging an involuntary patient at any time when, in the opinion of the superintendent or professional person in charge, the involuntary patient:

(a) May be granted an early release on the grounds that such patient:

(i) No longer presents a likelihood of serious harm;

(ii) No longer is gravely disabled;

(iii) Is an appropriate candidate for and will accept voluntary treatment elsewhere upon referral; or

(iv) Is an appropriate candidate for and will accept voluntary treatment at the hospital or facility in which the person is currently a patient.

(b) May be concurrently discharged, if granted an early release, on the grounds that his condition is no longer appropriate for treatment at that hospital or facility.

(c) May not qualify for early release, but on the grounds that his condition is no longer appropriate for treatment at that hospital or facility may be transferred/discharged under the provisions for conditional release as specified in WAC 275-55-181.

(3) Upon transfer/discharge of the involuntary patient not granted an early release, the hospital or facility shall notify the patient that a clinical summary will be forwarded without his consent to the receiving facility or component for the purposes of effecting a conditional release, and that such disclosure shall remain confidential.

(4) Upon early release, discharge or transfer, the patient shall be advised of his competency pursuant to WAC 275-55-221.

(5) Whenever an involuntary patient is granted an early release, the court ordering the original commitment shall be notified either orally or in writing prior to such release of the date of release and release plans. If the court was notified orally prior to release, then the hospital or facility shall send written confirmation to the court of such release at the time the person is released. The county designated mental health professional shall be sent a copy of any written court notification.

NEW SECTION

WAC 275-55-181 **CONDITIONAL RELEASE—INVOLUNTARY PATIENT.** (1) At any time during the period of commitment, the superintendent or professional person in charge may determine that the involuntary patient receiving inpatient services can be more appropriately served by outpatient treatment. Outpatient treatment shall be as defined by WAC 275-55-020(29).

(2) Upon such determination, the patient shall be conditionally released from inpatient status to a facility or component providing outpatient treatment, preferably in the patient's home community.

(3) Determination for conditional release shall be based on periodic evaluations, and such evaluations will be documented in the patient's clinical record. Such evaluations shall occur at the following intervals during the period of commitment:

(a) Fourteen day period - At least once weekly.

(b) Ninety day period - At least once every two weeks.

(c) One hundred eighty day period - At least once each month.

(4) If the facility or component designated to provide outpatient treatment is other than the facility providing inpatient treatment, the outpatient facility or component so designated must agree in writing to assume responsibility for provision of such treatment in compliance with the applicable sections of chapter 71.05 RCW and this chapter, and in specific compliance with WAC 275-55-263 and 275-55-271.

(5) The receiving facility or component may subsequently modify the terms of conditional release pursuant to RCW 71.05.340(3), and/or may effect the early release of the involuntary patient from the order of commitment pursuant to WAC 275-55-171(2)(a), (b) and (4).

(6) Any patient conditionally released pursuant to RCW 71.05.340 and this section shall be notified orally and in writing of the terms and conditions of the release and shall be notified in writing of any subsequent modifications of such terms and conditions. Other notifications shall be as set forth in RCW 71.05.340. All conditions and modifications thereof shall be made a part of the patient's clinical record. Written acknowledgement from the patient shall:

(a) Be obtained for receipt of the terms and conditions of release by the superintendent or the professional person in charge of the releasing facility or component.

(b) Be obtained for any subsequent modification of the terms of conditional release by the professional person in charge of the receiving facility or component.

NEW SECTION

WAC 275-55-191 **REVOCATION OF CONDITIONAL RELEASE—SECRETARY'S DESIGNEE—INVOLUNTARY PATIENT.** (1) The secretary's designee for purposes of revocation of conditional release under RCW 71.05.340 shall be:

(a) The superintendent of the state hospital or his specified designee from which the patient was conditionally released, or

(b) The director of the division of mental health or his specified designee.

(2) Revocation procedures will be as otherwise specified in RCW 71.05.340.

NEW SECTION

WAC 275-55-201 **DISCHARGE OF INDIGENT PATIENT—INVOLUNTARY PATIENT.** (1) No indigent patient who is an inpatient in any evaluation and treatment facility shall be discharged or conditionally released during or at the expiration of any involuntary confinement period without suitable clothing and funds of at least the minimum specified under RCW 72.02.100. If such patient has funds of less than such minimum amount, the patient shall be paid an amount necessary to reach such minimum. If the indigent patient has no funds, the total minimal amount shall be paid. Request for suitable clothing or funding therefor and funds shall be made by the person in charge of the facility to the superintendent of the nearest state hospital. Such request shall be made at least seventy-two hours ahead of expected release in the case of any patient under a fourteen day or longer involuntary confinement period.

(2) In the case of an indigent patient under initial detention, the person in charge of the facility shall provide suitable clothing and funds as specified in this section, from resources of the facility, and shall immediately notify the superintendent of such action. The department may then be billed by the facility.

(3) For the purposes of this rule, the superintendent may designate a staff member of community services within the department to handle funding and clothing requests.

(4) If funding is available, the superintendent may provide in addition to the minimum funding required by RCW 72.02.100, an additional amount of up to the optional amount specified in RCW 72.02.100 to any indigent patient who applies therefor if such extra funding is necessary for personal and/or living expenses of such patient.

(5) As funds are available, the secretary may provide in the alternative to the funding set out as specified in (1) of this section, to the conditionally released patient, a weekly payment of an amount specified in RCW 72.02.110 for a period of up to the total time of conditional release.

(6) No patient regardless of the length of involuntary confinement shall be released without transportation to his place of residence or other suitable place. If the patient has no suitable means of transportation and is also indigent, then the facility shall provide for transportation by the least expensive method of public transportation not to exceed a cost of one hundred dollars, or, in the alternative, the facility itself may provide such transportation.

(7) If the person making request for suitable clothing or funding from the superintendent has reasonable cause to believe that the patient to be released has ample funds to assume expenses of clothing, transportation, or other payments made herein, the person released shall be required to assume such expenses and the superintendent shall be so advised.

(8) Indigent patient for the purposes of this rule means "inability to pay" as determined by the income and resource standards set forth in WAC 388-15-020(2)(a).

(9) Where funding is available, the secretary or the superintendent may at his discretion provide funds or clothing pursuant to this rule and the laws of the state of Washington to voluntary patients.

NEW SECTION

WAC 275-55-211 **ADVISING PATIENT OF RIGHTS.** (1) Any person voluntarily admitted for inpatient treatment to any agency shall, upon admission, be advised orally by the agency of his right to immediate release and shall be further advised in writing of all rights secured to him pursuant to RCW 71.05.050 and to WAC 275-55-241(1) and (2).

(2) All persons involuntarily admitted to the inpatient or emergency component of a facility shall, upon admission, be advised both orally and in writing by the component of the following:

(a) Each right that they have as involuntary patients (listed in WAC 275-55-241(1), and (3)). In addition, when possible, a responsible member of the immediate family, guardian, or conservator, if any, and such other person as designated by the patient shall receive notification in writing of the patient's confinement and his rights retained as an involuntary patient. The patient shall be informed as to who has been notified.

(b) That within twenty-four hours of admission, they will undergo a medical evaluation and a psychosocial evaluation to determine whether continued detention within the facility will be necessary.

(c) That if they are not released within seventy-two hours, excluding Saturdays, Sundays, and holidays, they will be entitled to a judicial hearing before a superior court to decide whether their continued detention within the facility is necessary.

(3) All persons involuntarily admitted for initial detention to the outpatient component of a facility shall, upon admission, be advised both orally and in writing by the component of the following:

(a) Each right that they have as an involuntary patient (listed in WAC 275-55-241(1)(b), (c), (g), and (i) through (n), and listed in WAC 275-55-241(3)). Notification of other persons shall be as specified in subsection (2)(a) of this section.

(b) That within twenty-four hours of admission they will undergo a medical evaluation and psychosocial evaluation to determine whether continued involuntary evaluation and treatment will be necessary.

(c) That if they are not released within seventy-two hours, excluding Saturdays, Sundays, and holidays, they will be entitled to a judicial hearing before a superior court to determine whether continued involuntary treatment is necessary.

NEW SECTION

WAC 275-55-221 **COMPETENCY—EFFECT OF ADMISSION FOR MENTAL DISORDER.** Upon discharge and/or early release as specified in WAC 275-55-110 and WAC 275-55-171, every patient voluntarily admitted or involuntarily committed pursuant to chapter 71.05 RCW shall be advised both orally and in writing of the following: No person is presumed incompetent nor does any person lose any civil rights as a consequence of receiving evaluation and/or treatment services for a mental disorder, whether voluntary or involuntary, pursuant to Washington law dealing with mental illness.

NEW SECTION

WAC 275-55-231 **CONVERSION TO VOLUNTARY STATUS BY INVOLUNTARY PATIENT—RIGHTS.** Patients committed by court order to involuntary treatment shall have all the rights of voluntary patients as specified in WAC 275-55-241(1), and (2) when the facility has converted the patient to voluntary status and the patient has signed an application to receive voluntary treatment.

NEW SECTION

WAC 275-55-241 **RIGHTS OF PATIENT.** Any agency, facility or component providing services as defined in this chapter to persons with a mental disorder shall not withhold from any patient the following rights, and a list of such rights shall be prominently posted within the department or ward in which such person is housed if an inpatient or receiving services from an emergency component. Outpatient facilities or components shall prominently post a list of such rights drawn from the following as are appropriate to an outpatient facility or component, such list to be posted within the reception area. The agency, facility or component shall specifically ensure, unless an imminent danger to the individual or others would result, that each patient shall have the rights listed in (1)(a), (i), (k), (o), (2)(a), (b), (3)(a), (c), (d), (f), and (g) of this section.

(1) Rights of all patients:

(a) The right not to be restrained from sending written communications of the fact of their detention, commitment, or admission; any such communication will be mailed to the person to whom addressed by the person in charge of the facility, or their designee.

(b) The right to adequate care and individualized treatment.

(c) The right to wear their own clothes and to keep and use their own personal possessions, except when deprivation of same is essential to the protection and safety of the patient or other persons.

(d) The right to keep and be allowed to spend a reasonable sum of their own money.

(e) The right of access to individual storage space for their private use.

(f) The right to have visitors at reasonable times.

(g) The right to have reasonable access to a telephone, both to make and receive confidential calls.

(h) The right to have ready access to letter writing material, including stamps, and to send and receive uncensored correspondence through the mails.

(i) The right not to consent to the performance of shock treatment or surgery, except emergency life-saving surgery, upon him, and not to have shock treatment or nonemergency surgery in such circumstances unless ordered by a court pursuant to a judicial hearing in which the patient is present and represented by counsel, and the court shall appoint a psychiatrist, psychologist, or physician designated by such patient or his counsel to testify on behalf of the patient.

(j) The right to dispose of property and sign contracts unless they have been adjudicated an incompetent in a court proceeding directed to that particular issue.

(k) The right not to have psychosurgery performed under any circumstances.

(l) The right to object to detention or request release through writ of habeas corpus.

(m) No person shall be presumed incompetent or lose any civil rights as a consequence of receiving evaluation or treatment for a mental disorder.

(n) The right of access to attorneys, courts, and other legal redress.

(o) The right to have all information and records compiled, obtained, or maintained in the course of receiving services kept confidential, pursuant to the provisions of RCW 71.05.390 through 71.05.420.

(2) Rights of all voluntary patients:

(a) The right to release, unless involuntary commitment proceedings are initiated. Specific patients' rights to release are as follows:

(i) Adult patient, no guardian – Release at request of patient.

(ii) Adult admitted by guardian – Release at request of guardian or patient.

(iii) Minor, thirteen years of age or under – Release at request of parent(s), conservator, guardian, or other person entitled to custody.

(iv) Minor, fourteen years of age or over – Release upon request of both minor and his parent(s), conservator, guardian or other person entitled to custody. If requested by minor only, release on next judicial day.

(b) The right to a review of condition and status at least each one hundred eighty days.

(3) Rights of all involuntary patients:

(a) Unless released within seventy-two hours as defined by WAC 275-55-020(21), all involuntary adult patients have a right to a judicial hearing not more than seventy-two hours, as defined, after initial detention to determine whether probable cause exists to detain such patient after seventy-two hours for a further period up to fourteen days.

(b) The right to communicate immediately with an attorney, and if indigent, the right to have an attorney appointed to represent them before and at such hearing, and a right to be told the name and address of the attorney who has been appointed.

(c) The right to remain silent.

(d) The right to be told that statements they make may be used in the involuntary proceedings.

(e) The right to present evidence and to cross-examine witnesses who testify against them at the probable cause hearing.

(f) The right to refuse medication beginning twenty-four hours prior to any court proceeding wherein the patient has the right to attend and which bears upon the continued commitment of the patient.

(g) When taken into custody by a peace officer and then placed in a facility without prior authorization by the county designated mental health professional, the involuntary patient shall be released within twelve hours unless the county designated mental health professional files a supplemental petition for initial detention and the detained person receives a copy.

NEW SECTION

WAC 275-55-251 **MENTAL HEALTH PROFESSIONAL, PSYCHOLOGIST, SOCIAL WORKER, PSYCHIATRIC NURSE.** (1) "Mental health professional" means a person regularly involved in mental health evaluation and treatment, and who qualifies as one of the following:

(a) A psychiatrist, psychologist, psychiatric nurse, or social worker.

(b) A person with a master's degree or further advanced degree from an accredited college or university in counseling or in one of the social sciences. Such person shall have, in addition, at least two years of experience in direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional.

(c) A physician licensed to practice medicine in the state of Washington.

(d) A person who is otherwise qualified to perform the duties of a mental health professional but does not meet the requirements listed in (a), (b), or (c) of this section, where an exception to such requirements has been granted by the director upon submission of a written request by the county involved, such request to document the following:

(i) The extent to which the county has made an effort to provide and has the capability of providing a mental health professional;

(ii) The amount and type of employment experience which the applicant possesses. Such an applicant shall have had at least three years experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional, as defined under subsection (1)(a), (1)(b), or (1)(c) of this section;

(iii) The overall needs of the mental health program in the particular county involved; and

(iv) Such factors as shall be brought to the attention of the director by the county involved.

(2) "Psychiatrist" means a physician licensed to practice medicine in the state of Washington who has, in addition, completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association.

(3) "Psychologist" means those persons defined as such in RCW 71.05.020(14).

(4) "Social worker" means those persons defined as such in RCW 71.05.020(15).

(5) "Psychiatric nurse" means a registered nurse who has a bachelor's degree from an accredited college or university, and who has had, in addition, at least one year's experience in the direct treatment of mentally ill or emotionally disturbed persons, such experience gained under the supervision of a mental health professional as defined under subsection (1)(a), (1)(b), or (1)(c) of this section "Psychiatric nurse" shall also mean any other registered nurse who has had three years of such experience.

(6) "Psychiatric nurse clinician" means a registered nurse who has a master's degree or further advanced degree from an accredited college or university and whose graduate specialization was in psychiatric nursing.

NEW SECTION

WAC 275-55-261 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS—COUNTY RESPONSIBILITY—ROLE OF DEPARTMENT. (1) Definitions. For the purposes of this section:

(a) "County" means a county, or a combination of counties who jointly agree to provide or cause to be provided the services required by this section.

(b) "County designated mental health professional" means a person as defined by WAC 275-55-020(6) who is also a county employee.

(c) "Coordinator" means county mental health coordinator, and is the person appointed by the county to supervise and/or otherwise coordinate the community mental health program services of a county.

(2) Each county shall operate an evaluation and treatment program. Such an evaluation and treatment program shall include, but is not limited to, outpatient services, emergency services and short-term inpatient services. The county may directly provide such a program in its entirety, or may provide one or more components of such a program directly and contract with an agency or agencies to provide the remaining component(s) required, or may contract with an agency or agencies to provide such a program in its entirety. Component(s) obtained on contract from an agency or agencies shall be subject to all applicable provisions of this chapter and of chapter 71.05 RCW. In addition to these general requirements, the following are specifically required:

(a) Where an evaluation and treatment program is provided in its entirety directly by the county, or where such program is a combination of county-operated components and components operated by an agency or agencies under contract to the county, all such county-operated components and contracting agency or agencies shall be under the administrative authority of the coordinator or the county designated mental health professional.

(b) Where an evaluation and treatment program is provided in its entirety by an agency or agencies under contract to the county, the contracting agency or agencies shall be under the administrative authority of the coordinator or the county designated mental health professional. If neither the coordinator or the county designated mental health professional exist as county employees, the county shall contract with one agency to be the primary contractor for an evaluation and

treatment program. Any other contracts for components of such program shall be made by such primary contractor and any agency so contracting with such primary contractor shall be under the administrative authority of the director of the primary contractor agency.

(3) Arrangements for an evaluation and treatment program shall be in compliance with WAC 275-55-321, whether such program is provided directly or through contract by a county or an agency.

(4) In addition to the responsibilities specified elsewhere for the coordinator, county designated mental health professional, and director of the primary contractor agency, the following shall be required of any of the above individuals designated by the county as administrator of the evaluation and treatment program:

(a) To identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program.

(b) To ensure that facilities and components are in compliance with all applicable rules and regulations set forth in chapter 71.05 RCW and this chapter.

(c) To ensure implementation of the intent of RCW 71.05.010.

(5) Any agency desiring certification of a component or components in order to become an evaluation and treatment facility, shall make application for such to the county designated administrator of the evaluation and treatment program.

(6) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county designated administrator of the evaluation and treatment program, the department shall:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-55-293.

(b) In its site visits for the purposes of certification will, where possible, include the county designated administrator of the evaluation and treatment program as part of the site visit team.

(7) The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county designated administrator of the evaluation and treatment program.

(8) All facilities shall be recognized elements of the county's annual mental health plan. The plan shall list the agencies for which certification is requested, the components to be provided by each, the method whereby components will be coordinated among the several agencies when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the county mental health program.

NEW SECTION

WAC 275-55-263 CERTIFICATION STANDARDS FOR EVALUATION AND TREATMENT COMPONENTS. (1) For the purpose of this section, "transfer" means a move of the patient from one component to another within the treatment system of the facility.

(2) The following general requirements shall apply to any agency desiring certification of a component or components in order to become an evaluation and treatment facility:

(a) The spectrum of evaluation and treatment services provided by the agency shall include at least one of the following components:

(i) Outpatient.

(ii) Emergency.

(iii) Short-term inpatient.

(b) The agency may itself directly provide one or more of the components specified in (a), or may indirectly provide one or more through contractual arrangement with other agencies. Contractual arrangements shall be as set forth in WAC 275-55-321.

(c) The agency shall document and otherwise ensure that all its components are in compliance with the requirements as specified for them in this chapter, regardless of whether the agency provides the components itself or through contract(s) made by itself.

(d) One or more of the components specified in subsection (2)(a) of this section may be provided to persons under the age of eighteen only when the providing agency is in compliance with the provisions of WAC 275-55-331.

(e) The agency shall maintain a written statement describing the organizational structure, objectives, and the philosophy of the therapeutic program, such statement to include contractual affiliates (if any).

(f) The agency shall document and otherwise ensure that:

(i) Care for patients is provided in a therapeutic environment.

(ii) The use of the least restrictive treatment alternative is considered for each patient and that such consideration is documented in each patient's clinical record.

(iii) Appropriate treatment is provided to each patient in accordance with his documented treatment needs.

(iv) Continuity of care, coordination, and integration of services are in compliance with WAC 275-55-321(4)(d).

(v) Immediate transfer from the outpatient component to the inpatient or emergency component of the agency or of the evaluation and treatment program is provided for a patient when a change in that patient's condition necessitates such transfer. In the case of the involuntary patient, such transfer shall be made pursuant to RCW 71.05.340(3).

(vi) Referral services and assistance in obtaining supportive services appropriate to treatment including, but not limited to, casework services, vocational rehabilitation, and legal services, are provided to each patient.

(g) The agency desiring certification of its component or components shall make application for such certification pursuant to WAC 275-55-261(5).

(3) In addition to the requirements specified for each in WAC 275-55-271, 275-55-281, and 275-55-291, the following general requirements shall apply to all components:

(a) Admissions. Persons under initial detention shall have first priority for admission. Such admission to emergency and/or inpatient components shall be within the constraints of WAC 275-55-321(4)(e). Admission shall not be denied except under the following circumstances:

(i) There is a determination that the person does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or is gravely disabled.

(ii) The person requires specialized medical hospitalization of a type not provided by the component.

(iii) A greater degree of control is required than can be provided by the component.

(iv) No treatment space is available and is so documented. Under this circumstance, the component shall have and put into effect a contingency plan for appropriate placement elsewhere.

(v) A less restrictive alternative provided by another component is more appropriate and available.

(b) Admission evaluations. Within twenty-four hours of first admission for persons under initial detention, twenty-four hours to include Saturday, Sunday, and holidays, evaluations shall be conducted to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician.

(ii) Psychosocial evaluation by a mental health professional.

(c) Treatment plan and clinical record. All components shall:

(i) Maintain, for each patient, a plan of treatment, and a plan for discharge which includes plan for follow-up where appropriate. Such treatment and discharge plans shall be entered in the patient's clinical record and shall be revised periodically as appropriate.

(ii) Maintain, for each patient, a clinical record which contains sufficient information to justify the diagnosis, delineate the individual treatment plan, and document the course of treatment. It is the responsibility of the agency to safeguard the record against loss, defacement, tampering or use by unauthorized persons.

(d) Treatment. All components shall:

(i) Have immediately available at all times, as needed, professional personnel including, but not limited to, a licensed physician and a mental health professional skilled in crisis intervention.

(ii) Ensure that each patient has access to necessary non elective medical treatment and access to emergency life-sustaining treatment and medication support services.

(e) Use of restraints and seclusion. The use of medication, physical restraints, or locked seclusion rooms in response to assaultive, self-destructive or obstreperous patient behavior shall occur only to the extent necessary to ensure the safety of patients and staff, and subject to the following conditions:

(i) In the event of an emergency use of restraints or seclusion, a licensed physician must be immediately notified and shall provide written justification for the restraints or seclusion.

(ii) No patient may be restrained or secluded for a period in excess of four hours without having been examined by a licensed physician and having such restraint or seclusion ordered by a licensed physician.

(iii) Restraint or seclusion in excess of twenty-four hours must be authorized by a licensed physician. The facts determined by his examination and any resultant decision to continue restraint or seclusion shall be recorded in the patient's clinical record. This procedure must be repeated for each subsequent twenty-four hour period of restraint or seclusion.

(iv) The factors necessitating any use of restraints or seclusion shall be recorded in the patient's clinical record over the signature of the authorizing physician.

(f) Periodic evaluation. Each involuntary patient shall be evaluated periodically for release from commitment, and such evaluation will be documented in each involuntary patient's clinical record. Such evaluations shall occur at the following intervals during the period of commitment:

(i) Fourteen day period - At least once weekly.

(ii) Ninety day period - At least once every two weeks.

(iii) One hundred eighty day period - At least once each month.

(g) Training. All components shall develop an inservice training plan, and provide regular training to all personnel who have responsibility for any aspect of patient care. Documentation of the type and amount of training received by staff members shall be maintained. Such training shall include information about:

(i) The availability and utilization of less restrictive alternatives.

(ii) Approved methods of patient care.

(iii) Managing assaultive and/or self-destructive behavior.

(iv) Related services, including, but not limited to, transportation, law enforcement, courts, prosecutors, caseworkers, family support systems, advocacy, pharmacotherapy, and hospitals.

(v) The provisions and requirements of this chapter and chapter 71-.05 RCW, and standards and guidelines promulgated by the department.

(vi) Other appropriate subject matter.

(h) Administration. All components shall:

(i) Post patient rights and document advisement of rights pursuant to WAC 275-55-241 and 275-55-211.

(ii) Maintain and prominently post a written statement describing the organizational structure, objectives, and philosophy of the component facility.

(iii) Maintain and prominently post written procedures for managing assaultive and/or self-destructive patient behavior.

(iv) Maintain adequate fiscal accounting records.

(v) Prepare and submit such reports as are required by the secretary.

NEW SECTION

WAC 275-55-271 OUTPATIENT COMPONENT. (1) The outpatient component is defined as a setting in which an array of treatment services are provided on a regular basis to patients not in residence in the facility. These services are intended to stabilize, sustain, and facilitate recovery of the individual within his environment.

(2) In addition to the general requirements stated in WAC 275-55-263(3), the following requirements shall apply to all outpatient components:

(a) Outpatient services shall be available at least eight hours per day, five days per week.

(b) Such component shall provide a therapeutic program which includes, but is not limited to, generally accepted treatment modalities such as:

(i) Individual.

(ii) Group.

(iii) Family/marital.

(iv) Pharmacotherapy.

(c) Such component shall provide treatment to each patient under the supervision of a mental health professional.

(d) Each patient must be seen at least weekly by assigned staff during the period of involuntary treatment. A mental health professional must review each outpatient case at least weekly to ensure updating of the treatment plan and such review must be recorded in the patient's clinical record. The frequency of patient contact and case review may be modified if in the opinion of a mental health professional such is warranted and the reasons for so doing are recorded in the patient's clinical record.

(e) Such component must have access to consultation by a psychiatrist or a physician with at least one year's experience in the direct treatment of mentally ill or emotionally disturbed persons, such access to be a minimum of one hour per week for each forty hours of direct client services provided by nonmedical staff.

(f) Such component shall include medical consultation with the involuntary patient to assess and prescribe psychotropic medication to meet the needs of the patient. Such consultation shall occur at least weekly during the fourteen day period, every other week during the ninety day period, and monthly during the one hundred eighty day period of involuntary treatment unless determined otherwise by the attending physician and the reasons for so doing are recorded in the patient's clinical record.

(g) Whenever possible, medication should be made available to the patient at a reduced rate through a state medication purchase contract, or through the state hospital pharmacy.

NEW SECTION

WAC 275-55-281 EMERGENCY COMPONENT. (1) The emergency component is defined as a setting in which immediate therapeutic intervention occurs. The term "emergency" refers to a set of circumstances (physiological, psychological, and/or social) which pose an imminent threat to the safety and/or well-being of the patient or others.

(2) In addition to the general requirements stated in WAC 275-55-263(3), the following requirements shall apply to all emergency components:

(a) Such component shall have the ability to respond immediately to individual crisis situations, and to admit patients on a twenty-four hour per day, seven day per week basis, or to arrange for such admission to an inpatient component.

(b) Such component shall have the capability to detain persons who are a danger to self or others or are gravely disabled, and shall provide or have access to at least one seclusion room which meets the requirements of WAC 248-18-530(5)(a) now or as hereafter amended.

(c) Such component shall have access to a mental health professional for consultation and communication with the patient and the component staff on a twenty-four hour per day, seven day per week basis.

NEW SECTION

WAC 275-55-291 SHORT-TERM INPATIENT COMPONENT. (1) The inpatient component is a setting in which an array of treatment services is provided on a twenty-four hour per day basis to patients in residence.

(2) "Short-term inpatient" means a patient stay of up to seventeen days.

(3) In addition to the general requirements stated in WAC 275-55-263(3), the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the structural standards required for state licensing either as a psychiatric hospital, general medical hospital, or community mental health center which includes an inpatient program.

(b) Such component shall have the capability to admit the patient on a twenty-four hour per day, seven day per week basis.

(c) Such component shall have the capability to detain persons who are a danger to self or others or are gravely disabled, and shall have access to at least one seclusion room which meets the requirements of WAC 248-18-530(5)(a) now or as hereafter amended.

(d) Such component shall provide a therapeutic program which includes, but is not limited to, generally accepted treatment modalities such as:

- (i) Individual.
- (ii) Group.
- (iii) Family/marital.
- (iv) Pharmacotherapy.
- (v) Therapeutic community.

(e) Such component shall provide treatment to each patient under the supervision of the professional person in charge.

(f) A mental health professional must have contact with each involuntary patient daily for the purpose of observation, evaluation, and the provision of continuity of treatment.

(g) Such component shall have access to a mental health professional for consultation and communication with the patient and the component staff on a twenty-four hour per day, seven day per week basis.

(h) Such component shall periodically evaluate each involuntary patient for conditional release, and such evaluation shall be documented in each involuntary patient's clinical record.

NEW SECTION

WAC 275-55-293 CERTIFICATION PROCEDURE—WAIVERS—PROVISIONAL CERTIFICATION—RENEWAL OF CERTIFICATION. (1) In order to certify an agency's component or components, the department shall:

(a) Receive a formal request from the county designated administrator of the evaluation and treatment program; and

(b) Conduct a site visit of the component or components which shall include an inspection and examination of any records, procedures, materials, areas, programs, staff and patients necessary to determine compliance with WAC 275-55-263, the appropriate sections of WAC 275-55-271 through 275-55-291, and 275-55-321.

(2) The department shall issue full certification to a component only if that component is in full compliance with the applicable sections of this chapter.

(3) Variances from full compliance may be granted by the department in the form of a waiver, pursuant to the provisions of WAC 275-55-371.

(4) Provisional certification may be granted to a component or components which are in substantial compliance with the applicable sections of this chapter, only in accordance with guidelines promulgated by the division. Such guidelines shall specify the number and type of deficiencies temporarily allowed and the length of provisional status.

(5) Renewal of certification is required annually, and shall require a complete site visit of the affected component or components as specified in subsection (1)(b) of this section.

NEW SECTION

WAC 275-55-295 DECERTIFICATION. The department may decertify any component in accordance with the provisions of RCW 71.05.540(4) and (5), guidelines promulgated by the division, and procedures for investigation of complaints set forth by the division.

NEW SECTION

WAC 275-55-297 APPEAL PROCEDURE. (1) Any agency whose component or components have been denied certification, or have been decertified by the department may appeal such a decision.

(2) Such appeal shall:

- (a) Be made in writing to the secretary;
- (b) Specify the date of the decision being appealed;
- (c) Specify clearly the issue to be reviewed;
- (d) Be signed by, and include the address of the agency;
- (e) Be made within thirty days of notification of the decision which is being appealed.

(3) An administrative review and redetermination shall be provided by the department within thirty days of the submission of the appeal, with written confirmation of the findings and the reasons for the findings to be forwarded to the affected agency as soon as possible.

NEW SECTION

WAC 275-55-301 ALTERNATIVES TO INPATIENT TREATMENT. In considering all applications for voluntary admission or involuntary commitments to inpatient treatment as to whether the patient's presenting problem is appropriate for care and treatment, the professional person in charge of the inpatient component shall explore less restrictive alternatives, including possible outpatient treatment, and shall consider possible better, or equal treatment elsewhere, preferably within the patient's home community.

NEW SECTION

WAC 275-55-321 CONTRACTUAL ARRANGEMENTS FOR EVALUATION AND TREATMENT SERVICES, AND EVALUATION AND TREATMENT PROGRAMS. (1) Definitions. For the purposes of this section:

(a) "Contracting authority" means an agency or a county contracting with other agencies for the provision of evaluation and treatment services, and/or an evaluation and treatment program.

(b) "Affiliate agency" means an agency under contract to the contracting authority to provide an evaluation and treatment service, and/or an evaluation and treatment program.

(2) A contracting authority may contract with other agencies to provide one or more of the following required evaluation and treatment service components:

- (a) Outpatient.

- (b) Emergency.
- (c) Short-term inpatient.
- (3) A contracting authority may elect to provide one, more, or all of the required components within its own agency.
- (4) The contracting authority is accountable for its affiliate agencies and its own agency-provided components being in compliance with all rules and regulations set forth in this chapter in general, and set forth in WAC 275-55-263 in particular. Therefore, the contractual arrangements made with affiliate agencies and its own agency-provided components shall include, but are not limited to, the following provisions:
 - (a) Description of services to be performed.
 - (b) Eligibility of service recipients.
 - (c) Acknowledgement of the administrative authority of the contracting authority.
 - (d) Assurance of continuity of care, coordination, and integration of services within and between affiliating agencies. This provision shall require in addition, but is not limited to, the following requirements:
 - (i) That any person eligible for service within any one component will also be eligible for service within any other component provided by the affiliating agencies.
 - (ii) That any patient within any component can and will be transferred without delay to any other component or will be discharged to the community whenever such transfer or discharge is clinically indicated.
 - (iii) That necessary clinical information concerning a patient which was obtained within one component will be made readily available to those responsible for the patient's treatment within any other component, subject to the patient's consent where required.
 - (iv) That those responsible for a patient's care within one component can, when practicable and when not clinically contraindicated, continue to care for the patient within any of the other components.
 - (v) That in the event a patient requires services that the affiliating agencies cannot provide, the patient will be assisted to an appropriate resource which can provide the needed services. In the event of such referral, the original agency maintains responsibility for follow-up of the patient until such time as the receiving agency may assume primary service responsibility.
 - (vi) That provision be made for coordinated service planning between and among the affiliating agencies.
 - (e) Stipulation as to the number of beds that shall, on a space availability basis, be assured for first priority admission of a person under initial detention.
 - (f) Assurance of nondiscrimination.
 - (g) Maintenance of administrative, fiscal, and programmatic plans, data, and records, and availability of these for audit by appropriate federal, state, and local authorities.
 - (h) Administrative responsibility for patients.
 - (i) Maintenance of treatment plans and clinical records.
 - (j) Maintenance of confidentiality.
 - (k) Performance of utilization review (to include consideration and use of least restrictive treatment alternatives).
 - (l) Procedure for assurance of program standards and compliance of components with requirements.
 - (m) Assurance of patient rights.
 - (n) Assurance of and procedure for collection of fees and third-party payments.
 - (o) Procedures for contract changes, termination, suspension, and settlement of disputes.

NEW SECTION

WAC 275-55-331 REQUIREMENTS FOR EVALUATION AND TREATMENT FACILITIES SERVING MINORS. (1) The requirements for certification of components of evaluation and treatment facilities admitting minors shall be as specified in WAC 275-55-263 and in other applicable sections of this chapter, and shall include, but are not limited to, the following:

- (a) The admission evaluation specified in WAC 275-55-263(3)(b) shall include assessment of those factors possibly contributing to the emotional dysfunctioning of the minor, such as family dynamics, environmental influences, or interactions with other significant persons.
- (b) Family therapy shall be available, and shall be provided as needed.
- (c) Treatment plans for minors shall include attention to the educational, legal, and other social service needs of minors, as appropriate.
- (2) In general, adults and minors shall be provided services separate from one another, wherever possible. Joint use by adults and minors of

a facility's services is permitted only if the minor's clinical record contains documentation that:

- (a) The anticipated effects of such joint use on the minor have been considered by the professional staff, and
- (b) A professional judgment has been made that such joint use will not be deleterious to the minor.
- (3) No minor shall be placed on an adult inpatient unit unless it is documented that no other alternative is available, or that an emergency exists, and documentation has been made pursuant to subsection (2) of this section.
- (4) Evaluation and treatment services provided to minors shall be provided by:
 - (a) A child mental health specialist (as defined by WAC 275-25-710(3)), or
 - (b) A mental health specialist (as defined by WAC 275-25-710(1)) who is directly supervised by a child mental health specialist, or
 - (c) A mental health specialist who receives at least one hour per week of clinical consultation from a child mental health specialist for each involuntarily detained minor provided direct client services during that week.

NEW SECTION

WAC 275-55-341 USE OF RESTRAINTS AND SECLUSION BY AGENCY NOT CERTIFIED AS AN EVALUATION AND TREATMENT FACILITY. An agency not certified as an evaluation and treatment facility pursuant to WAC 275-55-263 may use restraints and seclusion only as specified in WAC 275-55-263(3)(e).

NEW SECTION

WAC 275-55-351 RESEARCH. All research concerning mentally ill persons voluntarily admitted or involuntarily committed under this chapter shall be undertaken in accordance with department policy. Furthermore, any person involved in evaluation or research concerning persons under this chapter shall be required to sign a statement as provided for in RCW 71.05.390. Such statement will be filed with the director.

NEW SECTION

WAC 275-55-361 INVOLUNTARY EVALUATION AND TREATMENT COSTS—RESPONSIBILITY OF INVOLUNTARY PATIENT. (1) Any person, or his estate, or his spouse, or the parents of a minor person who becomes an involuntary patient pursuant to chapter 71.05 RCW and these rules for the purpose of evaluation and treatment shall be responsible for the cost of such evaluation and treatment. "Involuntary patient" is as defined by WAC 275-55-020(18). Payment of such costs by the involuntary patient, or on behalf of the involuntary patient by third-party payors, or other legally responsible persons or entities shall be made to:

- (a) The state in those instances where evaluation and treatment is provided in a facility maintained and operated by the department, pursuant to RCW 71.02.411.
- (b) The local agency in those instances where evaluation and treatment is provided by that agency and that agency is not a facility maintained and operated by the department.
- (2) The department shall bill and collect from the involuntary patient, third-party payors, and other legally responsible persons and entities, the costs for evaluation and treatment provided in a department facility, pursuant to chapter 71.02 RCW.

(3) The nondepartment agency shall bill and collect from the involuntary patient, third-party payors, and other legally responsible persons and entities, the costs for evaluation and treatment provided by itself, pursuant to WAC 275-55-363.

(4) In those instances where inability to pay or substantial hardship is determined for an involuntary patient pursuant to WAC 275-55-363(4), any unpaid costs for evaluation and treatment provided to such involuntary patient by a nondepartment agency shall be borne by the county, subject to the provisions of WAC 275-55-363, 275-55-365, and 275-55-369.

NEW SECTION

WAC 275-55-363 INVOLUNTARY EVALUATION AND TREATMENT COSTS—COLLECTION BY AGENCY. (1) Definitions. For the purposes of this section:

- (a) "Involuntary patient" is as defined by WAC 275-55-020(18).
- (b) "Title XIX" means Title XIX of the social security act.

(c) "CSO" means community services office of the department.

(d) "Inability to pay" and "substantial hardship" is defined and determined by the income and resource standards set forth in WAC 388-15-020(2)(a).

(2) Full collection of costs for evaluation and treatment provided an involuntary patient by an agency not operated and maintained by the department shall be the responsibility of that agency. Such agency shall make every reasonable effort to make such collection pursuant to its own rules and regulations, and such effort shall also include, but is not limited to, billing all appropriate resources of the involuntary patient and the patient's family, third-party payors, and other legally responsible persons and entities.

(3) Any involuntary patient who appears eligible for Title XIX benefits or for other medical programs of the department shall be referred by the agency to a local CSO for determination of such eligibility. If such patient is determined eligible by the CSO, the agency shall bill according to the instructions set forth by the department.

(4) Any involuntary patient who appears to fall into the category of "inability to pay" or "substantial hardship" shall be referred by the agency to a local CSO for determination of eligibility. If such patient is determined eligible by the CSO, the agency shall bill the department through the county in accordance with subsection (5) of this section.

(5) The agency may bill the county for the balance of costs not collectible by actions taken in accordance with subsections (2) and (3) of this section and not recoverable by any other means or from any other sources, and shall bill through the county for costs determined eligible in accordance with subsection (4) of this section. Such billing of the county shall be subject to the following:

(a) Reimbursement is sought from the appropriate county as defined by WAC 275-55-365(1).

(b) Certification is made to the county that every reasonable effort has been made to collect full payment from all appropriate resources of the involuntary patient and the patient's family, third-party payors, and other legally responsible persons and entities prior to submitting a claim to the county.

(c) Any collections made prior to such billing shall be shown and deducted from such billing. Any collections made subsequent to such billings shall be submitted to the county.

(6) In the event an involuntary patient is determined by the agency or by the local CSO (in those instances where such patient had been referred for eligibility determination) to be fully capable of paying for his evaluation and treatment services, and such patient refuses to do so, the agency shall have primary responsibility for collection of costs and shall not bill the county for any uncollected balance.

(7) The agency shall maintain appropriate records and other supporting material necessary to document billings and collection of costs for evaluation and treatment provided any involuntary patient, and shall permit authorized representatives of the county and/or the department to make such review of the records of the agency as may be deemed necessary to satisfy audit purposes. Such review shall be restricted to records for involuntary patients only.

NEW SECTION

WAC 275-55-365 INVOLUNTARY EVALUATION AND TREATMENT COSTS—RESPONSIBILITY OF COUNTY. In those instances where an involuntary patient as defined by WAC 275-55-020(18) is unable to pay any or all of the costs of evaluation and treatment from all of the personal, family, or third-party payor resources available to him as required by WAC 275-55-361, or if payment would result in substantial hardship upon such patient or his family, the county shall be responsible for paying any uncollected balance of such costs. The county may subsequently seek reimbursement for such payment from the department. Such payment by the county and any subsequent request for reimbursement shall be made pursuant to the following:

(1) The county responsible for such payment shall be:

(a) The county of residence of the involuntary patient; or

(b) The county in which the involuntary patient was originally detained, if the county of residence cannot be determined.

(2) Payment by the county shall be made:

(a) Only to those agencies which have provided the evaluation and treatment to the involuntary patient, and which are not facilities operated and maintained by the department.

(b) Only after the county has determined that the billing agency has in fact:

(i) Made every reasonable effort to collect the costs of evaluation and treatment pursuant to WAC 275-55-363(2), (3), and (4), and

(ii) Appropriately billed the county pursuant to WAC 275-55-363(5) and to any other rules the county may have or make.

(3) County request for reimbursement from the department shall be made pursuant to WAC 275-55-367 and subject to the provisions of WAC 275-55-369.

NEW SECTION

WAC 275-55-367 INVOLUNTARY EVALUATION AND TREATMENT COSTS—RESPONSIBILITY OF DEPARTMENT.

(1) Definitions. For the purposes of this section:

(a) "Involuntary patient" means the specific type of patient as defined by WAC 275-55-020(18).

(b) "Agency" as used in this section is strictly defined and means an evaluation and treatment facility as defined by WAC 275-55-020(13), and/or an evaluation and treatment program as defined by WAC 275-55-020(14), and is not operated and maintained by the department. A qualifying, individual service provider under contract to the agency or to the evaluation and treatment program shall be considered the same as "agency" for the purposes of reimbursement.

(c) "Title XIX rate" means the payment schedule established for recipients under Title XIX of the social security act. Where Title XIX has not established a modality and a corresponding fee rate, a separate reimbursement schedule shall be established by the department.

(d) "Initial seventeen day period" means the sum of the seventy-two hour and fourteen day periods during which an agency provides involuntary evaluation and treatment.

(e) "1973 amendatory act" is as defined in RCW 71.05.550.

(2) The department shall reimburse the counties for increased costs, if any, to the counties resulting from their implementation of the provisions of the 1973 amendatory act. Such reimbursement shall be made to the counties in accordance with the requirements of WAC 275-55-369 and the following rules, subject to the availability of state and federal funds.

(3) For all increased involuntary commitment administrative costs, the department shall award an amount to the counties to pay such costs pursuant to the applicable sections of chapter 71.24 RCW, and to WAC 275-25-770(4). "Increased costs" as used here shall mean those costs exceeding the level financed by the county for calendar year 1973, resulting from implementation of the provisions of the 1973 amendatory act.

(a) Involuntary commitment administrative costs are for those services not listed under the Title XIX modality schedule. Such costs include:

(i) All travel and transportation expenses, whether for staff or involuntary patients;

(ii) All investigative costs not otherwise recoverable as a Title XIX listed service;

(iii) Expenses for hearings, testimony, legal services, courts, and prosecutors; and

(iv) That percentage of total staff time of the county mental health coordinator and agency administrative staff allocated to and expended in the involuntary commitment process.

(b) State funds shall in no case be used to replace those local funds from any source used to finance administrative costs for involuntary commitment procedures conducted prior to January 1, 1974.

(4) For the evaluation and treatment provided each and every involuntary patient by a qualifying agency, the department shall reimburse the counties in the amount of the actual expenditures incurred by the counties pursuant to WAC 275-55-365. Such reimbursement by the department shall not exceed the Title XIX rate and shall not be allowed for any costs already reimbursed by other means. Such reimbursement by the department shall cover the following involuntary evaluation and treatment statuses only:

(a) Seventy-two hour period.

(b) Fourteen day period, including any involuntary outpatient treatment recommended by agency staff for the remainder of this period.

(c) Conditional release effected pursuant to the applicable provisions of this chapter and chapter 71.05 RCW. Reimbursement shall be restricted to the initial seventeen day period.

(d) Conversion to voluntary status. Reimbursement shall be restricted to:

(i) The initial seventeen day period, regardless of the day within that period the involuntary patient converts to voluntary status; and

(ii) Inpatient medical and hospital expenses.

NEW SECTION

WAC 275-55-369 INVOLUNTARY EVALUATION AND TREATMENT COSTS—REIMBURSEMENT PROCEDURE—DEPARTMENT. The department shall reimburse the counties for involuntary evaluation and treatment and related administrative costs incurred by the counties, as stipulated in WAC 275-55-367, subject to the availability of state and federal funds.

(1) Administrative costs shall be reimbursed as specified in WAC 275-55-367(3).

(2) Evaluation and treatment costs shall be reimbursed for the statuses and at the rate specified in WAC 275-55-367(4) in accordance with the following:

(a) The counties shall submit vouchers in a manner and form as set forth by the department.

(b) The counties shall certify:

(i) That the person being billed for was in fact an involuntary patient for the period of evaluation and treatment specified.

(ii) That every reasonable effort had been made to collect full payment from the involuntary patient, the patient's family, third party payors, and other legally responsible persons and entities prior to submitting a final claim to the department.

(c) Each involuntary patient billing submitted to the department by the counties for reimbursement shall show and have deducted all patient and third-party collections. Any collections that are secured after payment has been requested from the department shall be submitted to the department.

(3) All reimbursement payments for evaluation and treatment costs shall be made directly to each billing county. A county may elect to have such reimbursements made directly by the department to the service-providing agency or agencies the county designates. Title XIX payments shall be made directly to the appropriate local agency.

(4) Payment to the counties or their designees for billings from agencies not certified pursuant to WAC 275-55-263, and not a contractual part of a county's evaluation and treatment program pursuant to WAC 275-55-261, shall not be approved.

(5) The counties shall maintain appropriate records and other supporting material necessary to document billings, collections and reimbursements for involuntary evaluation and treatment and related administrative costs, and shall permit authorized representatives of the department to make such review of these specific records as may be deemed necessary to satisfy audit purposes.

(6) The secretary may withhold department reimbursement in whole or in part from any county in the event of a failure to comply with the provisions of this chapter relating to the county's evaluation and treatment program, or administration thereof, or responsibility for paying for involuntary evaluation and treatment costs, or failure to comply with the provisions of this section.

NEW SECTION

WAC 275-55-371 EXCEPTIONS TO RULES—WAIVERS. Any person or agency subject to the provisions of this chapter may seek a waiver of any requirement of this chapter, as set forth in this section.

(1) The applicant shall file an application for a waiver with the director.

(2) Any application for a waiver from any person or agency shall state, in writing, the following:

(a) The name and address of the person or agency seeking the waiver;

(b) The specific section or subsection of this chapter sought to be waived, and the specific practice or procedure required by such section or subsection;

(c) An explanation of why a waiver of the section or subsection is necessary;

(d) The alternative practice or procedure the applicant proposes to follow in lieu of that required by the section or subsection;

(e) A plan and timetable for compliance with the section or subsection for which the waiver is sought; and

(f) Signed documentation from the local mental health coordinator indicating that the proposed waiver has been reviewed and what degree of support has been extended.

(3) Upon receipt of an application for a waiver, the director shall appoint a review board comprised of three members who are professionally acquainted with this chapter. Membership distribution shall be as follows:

(a) One member shall be employed by the state;

(b) One member shall be employed by a county; and

(c) One member shall be a practitioner in the field of voluntary or involuntary treatment, or a lay person active in one such field.

(4) The review board shall meet and consider the strength of the application, taking into account the following:

(a) The number of practices, procedures or other requirements sought to be waived by the applicant;

(b) The degree of noncompliance being sought;

(c) Whether a waiver would run counter to the intent of chapter 71.05 RCW;

(d) Whether a waiver would violate any law; and

(e) Whether any similar applications have been granted or denied.

(5) At the conclusion of its review, the review board shall file a majority recommendation with the director, stating:

(a) Whether a waiver should be granted;

(b) If granted, why the waiver is necessary;

(c) If granted, whether the waiver should be subject to compliance with conditions set forth by the review board; and

(d) If granted, the suggested duration of the waiver. In no case shall the duration exceed one year.

(6) The review board may accompany its recommendation with an additional recommendation that the section or subsection in question be modified through the ordinary procedures for modifying WACs.

(7) Upon receipt of the review board's recommendation, the director shall grant or deny the waiver in writing, and shall so notify the applicant. This notice shall be given the applicant within thirty days of receipt of the original application by the director.

(a) If the waiver is granted, the notice shall include:

(i) The section or subsection waived;

(ii) Any conditions with which the applicant must comply;

(iii) The duration of the waiver, in no case to exceed one year from the date the waiver is granted;

(iv) The reason why the waiver is considered necessary.

(b) If the waiver is denied, the notice shall include reasons for the decision.

(8) Appeal of the denial of a waiver request may be made to the secretary, whose decision shall be final.

(9) Requirements prescribed by chapter 13.06 RCW and other legislation are not subject to waiver by the director or the secretary.

(10) A waiver granted by the director shall be attached to and become part of the county plan for that year.

REPEALER

The following sections of the Washington Administrative Code are repealed.

(1) WAC 275-55-041 VOLUNTARY ADULT PATIENT DETENTION.

(2) WAC 275-55-061 VOLUNTARY ADMISSION—ADULT CONSERVATOR.

(3) WAC 275-55-070 FORWARDING INFORMATION TO DEPARTMENT.

(4) WAC 275-55-080 ALTERNATIVES TO ADMITTANCE TO INPATIENT TREATMENT.

(5) WAC 275-55-100 MENTAL HEALTH PROFESSIONAL, PSYCHOLOGIST, SOCIAL WORKER, PSYCHIATRIC NURSE.

(6) WAC 275-55-120 CONDITIONAL RELEASE OF PATIENT.

(7) WAC 275-55-130 VOLUNTARY MINOR RELEASE.

(8) WAC 275-55-140 INVOLUNTARY COMMITMENT AND DETENTION OF MINOR.

(9) WAC 275-55-150 VOLUNTARY PATIENT—PERIODIC REVIEW.

(10) WAC 275-55-160 AVAILABLE PHYSICIAN OR OTHER PROFESSIONAL PERSON.

(11) WAC 275-55-170 ADVISING PATIENT OF RIGHTS.

(12) WAC 275-55-180 INVOLUNTARY PATIENT—EVALUATION AND EXAMINATION.

(13) WAC 275-55-190 INVOLUNTARY PATIENTS—TREATMENT PRIOR TO HEARINGS.

(14) WAC 275-55-200 PROTECTION OF PATIENTS' PROPERTY.

(15) WAC 275-55-210 VOLUNTARY TREATMENT OF INVOLUNTARY PATIENT.

(16) WAC 275-55-220 PROFESSIONAL PERSONS IN CHARGE.

(17) WAC 275-55-230 REVOCATION OF CONDITIONAL RELEASE.

- (18) WAC 275-55-240 RELEASE OF INDIGENT PATIENTS.
- (19) WAC 275-55-250 RESEARCH.
- (20) WAC 275-55-260 RELEASE OF INFORMATION.
- (21) WAC 275-55-270 PATIENT'S RIGHTS.
- (22) WAC 275-55-280 STANDARDS FOR CERTIFICATION OF EVALUATION AND TREATMENT FACILITIES.
- (23) WAC 275-55-282 OUTPATIENT COMPONENT.
- (24) WAC 275-55-284 EMERGENCY COMPONENT.
- (25) WAC 275-55-286 INPATIENT COMPONENT.
- (26) WAC 275-55-288 STANDARDS FOR EVALUATION AND TREATMENT FACILITIES SERVING MINORS.
- (27) WAC 275-55-290 FINANCIAL ASSISTANCE TO COUNTIES.

WSR 81-17-001
PROPOSED RULES
COMMISSION ON EQUIPMENT
 [Filed August 6, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Commission on Equipment intends to adopt, amend, or repeal rules concerning:

- Amd ch. 204-08 WAC Practice and procedures.
- New ch. 204-10 WAC Equipment standards.
- Rep ch. 204-12 WAC Hydraulic brake fluid.
- Rep ch. 204-16 WAC Seat belts.
- Rep ch. 204-20 WAC Motorcycle helmets.
- New ch. 204-22 WAC Standards for tire chains.
- Rep ch. 204-24 WAC Traction devices.
- Amd ch. 204-62 WAC Deceleration warning light.
- New ch. 204-78 WAC Standards for motorcycle headlamp modulator.
- New ch. 204-80 WAC Standards for headlamp flashing systems.
- New ch. 204-84 WAC Standards for sirens;

that such agency will at 3:30 p.m., Tuesday, August 11, 1981, in the Washington State Patrol Headquarters, General Administration Building, Olympia, Washington 98504, conduct a hearing relative thereto.

The formal adoption, amendment or repeal of such rules will take place at 3:30 p.m., Tuesday, August 11, 1981, in the Washington State Patrol Headquarters, General Administration Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 46.37.005, 46.37.194, 46.37.280, 46.37.310, 46.37.320, 46.37.380 and 46.37.420.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 11, 1981, and/or orally at 3:30 p.m., Tuesday, August 11, 1981, Washington State Patrol Headquarters, General Administration Building, Olympia, Washington 98504.

This notice is connected to and continues the matter in Notice No. WSR 81-13-001 filed with the code reviser's office on June 3, 1981.

Dated: August 6, 1981
 By: R. C. Dale
 Secretary

WSR 81-17-002
ATTORNEY GENERAL OPINION
Cite as: AGLO 1981 No. 22
 [August 5, 1981]

COLLEGES AND UNIVERSITIES—FEES—ALLOCATION AND CONTROL OF SERVICES AND ACTIVITIES FEES—WESTERN WASHINGTON UNIVERSITY

(1) RCW 28B.15.045 applies to all funds generated through the imposition, by a college or university, of services and activities fees, as defined by RCW 28B.15.041.

(2) Monies in a college or university's housing and dining fund or account are not covered by the provisions of RCW 28B.15.045 unless, and to the extent that, the board of trustees or regents decides to fund the program, in whole or part, from "S & A" fees.

(3) All board of trustees decisions concerning the establishment and funding of programs supported by services and activities fees must be made in compliance with the process established by RCW 28B.15.045, regardless of whether the board decision is an initial approval of budget levels for "S & A" fee funded programs or, on the other hand, is a subsequent modification thereof during any applicable budget period.

(4) To the extent that any institutional budget officer proposes the modification of any board-approved budget for services and activities fee expenditures, such a proposal must be considered according to the procedural requirements of RCW 28B.15.045 and, in that case, a proposal for modification of a board-approved "S & A" fees expenditure must be transmitted to the services and activities fee committee for its initial consideration.

Requested by:

Honorable Eugene A. Prince
 St. Rep., 9th District
 Box 69
 Thornton, WA 99176

WSR 81-17-003
ATTORNEY GENERAL OPINION
Cite as: AGLO 1981 No. 23
 [August 5, 1981]

COUNTIES—INTOXICATING LIQUOR—LICENSES—ISSUANCE OF RETAIL LIQUOR LICENSE BY COUNTY

In view of the subsequent enactment of RCW 66.08.120, a part of the 1933 State Liquor Code, a county may not lawfully grant a "retail license" to an establishment selling liquor pursuant to the territorial statute codified as RCW 67.14.040.

Requested by:

Honorable C. Thomas Moser
 Prosecuting Attorney
 Skagit County

Courthouse Annex
Mount Vernon, Washington 98273

WSR 81-17-004
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Order 357—Filed August 7, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing modified logging shutdown in parts of Western Washington on lands protected by the Department of Natural Resources in parts of the Olympic Area to be effective midnight (2400), August 7, 1981 through midnight (2400) August 10, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1981.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-506 LOGGING SHUTDOWN ON PARTS OF THE OLYMPIC PENINSULA IN WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES ALL IN THE OLYMPIC AREA. Effective midnight (2400), Friday August 7, 1981 through midnight (2400), Monday August 10, 1981 all logging, milling, land clearing and other industrial operations that may cause a forest fire to start are to be shutdown in Zones 649, 650 and 651. These are in northern Grays Harbor, Jefferson and Clallam Counties.

Zone 653 in Jefferson County shall be a modified shutdown - all operations shall be shutdown from noon (1200) to (2400) midnight, duration same as above.

Permits in burn zone B and C are cancelled in the above mentioned zones.

WSR 81-17-005
ADOPTED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 81-10—Filed August 7, 1981]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to State Board of Education—Election of Members, chapter 392-109 WAC.

This action is taken pursuant to Notice No. 81-14-086 filed with the code reviser on July 1, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04-.020 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 6, 1981.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-055 PUBLICITY. The superintendent of public instruction shall annually publicize information concerning the election of state board of education members beginning in May. (~~Such information shall include the names of the public school directors and the private schools that voted in the last election for the positions for which the election is to be held.~~)

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-060 CALL OF ELECTION. On or before August twenty-fifth of each year the superintendent of public instruction shall give written notice of an election to be held for each voting position on the state board of education subject to election and for the non-voting position if it is subject to election. Notice shall be accomplished by:

(1) Mailing the call of election notice, (~~(pertinent instructions)~~) calendar and rules to each member of a public school district board of directors; and

(2) Mailing copies of the call of election notice, (~~(pertinent instructions)~~) calendar and rules to each private school addressed as follows: Chairperson of the Board of Directors, c/o Principal or Chief Administrator, (name and address of the particular private school). It shall be the responsibility of each such chairperson to duplicate the call of election notice, (~~(instructions)~~) calendar and rules if necessary and provide a copy of each to each member of the private school's board of directors.

NEW SECTION

WAC 392-109-077 WITHDRAWAL OF CANDIDACY. Any candidate may withdraw his or her declaration of candidacy by delivering a written, signed and notarized statement of withdrawal to the superintendent of public instruction on or before 5:00 p.m. September 21. A candidate's failure to withdraw as prescribed above shall result in the inclusion of the candidate's name on the appropriate election ballot.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-085 BALLOTS AND ENVELOPES—MAILING TO VOTERS. (1) On or before October 1 ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope shall:

- (a) Be labeled "official ballot;"
- (b) Be preaddressed with the "superintendent of public instruction" as addressee;
- (c) Have prepaid postage affixed; and
- (d) Have provision for the identification of the voter, his or her school district or school and his or her congressional district if pertinent.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and the two envelopes to be used for voting purposes (~~(and)~~), any candidates' biographical data and pertinent instructions for voting purposes shall be mailed to each member of a public school district board of directors.

(3) One official ballot, a number of copies of the ballot, two envelopes to be used for voting purposes (~~(and)~~), any candidates' biographical data and pertinent instructions for voting purposes shall be mailed to each private school addressed as follows: Chairperson of the Board of Directors, c/o Principal or Chief Administrator, (name and address of the particular private school). It shall be the responsibility of each such chairperson to duplicate the ballot (~~(and)~~), biographical data and pertinent instructions for voting purposes if necessary and provide a copy to each member of the private school's board of directors.

AMENDATORY SECTION (Amending Order 80-20, filed 6/17/80)

WAC 392-109-115 CERTIFICATION OF ELECTION. (~~((1) The election board shall immediately certify in writing the name of each candidate elected by a majority of the electoral points accruing for each position.~~)

(~~2~~)) Within ten days after the date upon which the votes were counted, the superintendent of public instruction shall officially certify the name or names of candidates elected by(~~(~~

(~~a) Providing~~)) signing and forwarding written notice to the secretary of state(~~(;~~

(~~b) Providing written notice by certified mail to each candidate elected; and~~

(~~c) Providing written notice by certified mail to each chairperson of a private school board of directors that~~

~~voted in the election. The notice to chairpersons shall be addressed in the same manner as notice of the call of election)).~~

NEW SECTION

WAC 392-109-117 PUBLISHING OF NAMES. As soon as reasonably possible after each annual election the superintendent of public instruction shall publish the names of the directors and private schools who voted in the election in "Your Public Schools."

WSR 81-17-006**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 81-76—Filed August 7, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Areas 4B, 5, 6, 6A, 6C, 7 and 7A are restricted to protect Fraser River and some Puget Sound adult chinook salmon. Area 6D is restricted and Strait tributaries are closed to protect chinook salmon in Strait tributaries. Area 7C and Samish River are closed to protect escapement of Samish Hatchery fall chinook salmon. Area 8 and the Skagit River are closed to protect summer-fall Skagit River chinook salmon. Areas 6B, 9, 10 and 11 are closed to protect Nisqually River pink salmon and Puyallup River chinook salmon. Area 11A and Puyallup River restrictions protect Puyallup River chinook. Area 13 restrictions protect Nisqually River pink salmon. Area 10B restrictions protect Lake Washington sockeye. Areas 10C, 10D and the Cedar River are closed to protect Lake Washington sockeye and fall chinook. Portions of Area 12C and Area 12D are closed to protect Hoodspout, Dewatto and lower Hood Canal fall chinook.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-28-104 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. It is unlawful for treaty Indian fishermen to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 4B - Troll-caught chinook under 24 inches in length and troll-caught coho under 16 inches in length must be released. Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 5 - Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6 - Gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6A - Gill nets restricted to 5-7/8-inch maximum mesh, and all other net gear must release chinook salmon over 28 inches when open.

Area 6B - Closed to all commercial net fishing.

Area 6C - Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6D - Gill nets restricted to 6-inch maximum mesh size, and all other net gear must release chinook salmon over 28 inches in length, when open.

Areas 7 and 7A - Gill nets restricted to 5-7/8-inch maximum mesh when open.

* Area 7C - Closed to all commercial fishing.

Area 8 - Closed to all commercial fishing through August 15, 1981.

Area 9 - Closed to all commercial fishing.

Area 10 - Closed to all commercial fishing.

Area 10B - Gill nets restricted to 6-1/2-inch maximum mesh when open.

Areas 10C and 10D - Closed to all commercial fishing.

Area 11 - Closed to all commercial fishing.

* Area 11A - Gill nets restricted to 6-inch maximum mesh size, and all other net gear must release chinook salmon over 28 inches in length, when open.

Area 12C - Closed to all commercial fishing within 1,000 feet of western shore between Hoodspout Marina Dock and Warfield Trailer Park, and within 1/4 mile of a line connecting the outermost points of Dewatto Bay including Dewatto Bay.

Area 12D - Closed to all commercial fishing.

Area 13 - Gill nets restricted to 7-1/2-inch minimum mesh size when open, and purse seines prohibited.

Puyallup River - Gill nets restricted to 6-inch maximum mesh size when open.

Cedar River - Closed to all commercial fishing.

Dungeness River - Gill nets restricted to 6-inch maximum mesh.

Samish River - Closed to all commercial fishing.

Skagit River - Closed to all commercial fishing through August 15, 1981, below the Old Faber Ferry Landing including all tributaries. Closed to all commercial fishing until further notice above the Old Faber Ferry Landing including all tributaries.

Clallam River, Deep Creek, Hoko River, Lyre River, Pysht River, Sail River, Salt Creek, Sekiu River, East Twin River, West Twin River - Closed to all commercial fishing.

REPEALER

The following section to the Washington Administrative Code is repealed:

WAC 220-28-103 Puget Sound Commercial Fishery Restrictions (81-73).

WSR 81-17-007**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 81-77—Filed August 7, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is adopted pursuant to RCW 75.40.060.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.40.060 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-47-912 COMMERCIAL SOCKEYE SALMON FISHERY. (1) Effective August 8 through August 15, 1981 commercial sockeye salmon fishing

rules of the United States Department of Commerce, as adopted by Order 81-48 of the Director of Fisheries and as published in the Federal Register June 25, 1981 are superceded in part by this section.

(2) It is unlawful to take, fish for, or possess sockeye salmon for commercial purposes in Puget Sound Salmon Management and Catch Reporting Area 4B, 5, 6, 6A, 6C, 7, 7A and 7D except as follows:

Reef Nets

Saturday, August 8, 1981 6:00 A.M. to 9:00 P.M.

Sunday, August 9, 1981 5:00 A.M. to 9:00 P.M.

Purse Seine

Sunday, August 9, 1981 5:00 A.M. to 9:30 P.M.

Monday, August 10, 1981 5:00 A.M. to 9:30 P.M.

Gill Net

7:00 P. M. Sunday, August 9 to 9:30 A.M.

Monday, August 10, 1981.

7:00 P.M. Monday, August 10 to 9:30 A.M.

Tuesday, August 11, 1981.

(3) It is unlawful to take, fish for or possess sockeye salmon for commercial purposes in Puget Sound Salmon Management and Catch Reporting Area 7B except as follows:

Gill Net

7:00 P.M. Sunday August 9 to 9:30 A.M.

Monday, August 10, 1981.

7:00 P.M. Monday August 10 to 9:30 A.M.

Tuesday, August 11, 1981.

NOTE: Gill nets restricted to 7-1/2 inch minimum mesh size when open under Department of Fisheries regulations effective 7:00 P.M. Tuesday, August 10, 1981 until further notice in Area 7B.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 81-17-008
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-78—Filed August 7, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is scheduled fisheries in Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D are currently

under IPSFC control. Scheduled fishery in Area 7B allows harvest of chinook salmon, and, under IPSFC control, of sockeye salmon. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent overharvest of salmon stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-47-605 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY—WEEK OF AUGUST 9, 1981. Notwithstanding the provisions of WAC 220-47-403, effective August 9 through August 15, 1981, it is unlawful to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

* Areas 4B, 5 and 6 – Closed except under International Pacific Salmon Fisheries Commission (IPSFC) and United States Department of Commerce (USDOC) rules set forth in Emergency Orders 81-48 and 81-77. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 6A – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-77. Gill nets restricted to 5-7/8-inch maximum mesh size when open, and purse seines must release all chinook salmon over 28 inches in length when open.

Area 6B – Closed.

* Area 6C – Closed except under IPSEC and USDOC rules set forth in Emergency Orders 81-48 and 81-77. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Area 6D – Closed.

* Areas 7 and 7A – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-77. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 7B – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-77, and gill nets may fish Tuesday, Wednesday, and Thursday nights from 7:00 p.m. to 9:30 a.m. IPSFC restricts gill nets to 7-1/2-inch minimum

mesh size Tuesday, Wednesday, and Thursday nights. The Fidalgo Bay Salmon Preserve is closed as provided in WAC 220-47-307.

* Area 7C - Closed.

* Area 7D - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-77. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Areas 8, 8A, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 9, 1981:

WAC 220-47-604 Puget Sound All-Citizen Commercial Salmon Fishery (81-75).

WSR 81-17-009

NOTICE OF PUBLIC MEETINGS

STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

[Memorandum—August 6, 1981]

Notice is hereby given that the State Board for Community College Education desires to amend its schedule of regular meeting dates previously noted in WSR 81-12-039 as follows: The meeting announced for September 9 and 10, 1981 will be held on September 9, 10, and 11, 1981.

WSR 81-17-010

ADOPTED RULES

WASHINGTON STATE UNIVERSITY

[Order 81-2, Resolution 7/81-11—Filed August 7, 1981]

Be it resolved by the board of regents of the Washington State University, acting at Puyallup, Washington, that it does promulgate and adopt the annexed rules concerning policies of the Washington State University Libraries, including general policies, borrower use rules, return procedures for various classes of materials, and fines and other charges, amending WAC 504-40-010, 504-40-020, 504-40-030, 504-40-040 and 504-40-060.

This action is taken pursuant to Notice Nos. WSR 81-08-038, 81-13-024 and 81-14-031 filed with the code reviser on March 30, 1981, June 12, 1981 and June 29, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Washington State University as authorized in RCW 28B.30.125 and 28B.30.150.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act

(chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 31, 1981.

By Glenn Terrel
President

CHAPTER 504-40 WAC

~~((LIBRARY))~~ LIBRARIES' POLICIES, RULES, AND REGULATIONS

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-010 GENERAL POLICIES. (1) Washington State University (~~((Library's))~~) Libraries' major functions are to acquire and preserve the corpus of information and knowledge essential to the institution's teaching, research, and service programs; to organize this information and knowledge; to store it; to retrieve it upon demand; and to adapt and to assist in adapting it for most effective use.

The (~~((Library's))~~) Libraries' collections (~~((consist of))~~) contain this information and knowledge in its physical forms—books, journals, manuscripts, microforms, films, recordings, maps, magnetic data files, and other resources including equipment significant to the teacher, the student, and the researcher.

(2) (~~((Library))~~) Libraries' policies, rules, and regulations are based on the belief that the needs of the University community as a whole take precedence over individual convenience.

(3) Upon request and suitable justification by the library user, exceptions to the regulations may be made. To insure that exceptions are made with the full knowledge of the research and instructional needs of the University community, such exceptions may be made only by a member of the Library Faculty.

(4) In the (~~((Library's))~~) Libraries' buildings persons are expected to maintain (~~((a decent and decorous))~~) appropriate public behavior. No eating of food or drinking of beverages is allowed in the reading and study areas. Smoking is permitted only (~~((in the lavatories and corridors where ash receptacles are available, and in offices at the discretion of the occupants))~~) where posted.

(5) Consistent violators of (~~((Library))~~) Libraries' regulations may be subject to appropriate disciplinary action by the University.

(6) As a general rule, the (~~((Library))~~) Libraries' will not release the names of borrowers to other Library users.

(7) All (~~((main Library))~~) of the Libraries' policies, rules, and regulations will apply equally to all libraries operated by the Washington State University (~~((Library))~~) Libraries.

(8) The Board of Regents reserves the right to add, delete, or modify portions of these rules and regulations, including the fine schedules, in accordance with its regulations and applicable laws.

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

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-020 LIBRARY PATRON IDENTIFICATION. (1) Under the regulations governing the use of varying types of resources by different groups of library patrons, the ~~((Library's))~~ Libraries' resources, facilities, and services are available to the Washington State University community, citizens of the state, students, faculty and staff of other academic institutions, and special borrowers not otherwise identified who have been granted permission to borrow library materials.

~~((a) The Washington State University Community:~~

~~(i) Graduate and professional students, and persons with on-leave graduate status:~~

~~(ii) Faculty, as defined by the Board of Regents, whether serving under visiting, acting, research, clinical, or affiliate appointment, whether serving in an active or retired capacity, visiting scholars:~~

~~(iii) Undergraduate students, unclassified students:~~

~~(iv) Extension and other special students:~~

~~(v) Nonacademic staff:~~

~~(b) The Off-Campus Community:~~

~~(i) Students, faculty, and staff of the University of Idaho and other neighboring academic institutions:~~

~~(ii) Reciprocal faculty (faculty of each of the Washington State Colleges and Universities):~~

~~(iii) Retired staff employees of Washington State University, their spouses, faculty spouses, and members in good standing of the Alumni Association:~~

~~(iv) Nonuniversity affiliated residents of the State of Washington:~~

~~(v) Special borrowers not otherwise identified who have been granted permission to borrow library materials:))~~

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

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-030 INTERNAL USE OF LIBRARY MATERIALS, FACILITIES, AND SERVICES. (1) Although the largest part of the collection is free to circulate outside the ~~((Library))~~ Libraries and most of the rest may circulate for restricted periods, certain kinds of materials, due to their nature, are restricted to use within the ~~((Library))~~ Libraries. These may be freely consulted or read within the ~~((Library))~~ Libraries. ~~((Members of the Library Faculty are on duty to assist users:))~~

(a) Reference ~~((Books,))~~ Materials(,;) and Noncirculating Periodicals (bound and unbound) as determined by the ~~((Chief of the Area Library))~~ unit of the Libraries: Selected reference materials and periodicals, normally restricted to internal use, may circulate in very unusual circumstances, usually for a two-hour or one-day period.

(b) ~~((Manuscripts=Archives Collection))~~ Manuscripts, Archives, and Special Collections: These rare, unique, and often irreplaceable materials may be used only within the Manuscripts(=), Archives, ((Library)) and Special Collections unit. Each user must register with the attendant, must take extreme care in handling the materials, must keep intact their exact order and arrangement, and must make all notes in pencil.

~~((2) Locked Carrels:~~

~~(a) Carrels are intended primarily for graduate students who have begun work on their theses [thesis]:~~

~~(b) Carrel assignments are made at the beginning of each semester, for that semester only. Occupants will be notified of the date of expiration of the assignment. Applications must be renewed for each succeeding semester. Only persons officially assigned are permitted to use carrels:~~

~~(c) Carrel keys will be issued on the basis of approved applications. During the term of occupancy, replacement for a lost key may be obtained by payment of \$1.00. If a key is not turned in by the expiration date, a five dollar (\$5.00) penalty charge will be assessed:~~

~~(d) Carrel occupants must observe the regulations governing their use of the facility. The Library reserves the right to enter carrels at any time, and to revoke assignment of any carrel insufficiently or improperly used:))~~

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

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-040 EXTERNAL USE OF LIBRARY RESOURCES. (1) Borrower ~~((f))~~ Identification ((?)) Cards:

In order to borrow library materials for use outside the ~~((Library))~~ Libraries, borrowers must present authorized library borrower cards.

(a) Such borrower ~~((f))~~ identification ((?)) cards are uniformly issued to all members of the University community. Status of the borrower conferred by the card is the responsibility of the issuing authority.

(b) Upon request and proper identification, authorized borrower cards are issued to persons not members of the University community.

(c) A borrower card is authorized for use only by the individual whose name appears on the card.

(d) Cards used in an unauthorized manner or cards reported as lost or stolen may be confiscated.

(e) Each borrower is responsible for keeping the appropriate University office informed of changes of address.

(2) Borrowing of Library Materials:

(a) Personal pick-up by borrower: Borrowers are expected to pick up library material personally.

(b) Proxy pick-up for faculty: Washington State University faculty may appoint not more than two agents or proxies to borrow on their behalf, but each ~~((proxy borrower))~~ person appointing proxies must also hold his or her own valid authorized borrower card. Information about proxy identification cards may be obtained from

the ~~((Library Administrative Office))~~ circulation desk of any library unit.

(c) Library material may be loaned directly by mail to faculty and staff of Washington State University stationed off-campus, and to students enrolled in Washington State University correspondence courses.

(d) Responsibilities of borrowers: Borrowers are responsible for material checked out in their names until such material is returned. Faculty members utilizing agent or proxy borrowers assume the responsibility for all material borrowed in their names by the agent or proxy borrowers.

(3) Date Library Material is Due:

(a) All material borrowed for ~~((+))~~ one day or more is due by the closing time on the "date due" indicated.

(b) Two-hour material loaned overnight is due on the next day the library unit is open, no later than one hour after the opening of the library unit from which such material has been borrowed.

(c) All other hourly material is due at the hour specified.

(4) Return of Library Material:

~~((a) Material is considered returned to the issuing unit as of the hour and date returned to any Area Library operated by the Library. This does not include departmental collections not operated by Washington State University Library.~~

EXCEPTION: Periodicals, reserve materials, and material from special collections or categories must be returned to the particular library from which borrowed.))

(a) Reserve material and periodicals must be returned directly to the unit from which they were borrowed. If they are returned elsewhere, they will be considered returned at the time they are received at the unit from which they were borrowed. Special material may be designated for return to the unit from which it was borrowed.

(b) ~~((After-hours "book returns" are emptied before the Libraries open, and material found in them is considered to have been returned at the closing time of the previous day.))~~ All other material is considered returned the date it is returned to any unit in the system. This does not include departmental collections not operated by the WSU Libraries.

(c) Materials found in after-hours "book returns" are considered to have been returned at the closing time of the previous day.

(5) Holds(;) and Recalls ~~((and Searches))~~:

(a) Holds: Campus borrowers, or any operational unit of the ~~((Library))~~ Libraries, may place a reservation or ~~((hold))~~ HOLD on any material except 2-hour material. A borrower may not place a HOLD on material already checked out to ~~((himself))~~ him/herself.

(b) Recalls:

(i) Library material (14-day or longer loan period) on which a HOLD has been placed will be recalled any time after 14 days from the date checked out.

(ii) Library material with 3-day loan periods or longer may be recalled at any time after it has been borrowed if needed for Reserve or other restricted status.

~~((c) Searches: Borrowers who have not succeeded in locating material should request a Search.))~~

(6) Renewal of Library Material :

(a) Renewals of loaned material are ~~((allowed))~~ permitted unless material has restricted status or has been requested by another borrower. (See also 504-40-050(2)(c)(i) and (ii).)

(b) Materials subject to renewal may be renewed:

(i) In person with the materials in hand at the circulation desk where they had been originally checked out.

(ii) By telephoning borrower's identification number and the call numbers and accession numbers of materials to the circulation desk from which they ~~((had))~~ were originally ~~((been))~~ checked out.

(iii) By mail, with borrower's number, call numbers, and accession numbers of the materials.

(c) Overdue material may be renewed subject to the same conditions as similar material not overdue. Fine is assessed for overdue period.

EXCEPTION: Overdue material on which a replacement charge has been assessed must be brought in by the borrower for renewal.

(7) There is no limit to the number of items which may be borrowed at one time, but it is expected that no more than can be actually used within the time limits shall be borrowed.

~~((EXCEPTION: Only one 2-hour Reserve item may be borrowed at one time.))~~

(8) In accordance with general policy, and upon request and suitable justification by the library user, exceptions to these regulations may be made. To insure that exceptions are made with the full knowledge of the research and instructional needs of the University community, such exceptions may be made only by a member of the Library Faculty.

AMENDATORY SECTION (Amending Order 74-1, filed 6/12/74)

WAC 504-40-060 FINES AND CHARGES. (1) ((SYSTEM-WIDE APPLICABILITY OF FINES AND CHARGES)) System-wide Applicability of Fines and Charges:

All borrowers are subject to a uniform system of fines and charges for late return of library materials(;) and for replacement costs when required.

(2) ((NOTICE OF DUE DATES AND OVERDUE MATERIALS)) Notice of Due Dates and Overdue Materials:

(a) Overdue notices are sent five days subsequent to the date due for all materials on 30-day or longer loan time periods.

(b) For two-hour, and one-, three-, and seven-day materials and special category materials, overdue notices ~~((are))~~ may be phoned if possible, or borrowers ~~((are promptly))~~ may be notified by mail.

(c) Failure to receive a notice or invoice does not exempt the borrower from charges.

(d) Failure to inform the Libraries of changes of address does not exempt the borrower from charges.

(3) ((PAYMENT OF FINES AND CHARGES)) Payment of Fines and Charges:

(a) Fines and charges may be paid at the ~~((Library))~~ Holland Library Circulation Desk until the charges have been referred to the Controller. Payment may be made by cash, check, or money order. Departmental Purchase Orders or Interdepartmental Requisitions and Invoices are not acceptable on the basis that fines may not be appropriately paid by departmental, grant, or any other funds controlled by the University.

(b) Failure to pay fines and charges will result in the total amount assessed being referred to the Controller's Office for collection. The Controller may, if other collection methods fail, deduct outstanding fines from the salary warrants of employees to secure payment, or withhold outstanding fines from damage deposits or other funds held for any students. Where collection efforts are unsuccessful, the Controller may notify the Registrar to refrain from issuing copies of student transcripts or to withhold permission to re-enroll for an ensuing term until outstanding fines are paid.

(c) Failure to pay fines and charges may also result in revocation of borrowing privileges by the Director of Libraries.

(4) ~~((FINES AND CHARGES))~~ Fines and Charges:

(a) For materials on 30-day or longer loan periods:

The overdue fine is ~~(($\$0.05$))~~ $\$0.25$ per day beginning the day the material becomes overdue. ~~((The minimum fine on this class of material is $\$0.30$, and the first overdue notice will be produced no sooner than the fifth day material is overdue.))~~

EXCEPTION: See WAC 504-40-060(4)(d) for fines on recalled material.

(b) For materials limited in circulation to ~~((2))~~ two hours or less, including ~~((2))~~ two-hour Reserve materials: The overdue fine is ~~(($\$0.25$))~~ $\$1.00$ for ~~((every))~~ the first hour or fraction thereof and $\$0.25$ for each succeeding hour or fraction thereof.

(c) For one-, three-, and seven-day materials~~((;))~~: The overdue fine is ~~(($\$0.25$ per))~~ $\$1.00$ for the first day and $\$0.25$ for each subsequent day, accumulating from the time the material is due.

EXCEPTION: Reserve materials of this category are fined at ~~(($\$0.25$ per))~~ $\$1.00$ for the first day and $\$0.50$ for each subsequent day.

(d) For recalled material: The fine for recalled material is ~~(($\$0.50$))~~ $\$1.00$ for the first day and ~~(($\$0.15$))~~ $\$0.50$ per day thereafter, accumulating from the new assigned "date due" as indicated on the recall notice. The new assigned "date due" is five days after recall is initiated but not, in the case of 30-day material, before the end of the 14-day period assured the original borrower unless material is recalled for Reserve or other restricted status. ~~((f))~~ (WAC 504-40-050(2)(b)(i) as limited by WAC 504-40-050(2)(b)(iii).~~((f))~~)

(e) For materials circulated by special permission but normally categorized as noncirculating: If overdue, fine is $\$0.25$ per hour.

(f) For audio-visual equipment: The overdue fine is $\$0.25$ for every hour or fraction thereof.

(g) For materials from ~~((the Audio-Visual Center))~~ Instructional Media Services: Late return of materials from ~~((the Audio-Visual))~~ Instructional Media Services' collections are treated as an extended loan by the user,

subject to pro-rated rental charges based upon the fees listed in Films for Teaching, the University's film catalog.

(h) Repeated late return by a single user of ~~((Audio-Visual Center))~~ Instructional Media Services' equipment or materials will be considered grounds for discontinuance of service to that user. A letter of warning will be sent to the offender before final action is taken.

(i) All fines accrue from the time material becomes overdue.

(j) Fines do not accrue when the ~~((Library is))~~ Libraries are closed.

(k) If a loan period has been extended by special permission, the overdue fine is that of the original loan category of the material.

(l) The ~~((Library has))~~ Libraries have the right to reduce or forgive fines and charges for patrons with bona fide excuses for not returning materials when due.

(m) The maximum fine for audio-visual equipment is $\$15.00$. The maximum fine for ~~((2))~~ two-hour material is $\$10.00$. The maximum fine for all other Library material is ~~(($\$3.00$))~~ $\$7.50$.

(5) ~~((REPLACEMENT CHARGES))~~ Replacement Charges:

(a) If library material or equipment is lost, or not returned by the time the maximum fine has accumulated, a replacement charge will be assessed.

This replacement charge includes the list price of the material plus a nonrefundable service charge of $\$10.00$ to cover the costs of searching, correspondence, cataloguing, binding, etc. This replacement charge is added to the maximum fine, and the delinquent borrower is charged this total sum.

(b) If material upon which a replacement charge has been assessed is found and returned within six months of the assessment date, the purchase price of the material will be refunded. The service charge and overdue fine are not refundable.

Reviser's Note: RCW 28B.19.077 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 81-17-011

PROPOSED RULES

EDMONDS COMMUNITY COLLEGE

DISTRICT 23

[Filed August 7, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Edmonds Community College District 23 intends to adopt, amend, or repeal rules concerning tuition and fees policy, chapter 132Y-20 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, August 13, 1981, in the Brier Hall, Room 116, Edmonds Community College, Lynnwood, Washington 98036.

The authority under which these rules are proposed is RCW 28B.15.600.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 13, 1981, and/or orally at 10:00 a.m., Thursday, August 13, 1981, Brier Hall, Room 116, Edmonds Community College, Lynnwood, Washington 98036.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-14-043 filed with the code reviser's office on June 29, 1981.

Dated: July 7, 1981

By: Jennis J. Bapst
Vice President, Administrative Services

WSR 81-17-012
PROPOSED RULES
EDMONDS COMMUNITY COLLEGE
DISTRICT 23

[Filed August 7, 1981]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Edmonds Community College District 23 intends to adopt, amend, or repeal rules concerning Traffic Regulations—Edmonds Community College, chapter 132Y-100 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, August 13, 1981, in the Brier Hall, Room 116, Edmonds Community College, Lynnwood, Washington 98036.

The authority under which these rules are proposed is RCW 28B.50.140(10).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 13, 1981, and/or orally at 10:00 a.m., Thursday, August 13, 1981, Brier Hall, Room 116, Edmonds Community College, Lynnwood, Washington 98036.

This notice is connected to and continues the matter noticed in Notice No. WSR 81-14-044 filed with the code reviser's office on June 29, 1981.

Dated: July 7, 1981

By: Jennis J. Bapst
Vice President, Administrative Services

WSR 81-17-013
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES

[Order 358—Filed August 9, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging shutdown in parts of Western Washington on lands protected by the Department of Natural Resources on the Southwest Area, Central Area

and South Puget Sound Area to be effective midnight (2400), August 9, 1981 through midnight (2400) August 11, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 9, 1981.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-506 COMPLETE LOGGING SHUTDOWN ON PARTS OF THE SOUTHWEST AREA, CENTRAL AREA, AND SOUTH PUGET SOUND AREA UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES. Effective midnight (2400) tonight, August 9, 1981 through midnight (2400) Tuesday, August 11, 1981 all logging, milling, land clearing and other industrial operations that may cause a forest fire to start are to be shutdown as follows: Zone 621 in Clark and Skamania Counties. zone 660 in Lewis, Cowlitz, Skamania and Clark Counties. Zone 655 in Grays Harbor, Mason, Pacific, Thurston, Lewis and Cowlitz Counties. Zone 652 in Jefferson, Mason Counties. Zone 651 H, Pacific, Lewis, Wahkiakum and Cowlitz. Zone 659 in Snohomish, King, Pierce and Lewis.

During the shutdown period all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above mentioned zones.

These restrictions apply to those lands protected by the Department of Natural Resources in Western Washington.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 81-17-014
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Order 359—Filed August 10, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging shutdown in parts of Western Washington on lands protected by the Department of Natural Resources in parts of the Olympic Area to be effective midnight (2400), August 10, 1981 through midnight (2400) August 12, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecast weather conditions, the areas included are particularly exposed to fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1981.

By Brian J. Boyle
 Commissioner of Public Lands

NEW SECTION

WAC 332-26-506 LOGGING SHUTDOWN ON PARTS OF THE OLYMPIC PENINSULA IN WESTERN WASHINGTON. Which is under the protection of the Department of Natural Resources.

Effective midnight tonight (2400 hours), Monday, August 10, 1981 through midnight (2400 hours) August 12, 1981, all logging, milling, land clearing and all other industrial operations that may cause a forest fire to start are to be shut down in zones 649 in the west parts of Clallam, Jefferson and Grays Harbor Counties. 650 in Clallam, Jefferson, Grays Harbor Counties. That portion on zone 651 in Grays Harbor County that is protected by Olympic Area. That portion of zone 653, protected by the Olympic Area in Clallam and Jefferson Counties. That portion of zone 654 in Jefferson, Clallam Counties and is protected by Olympic Area.

During the shutdown period all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above mentioned zones.

These restrictions apply to those lands protected by the Department of Natural Resources in Western Washington.

WSR 81-17-015
ADOPTED RULES
WASHINGTON STATE UNIVERSITY
 [Order 81-3, Resolution 7/81-12—Filed August 10, 1981]

Be it resolved by the board of regents of the Washington State University, acting at Puyallup, Washington, that it does promulgate and adopt the annexed rules relating to campus parking regulations, repealing WAC 504-16-120(7) and amending WAC 504-16-170.

This action is taken pursuant to Notice Nos. WSR 81-12-016 and 81-14-031 filed with the code reviser on May 29, 1981 and June 29, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.10-.560 which directs that the Washington State University has authority to implement the provisions of RCW 28B.10.560.

This rule is promulgated under the general rule-making authority of the Washington State University as authorized in RCW 28B.30.125 and 28B.30.150.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 31, 1981.

By Glenn Terrell
 President

Chapter 504-16 WAC
CAMPUS TRAFFIC AND PARKING REGULATIONS

AMENDATORY SECTION (Amending Order 80-2, filed 6/11/80)

WAC 504-16-120 GENERAL REGULATIONS. These campus parking and traffic regulations include the motor vehicle laws of the state of Washington and the traffic ordinances of the city of Pullman, as well as the special provisions herein provided.

(1) Restricted areas include loading zones, motorcycle zones, spaces assigned to state vehicles, specific residence hall lots, head resident spaces, university housing areas, and Rogers-Orton lot (lot #1). Restrictions in these areas are in effect at all times.

(2) The campus traffic regulations are in force on the campus as defined above, and they are also in force on certain streets of the city of Pullman by permission of the city council.

(3) Pedestrians have the right of way at all intersections and designated pedestrian crossings, except in cases involving emergency vehicles.

(4) The maximum speed limit on the campus is 20 m.p.h. unless otherwise posted.

(5) Driving on campus roads and streets is permitted at any time, except as otherwise posted, but always within the speed limits and in conformity with the regulatory signs. Standing (stopping of a vehicle, but with the driver still in the vehicle) is permitted in regular parking areas even though the vehicle is without a valid parking permit, but double parking while standing is not permitted.

(6) Washington State University assumes no responsibility for damage or theft of cars driven or parked on campus.

~~((7) An illegally parked vehicle may be towed away or have a wheel lock placed on a wheel. Vehicles that are towed away will be at the expense of the driver or owner. The university assumes no responsibility in the event of damage resulting from towing, storage or attempts to move a vehicle with a wheel lock installed. A vehicle which has been impounded by tow-away or wheel lock will not be released until arrangements have been made to clear outstanding violations that have been issued to that vehicle.))~~

AMENDATORY SECTION (Amending Order 80-2, filed 6/11/80)

WAC 504-16-170 ADMINISTRATION AND ENFORCEMENT. (1) The traffic control subcommittee of the university planning committee is responsible for the following:

(a) Making recommendations on regulations governing campus traffic and parking control.

(b) Making recommendations for physical improvements in parking facilities.

(c) Reviewing the administration and enforcement of the regulations.

(d) Authorizing special permits and assessing fees therefor.

(2) The parking appeals committee

(a) Establishes and maintains an appeals procedure for parking violations on campus.

(b) Hears appeals as requested and renders decisions.

(3) The Washington State University police department is responsible for the administration and enforcement of the campus traffic and parking regulations. This responsibility also involves recommending the installation of appropriate traffic signs, maintaining a registration record system, the issuance of permits, the patrol of the university campus, and the keeping of a record of violations, warnings, court summons, and arrests.

(4) Anyone observed in violation of traffic regulations or any vehicle found parked in violation of regulations may be given a notice of violation. Moving violations will be referred to the local justice court.

(5) ~~((An illegally parked vehicle))~~ Any vehicle which an accumulation of three or more unpaid parking violations may be ((towed away or have)) temporarily immobilized by use of a wheel lock device placed on a wheel. Any vehicle may be towed away if the vehicle:

has been immobilized by wheel lock more than 24 hours; or

is illegally parked in a marked tow-away zone; or is a hazard or obstruction to vehicular or pedestrian traffic (including, but not limited to, vehicles parked in yellow curb zones or crosswalks).

Vehicles that are towed away will be at the expense of the driver and/or owner. Any vehicle immobilized by use of the wheel lock device in excess of 24 hours in a location where towing away is impossible or impractical will be assessed a storage fee of \$5.00 for each calendar day or portion thereof, beyond the first 24 hours. The university assumes no responsibility in the event of damages resulting from towing, use of wheel lock devices, storage, or attempts to move a vehicle with a wheel lock device installed. ((A)) No vehicle ((which has been)) impounded by tow-away or wheel lock device ((will not)) shall be released until ((arrangements have been made to clear outstanding violations that have been issued to that vehicle)) the following fees are paid:

All unpaid parking violation penalties against said vehicle;

All towing and storage fees.

Any vehicle impounded pursuant to these regulations in excess of 30 calendar days shall be considered an abandoned vehicle and shall be disposed of in accordance with RCW 46.52. A person wishing to challenge the validity of any fines or fees imposed under this subsection may appeal such fines or fees as elsewhere provided in these regulations. However, in order to secure release of the vehicle, such person must pay the amount of such fines or fees as a bond which may be refunded after a successful appeal.

(6) Parking violations will be processed by the university. Parking fines are to be paid at the police department in the safety building. Parking violations may be appealed in writing within 10 days of the violation. The fine will be: Class 1) \$2.00 for parking meters, time zones, and no transferable pool card; Class 2) \$10.00 for fire hydrants, no permit head resident's areas and disability spaces; and Class 3) \$5.00 for all other parking violations. Fines for classes 1, 2, and 3 will be reduced by one-half if paid within 24 hours of the violation. Displaying a counterfeit permit or indicator, or obtaining one under false pretenses, will be subject to a fine of \$25.00.

(7) Failure of a student or a staff member to pay the fine assessed for any violation will result in the total amount of the fine being referred to the controller's office for collection. The controller may, if other collection efforts fail, deduct outstanding fines from the salary warrants of employees to secure payment, or withhold outstanding fines from damage deposits or other funds held for any students. Where collection efforts are unsuccessful, the controller may notify the registrar to refrain from issuing copies of students' transcripts or to withhold permission to re-enroll for an ensuing term until outstanding fines are paid.

(8) An accumulation of six class-2 or -3 violations during a year will subject the violator to revocation of

parking privileges. Vehicles without permits which accumulate the above number of violations will be prohibited from parking on university property.

(9) Appeal procedure – This procedure serves two primary purposes: To assure an impartial evaluation of circumstances and situations relating to a parking violation; and to aid in the appraisal of parking and traffic problems. The appeal procedure may involve two steps:

(a) The initial appeal must be in writing. Forms for this purpose are obtained at the police department. After review by the parking appeals committee, the appellant and, if appropriate, the WSU controller's office are notified of the decision of the committee.

(b) If the initial appeal is rejected, the appellant may request a hearing before the parking appeals committee to present his/her case in person. The appellant is notified by mail of the decision of the committee.

(10) The parking regulations are enforced every day, 24 hours a day throughout the year. During specified periods as described in the following subparagraphs, special conditions exist and the regulations are modified accordingly.

(a) During vacation periods and between terms, temporary permits are issued without fee for the period when school is not in session.

(b) At the beginning of a semester or summer session, parking permits are not required in student lots, specific residence hall lots, E-lots, and university housing areas from the Monday of registration week until the beginning of the sixth day of classes.

(c) During finals week, permits are not required in student lots, specific residence hall lots, E-lots, and university housing areas.

(d) During vacation periods and summer sessions, any valid parking permit, except those issued by university housing and food service, authorizes parking in any lot designated for students.

(e) At the beginning of the fall semester, the prior year staff and visitor permits will be valid until the beginning of the ((6th)) sixth day of classes.

(11) Parking violation notices issued to visitors are considered to be warning notices only for violation No. 4 "No Parking Permit" and violation No. 5 "No Parking Permit for Area."

WSR 81-17-016
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-79—Filed August 10, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the

facts constituting such emergency is these rules are adopted pursuant to RCW 75.40.060.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.40.060 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1981.

By W. R. Wilkerson
for Rolland A. Schmitt
Director

NEW SECTION

WAC 220-47-913 COMMERCIAL SOCKEYE SALMON FISHERY. (1) Effective August 10 through August 15, 1981 commercial sockeye salmon fishing rules of the United States Department of Commerce, as adopted by Order 81-48 of the Director of Fisheries and as published in the Federal Register June 25, 1981 are superceded in part by this section.

(2) It is unlawful to take, fish for, or possess sockeye salmon for commercial purposes in Puget Sound Salmon Management and Catch Reporting Area 4B, 5, 6, 6A, 6C, 7, 7A and 7D except as follows:

Reef Nets

Monday, August 10, 1981 11:30 A.M. to 9:30 P.M.

Purse Seine

Monday, August 10, 1981 5:00 A.M. to 9:30 P.M.

Tuesday, August 11, 1981 5:00 A.M. to 9:30 P.M.

Gill Net

7:00 P.M. Monday, August 10 to 9:30 A.M.

Tuesday, August 11, 1981.

7:00 P.M. Tuesday, August 11 to 9:30 A.M.

Wednesday, August 12, 1981

(3) It is unlawful to take, fish for or possess sockeye salmon for commercial purposes in Puget Sound Salmon Management and Catch Reporting Area 7B except as follows:

Gill Net

7:00 P.M. Monday August 10 to 9:30 A.M.

Tuesday, August 11, 1981.

NOTE: Gill nets restricted to 7-1/2 inch minimum mesh size in Area 7B when open under Department of Fisheries regulations effective 7:00 P.M. Tuesday, August 10, 1981 until further notice.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-47-911 COMMERCIAL SOCKEYE SALMON FISHERY (81-74)

WAC 220-47-912 COMMERCIAL SOCKEYE SALMON FISHERY (81-77)

WSR 81-17-017
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-80—Filed August 10, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is scheduled fisheries in Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D are currently under IPSFC control. Scheduled fishery in Area 7B allows harvest of chinook salmon, and, under IPSFC control, of sockeye salmon. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent overharvest of salmon stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1981.

By W. R. Wilkerson
for Rolland A. Schmitt
Director

NEW SECTION

WAC 220-47-606 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY—WEEK OF AUGUST 9, 1981 UPDATE. Notwithstanding the provisions of WAC 220-47-403, effective August 10 through August 15, 1981, it is unlawful to take, fish for

or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

* Areas 4B, 5 and 6 – Closed except under International Pacific Salmon Fisheries Commission (IPSFC) and United States Department of Commerce (USDOC) rules set forth in Emergency Orders 81-48 and 81-79. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 6A – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-79. Gill nets restricted to 5-7/8-inch maximum mesh size when open, and purse seines must release all chinook salmon over 28 inches in length when open.

Area 6B – Closed.

* Area 6C – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-79. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Area 6D – Closed.

* Areas 7 and 7A – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-79. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 7B – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-79, and gill nets may fish Tuesday, Wednesday, and Thursday nights from 7:00 p.m. to 9:30 a.m. IPSFC restricts gill nets to 7-1/2-inch minimum mesh size Tuesday, Wednesday, and Thursday nights. The Fidalgo Bay Salmon Preserve is closed as provided in WAC 220-47-307.

Area 7C – Closed.

* Area 7D – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-79. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Areas 8, 8A, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-605 Puget Sound All-Citizen Commercial Salmon Fishery (81-78).

WSR 81-17-018
EMERGENCY RULES
DEPARTMENT OF REVENUE
 [Order PT 81-10—Filed August 11, 1981]

I, Glenn R. Pascall, director of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Property tax exemptions:

New	WAC 458-16-282	Musical, dance, artistic, dramatic and literary associations.
New	WAC 458-16-300	Public meeting facilities.
New	WAC 458-16-301	Applications without penalties.
New	WAC 458-16-310	Community celebration facilities.

I, Glenn R. Pascall, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is chapter 141, Laws of 1981, enacted a tax exemption for certain types of property. The exemption is to apply to taxes that would become payable in 1982. It is necessary to enact these rules on an emergency basis in order for the department to administer the new exemption without undue delay and cost to both the department and the property owner.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 84.36.865 which directs that the Department of Revenue has authority to implement the provisions of chapter 84.36 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 11, 1981.

By Trevor W. Thompson
 Assistant Director

NEW SECTION

WAC 458-16-282 MUSICAL, DANCE, ARTISTIC, DRAMATIC AND LITERARY ASSOCIATIONS. *The real and personal property owned by or leased to nonprofit organizations whose purpose is to produce and/or perform musical, dance, artistic, dramatic or literary works, for the benefit of the general public and not for profit, shall be exempt from taxation in accordance with the following rules:*

- (1) *Must be organized and operated exclusively for the purpose of the exemption.*
- (2) *Must receive a substantial portion of its income, exclusive of moneys received from admissions to its performances, from contributions or donations.*
- (3) *Applications for leased property must include a copy of the lease agreement.*
- (4) *The property meets all the conditions of RCW 84.36.800 through 84.36.865.*

(5) *Substantial for purposes of this exemption shall mean twenty-five percent or more.*

NEW SECTION

WAC 458-16-300 PUBLIC MEETING FACILITIES. *Real and personal property used exclusively for public assembly or meeting places shall be exempt from taxation in accordance with the following rules:*

(1) *In order to qualify, the following conditions must be met:*

- (a) *It is owned by a nonprofit organization;*
- (b) *The area to be exempted does not exceed one acre;*
- (c) *The owning organization has publicized fee schedules, a policy on the availability, and any restrictions on the use of the facility;*
- (d) *The rental fee charged does not exceed the maintenance and operating expenses created by the users thereof;*
- (e) *It is not used to promote business or pecuniary gain, except fund raising activities conducted by nonprofit organizations; and*
- (f) *The applicant has provided to the department on an annual basis:*

(i) *A schedule of all users and the purpose of their use for the previous year; and*

(ii) *A detailed statement of income and expenses for the previous year.*

(2) *Other community meeting halls whose owners schedule regular meetings of their organizations will also qualify for the exemption if they meet the conditions in subsection (1) of this section, and:*

(a) *The scheduled uses by the owner do not exceed twenty-five percent of the useable time and such facility is available for public gatherings and for meetings of other organizations or persons at all other times; and*

(b) *the facility is used for public gatherings an equal or greater number of times as the owning organization.*

(3) *Public gathering shall mean any gathering that is open to the general public and shall include meetings of organizations which allow attendance by nonmembers.*

(4) *Facilities used more than fifty percent of the time for meetings of organizations which disallow attendance by nonmembers do not qualify for this exemption.*

(5) *The loss of the exemption for a year will not subject the property to the provisions of RCW 84.36.810, provided that if the loss of the exemption was due to sale or transfer of the property or due to false information, RCW 84.36.810 shall apply.*

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 458-16-301 APPLICATIONS WITHOUT PENALTIES. (1) *Applications for exemption under WAC 458-16-282, 458-16-300 and 458-16-310 shall be accepted, without penalties, through October 31, 1981. Applications submitted in November 1981 shall have a \$10 late filing penalty and in December 1981, a \$20 penalty.*

(2) *This section shall expire January 1, 1982.*

NEW SECTION

WAC 458-16-310 COMMUNITY CELEBRATION FACILITIES. *Real and personal property used for community celebration events shall be exempt from taxation in accordance with the following rules:*

- (1) *It is owned by a nonprofit organization;*
- (2) *The area to be exempted does not exceed twenty-nine acres;*
- (3) *The property has been primarily used for community celebration events for the last ten years;*
- (4) *The purpose of the property is to provide a facility for the annual gathering;*
- (5) *The owning organization has publicized fee schedules, a policy on the availability and any restrictions on the use of the facility;*
- (6) *The rental fee charged does not exceed the maintenance and operating expenses created by the users thereof;*
- (7) *It is not used to promote business or pecuniary gain, except fund raising activities conducted by nonprofit organizations;*
- (8) *Any enclosed structures other than restroom facilities will not qualify; and*
- (9) *The applicant has provided to the department on an annual basis:*
 - (a) *A schedule of all users and the purpose of their use, for the previous year; and*
 - (b) *A detailed statement of income and expenses for the previous year.*

**WSR 81-17-019
PROPOSED RULES
COMMISSION ON EQUIPMENT**
[Filed August 11, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission on Equipment intends to adopt, amend, or repeal rules concerning trailer tongue lamps, chapter 204-39 WAC;

that such agency will at 3:30 p.m., Tuesday, August 11, 1981, in the Washington State Patrol Headquarters, General Administration Building, Olympia, Washington 98504, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 3:30 p.m., Tuesday, August 11, 1981, in the Washington State Patrol Headquarters, General Administration Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 46.37.005 and 46.37.280.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 11, 1981, and/or orally at 3:30 p.m., Tuesday, August 11, 1981, Washington State Patrol Headquarters, General Administration Building, Olympia, Washington 98504.

This notice is connected to and continues the matter in Notice No. WSR 81-12-044 filed with the code reviser's office on June 3, 1981.

Dated: August 11, 1981
By: R. C. Dale
Secretary

**WSR 81-17-020
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES**
[Order 360—Filed August 11, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions on forest lands under the protection of the Department of Natural Resources in its South Puget Sound Area, shutdown zones 652, 655 and 659 in portions of King, Pierce, Jefferson, Mason and Lewis counties, its Central Area, shutdown zones 651H, 655, 659 and 660 in portions of Lewis, Thurston, Mason, Grays Harbor and Pacific counties, and its Southwest Area, shutdown zones 621, 651H, 655 and 660 in Skamania, Cowlitz, Clark and Wahkiakum counties effective midnight, Tuesday, August 11, 1981 until midnight, Wednesday, August 12, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the areas listed above as included in the logging restrictions are particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges are also suspended.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 11, 1981.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-508 COMPLETE LOGGING SHUTDOWN ON PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PARTS OF THE SOUTH PUGET SOUND.

CENTRAL, AND SOUTHWEST AREAS. Effective midnight tonight (2400 hours), Tuesday, August 11, 1981 through midnight (2400 hours) August 12, 1981, all logging, land clearing, or industrial operations which may cause a forest fire to start are to be shutdown from midnight to midnight.

The DNR shutdown zones and locations affected by this restriction are the following: zone 659 in King, Pierce, and Lewis counties; zone 621 in Skamania and Clark counties; zone 660 in Skamania, Lewis, Clark, and Cowlitz counties.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

WAC 332-26-509 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PARTS OF THE SOUTH PUGET SOUND, CENTRAL, AND SOUTHWEST AREAS. Effective Tuesday, midnight (2400 hours), August 11, 1981 through Wednesday, midnight (2400 hours), August 12, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time:

Power Saws -	1100-2400
Tractors -	1300-2400
Other Power -	1300-2400
Machinery	

Loading and hauling may continue throughout the day.

DNR shutdown zones affected by this restriction are the following: Zone 652 in Mason and Jefferson counties; zone 651H in Pacific, Lewis, Wahkiakum and Cowlitz counties; zone 655 in Mason Grays Harbor, Thurston, Lewis, and Cowlitz counties.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 81-17-021
PROPOSED RULES
ENERGY FACILITY SITE
EVALUATION COUNCIL
[Filed August 11, 1981]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning:

Amd WAC 463-06-030 Council office—Business hours.
New WAC 463-14-080 EFSEC deliberative process.
Amd WAC 463-30-400 Intervention;

that such agency will at 1:30 p.m., Monday, September 28, 1981, in the EFSEC Hearing Room, 4224 6th Avenue S.E., Lacey, WA, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 80.50.040(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 25, 1981, and/or orally at 1:30 p.m., Monday, September 28, 1981, EFSEC Hearing Room, 4224 6th Avenue S.E., Lacey, WA.

Dated: August 11, 1981
By: William L. Fitch
Executive Secretary

STATEMENT OF PURPOSE

Rule Title and Purpose: WAC 463-06-030 Council Office—Business Hours. WAC 463-14-080 EFSEC Deliberative Process. WAC 463-30-400 Intervention.

Statutory Authority: RCW 80.50.040(1).

Rule Summary and Supporting Statement on Proposed Action: WAC 463-06-030 provides the address and office hours of the Energy Facility Site Evaluation Council. An address correction is necessary. WAC 463-14-080 is proposed to satisfy a need for a description of the EFSEC Deliberative Process. WAC 463-30-400 describes the manner in which intervention is allowed. The proposed amendment is necessary to promote orderly progress in the processing of an application for an energy facility site certification.

Agency Responsibility for Drafting: Management Committee, Russell Albert, Chairman, 753-7384, EFSEC, 4224 6th Avenue S.E., Lacey, WA 98504; Implementing: William L. Fitch, Executive Secretary, Energy Facility Site Evaluation Council, 4224 6th Avenue S.E., Lacey, WA 98504, 753-7384; and Enforcing: Nicholas D. Lewis, Chairman, 753-7384, Energy Facility Site Evaluation Council, 4224 6th Avenue S.E., Lacey, WA 98504.

Person or Organization Proposing Rule: Washington State Energy Facility Site Evaluation Council.

Agency Comments, if any: None.

AMENDATORY SECTION (Amending Order 103, filed 11/4/76)

WAC 463-06-030 COUNCIL OFFICE—BUSINESS HOURS. The council office is located at ((820 East Fifth Avenue)) Rowesix, 4224 6th Avenue S.E., Olympia, Washington. It is open each day for the transaction of business from 8:00 a.m. to 5:00 p.m., Saturdays, Sundays, and legal holidays excepted. Notices, applications, business correspondence, or other communication should be sent to the council office.

NEW SECTION

WAC 463-14-080 EFSEC DELIBERATIVE PROCESS. RCW 80.50.100 requires the council to report to the governor its recommendation as to the approval or rejection of an application for certification. In order for the council to develop such a recommendation it shall utilize a deliberative process for analysis and evaluation of an application to determine compliance with the intent and purpose of chapter 463-42 WAC. The council will contract for an independent consultant study of the application. An environmental impact statement also will be adopted.

The council during the deliberative process will conduct an extensive public hearing as a contested case for the presentation of evidence on the application. The council will conduct sessions for the taking of public testimony concerning the proposed project. The council will evaluate public comments received as part of the environmental review. The council throughout all of the deliberative process will consider any laws or ordinances, rules or regulations which may be preempted by certification. The council in open session, when fully satisfied that all issues have been adequately discussed will consider and by majority decision will act on the question of approval or rejection of an application.

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-30-400 INTERVENTION. On timely application in writing to the council, intervention shall be allowed to any person upon whom a statute confers a right to intervene and, in the discretion of the council, to any person having an interest in the subject matter and whose ability to protect such interest may be otherwise impaired or impeded. All petitions to intervene shall be verified under oath by the petitioner, shall adequately identify the petitioner, and shall establish with particularity an interest in the subject matter and that the ability to protect such interest may be otherwise impaired or impeded. In exercising discretion with regard to intervention, the council shall consider whether intervention by the petitioner would unduly delay the proceeding or prejudice the rights of the existing parties. The council may establish a date after which petitions to intervene will not be considered except for good cause shown. When such a date has been established, the council will assure that adequate public notice is given.

WSR 81-17-022
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1687—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to protection of human research subjects, chapter 388-10 WAC.

This action is taken pursuant to Notice No. WSR 81-14-007 filed with the code reviser on June 23, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 43.20A.550.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
 Director, Division of Administration

Chapter 388-10 WAC
PROTECTION OF HUMAN RESEARCH SUBJECTS

WAC

388-10-010	Purpose.
388-10-020	Definitions.
388-10-030	Statement of policy.
388-10-040	Implementation.
388-10-050	General applicability.
388-10-060	Documentation of research proposals and review dispositions.
388-10-070	Human research review guidelines.

NEW SECTION

WAC 388-10-010 PURPOSE. The purpose of this chapter shall be to establish rules implementing the department's policy for the protection of departmental wards, clients, and employees who serve as human subjects in research and related activities. These rules do not supersede or limit the applicability of other state and federal laws and regulations. For example, see Title 45, Part 46 of the Code of Federal Regulations.

NEW SECTION

WAC 388-10-020 DEFINITIONS. (1) "Research" means a systematic investigation designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute "research" for purposes of these rules, whether or not they are supported or conducted under this label.

(2) "Related activities" means demonstration, service, development, and other projects that contain a research component.

(3) "Human subject" means a person about whom an investigator (whether professional or student) conducting research obtains data (a) through intervention or interaction with the person, (b) through observation of the person's behavior, or (c) from personal records and other private information sources.

NEW SECTION

WAC 388-10-030 STATEMENT OF POLICY. (1) No service unit or administrative unit within the department's jurisdiction shall allow, or shall participate in, the conduct of research and related activities unless the plans or protocols for such activities have been reviewed and approved by the department of social and health services human research review board or have been specifically exempted from this review requirement by published departmental guidelines.

(2) It is the intent of the department's human subjects protection policy that review of research and related activities by the review board determine that the rights and welfare of clients, wards, and employees are adequately protected; that risks to individuals are minimized, are not unreasonable and are outweighed by the potential

benefits to them or by the knowledge to be gained; and that the proposed project design and methods are adequate and appropriate in the light of stated project purposes.

NEW SECTION

WAC 388-10-040 IMPLEMENTATION. (1) The department shall maintain a human research review board which shall have primary responsibility for the ethical and technical review of the use of human subjects in research and related projects conducted within the department's jurisdiction. Unfavorable review dispositions by this review board, including disapproval of proposed research, research restrictions, or special approval conditions, cannot, by federal regulation (45 CFR 46.112) be removed except by the review board. Favorable review decisions by the board shall be subject to review and concurrence by appropriate departmental officials.

(2) To assure continued protection of human subjects in on-going research at the activity site, departmental service units involved in a significant number of research and related activities shall establish their own research oversight committees. These local committees shall function as extensions of the human research review board. They shall be responsible for providing ethical and procedural oversight in accordance with the review board's directions.

(3) Review of proposals requiring professional competencies beyond those represented on the human research review board shall require prior and written review consultation with at least four research experts who are competent to judge the scientific merit, benefits, and risks of the proposed research.

NEW SECTION

WAC 388-10-050 GENERAL APPLICABILITY. The department's human research review rules shall apply to all organizational units of the department. They shall apply to all research and related activities that involve departmental clients, wards, or employees as human subjects or that require disclosure of their personal records, regardless of funding source, and regardless of whether the research is conducted by a departmental employee or by a nondepartmental investigator. The rules shall apply to all research and related activities subcontracted by the department under state and federal grants and contracts to nondepartmental organizations and individuals, regardless of whether the research or related activity involves departmental clients or a nondepartmental subject population.

NEW SECTION

WAC 388-10-060 DOCUMENTATION OF RESEARCH PROPOSALS AND REVIEW DISPOSITIONS. (1) All research and related activity proposals subject to review under WAC 388-10-050 shall be submitted in writing and such proposals shall conform to the format and content guidelines published by the department.

(2) The director of the departmental unit responsible for human research review policy administration shall document in writing all review dispositions affecting research and related activity proposals submitted to the department. In the case of unfavorable dispositions, such documentation shall contain a statement of the reasons for the negative disposition.

NEW SECTION

WAC 388-10-070 HUMAN RESEARCH REVIEW GUIDELINES. (1) The department shall develop and publish a comprehensive set of procedural guidelines for the protection of human research subjects within its jurisdiction. These guidelines shall be at least as restrictive as the minimum requirements set forth in Title 45, Part 46 of the Code of Federal Regulations, but may be more restrictive if necessary to satisfy the protective purposes of the department's human subjects protection policy.

(2) The published guidelines shall speak at least to the following topics:

- (a) Applicability;
- (b) Responsibility for policy and rule implementation;
- (c) Basic definitions;
- (d) Proposal format and content;
- (e) Review and certification requirements;
- (f) Activities exempt from review requirements;
- (g) Approval and disapproval authority; appeals;
- (h) Qualification requirements for investigators;
- (i) Review board composition and functions;
- (j) Review of ongoing research projects;
- (k) Informed consent requirements;
- (l) Disclosure of personal records for research purposes;
- (m) Publication conditions;
- (n) Provisions for adapting guidelines to the changing requirements of state and federal laws and regulations.

**WSR 81-17-023
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 1688—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Food stamps—Complaints, WAC 388-54-821.

This action is taken pursuant to Notice No. WSR 81-14-003 filed with the code reviser on June 19, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

NEW SECTION

WAC 388-54-821 COMPLAINTS. (1) Complaints received which cannot be categorized as discrimination complaints or resolved through the fair hearing process shall be acknowledged, resolved and recorded.

(2) Information concerning the complaints system and how to file shall be made available to food stamp participants and other interested parties.

(3) Records of complaints shall be available for annual review.

WSR 81-17-024
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1689—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to homemaker services, amending WAC 388-15-220.

This action is taken pursuant to Notice No. WSR 81-14-050 filed with the code reviser on June 30, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1551, filed 10/2/80)

WAC 388-15-220 HOMEMAKER SERVICES.

(1) Homemaker services are emergency services to families with children under the age of eighteen residing in their own homes or in special group situations outside their homes which will help families overcome specific and temporary barriers to maintaining, strengthening, and safeguarding their functioning in the home. Such

services may not exceed a maximum of: one hundred sixty-eight consecutive hours; or, thirty consecutive days of noncontinuous services not to exceed one hundred sixty-eight hours total.

(2) In ~~((an))~~ sudden or unforeseen emergent situations, services may be provided to individuals sixty years of age and older ~~((, when due to sudden or unforeseen need;))~~ to enable the individual to return to or remain in own home ~~((;)).~~ Such ~~((emergency))~~ services may not ~~((to))~~ exceed seventy-two consecutive hours of homemaker care.

(3) Services include the casework functions of determination of need for service, the development with the clients, of a service plan, and ongoing evaluation of that plan during the period of placement. Homemaker services also include the direct provision of, as well as the formal and informal teaching of, limited personal care, home management of household budgets, maintenance and care of the home, food preparation and nutrition, the supervision and development of children and adults unable to care for themselves, and information and referral regarding community resources to improve home and family functioning. These services may be directed toward adult and ~~((children's))~~ child protective services situations, and include the observation, evaluation and reporting of individual functioning in the home.

~~((2))~~ (4) Goals for Homemaker Services shall be limited to those specified in WAC 388-15-010(1)(a) through (e). Also see WAC 388-15-010(2).

WSR 81-17-025
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 1690—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to schedule of per capita cost, amending WAC 275-20-030.

This action is taken pursuant to Notice No. WSR 81-14-033 filed with the code reviser on June 29, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 72.33.660 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1611, filed 2/19/81)

WAC 275-20-030 SCHEDULE OF PER CAPITA COST. Resident charges will be collected on the basis of the following:

	Per Capita Daily Rate
Lakeland Village	((\$69.36)) \$110.41
Rainier School	((\$81.29)) \$108.96
Yakima Valley School	((\$77.00)) \$83.74
Fircrest School	((\$90.57)) \$98.36
Interlake School	((\$83.11)) \$86.43
Frances Haddon Morgan	((\$102.57)) \$106.35
School for Blind-nonresident	\$76.49
School for Deaf-nonresident	\$55.18
Cerebral Palsy Center	\$129.14

SAS-OK

WSR 81-17-026
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1691—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to funeral expense, amending chapter 388-42 WAC.

This action is taken pursuant to Notice No. WSR 81-14-009 filed with the code reviser on June 23, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1643, filed 4/27/81)

WAC 388-42-020 FUNERAL EXPENSES—DEFINITIONS AND STANDARDS. (1) "Funeral" shall mean the proper preparation, transportation within the local service area, and care of the remains of a deceased person with needed facilities and appropriate memorial services. Local service area shall mean an area

whose boundaries are seventy-five miles from the mortuary.

(2) Burial shall mean necessary costs of a lot or cremation and all services related to interment and the customary memorial marking of a grave.

(3) Two types of funeral services shall be available: A ((regular)) minimum standard service and a minimum service.

(a) The minimum service shall include:

(i) Transportation of the body from place of death to mortuary within the local service area;

(ii) Proper preparation and care of the remains of the deceased person for immediate disposition by cremation or burial;

(iii) Preparation and filing of death certificate and permits;

(iv) A wooden container of sufficient durability to transport the remains from the mortuary to the crematorium or cemetery;

(v) Transportation of the remains from the mortuary to the crematorium or cemetery within the local service area;

(vi) Use of the funeral director's staff and facilities when requested for a memorial service(;

(vii) ~~The cost for these services shall not exceed the standard in WAC 388-42-150(1)(a)).~~

(b) The ((regular)) minimum standard service shall include all the services of the minimum service plus:

(i) ((Service car (first call);

(ii)) Embalming and care of the body;

((iii)) (ii) Casket of octagon shape cut panel board top, or ((square)) of rectangular shape with raised top, covered with crepe or flannel cloth, trimmed with full art lining and six bail handles;

((iv)) (iii) Use of reposeing rooms, chapel, casket coach, one car for family and personal services(;

((v) ~~The cost of these services shall not exceed the standard in WAC 388-42-150(1)(b)).~~

(4) Payment for the ((regular)) minimum standard service shall be authorized only upon request by someone who wishes the deceased to have a ((regular)) minimum standard funeral service and who plans to attend the service. Otherwise, only the minimum service shall be authorized.

(5) Disposition of the body shall be by cremation or burial.

(a) Burial services shall include:

(i) Burial plot if not previously provided;

(ii) Minimum grave marker;

(iii) Liner and endowed care if either or both are required;

(iv) Cost of the lot purchased within thirty days prior to burial shall be included in cemetery costs;

(v) Opening and closing grave;

(vi) Items available under a prepaid plan shall be utilized for the purpose intended. ((The original cost or current market value of the prepaid items or service need not be computed;

(vii) ~~The cost of burial services shall not exceed the standard in WAC 388-42-150(2)(a).)~~

(b) Cremation services shall include:

(i) Cremation;

- (ii) An urn of metal or other substantial material;
- (iii) Marker;
- (iv) Space for disposition of the remains either in a mausoleum or cemetery;
- (v) Disposition of cremated remains(;
- ~~(vi) Costs for cremation services shall not exceed the standard in WAC 388-42-150(2)(b)).~~

(6) Payment made for any funeral or burial service by relatives, friends, or any other third party shall be deducted from the payment made by the department.

(7) Donated flowers, music, and ministerial service shall not be deducted from the department's payment. However, if these services are provided by the funeral director they are considered as part of the funeral director's services and their cost must be included in the department's standard.

AMENDATORY SECTION (Amending Order 1340, filed 9/22/78)

WAC 388-42-030 FUNERAL EXPENSES—ELIGIBILITY STANDARDS. (1) Public assistance funds may be used to pay for the funeral expenses of a deceased person to the extent his estate and available resources (including contributions from spouse, relatives, friends, or other sources) are not wholly sufficient to defray the funeral expenses according to department policies and standards in WAC 388-42-020 and 388-42-150 and when the conditions in this section are met.

(2) Neither funeral, nor cemetery, nor crematorium costs shall be paid by the department when;

(a) Charges for any of these services exceed any one of the maximum standards in WAC 388-42-150, or when

(b) The funeral, burial or cremation takes place outside the state of Washington. However, exception to out-of-state payment rule is made for funerals in areas in bordering states which are normal trade areas of a border area of this state.

(3) Funeral costs shall be paid only when authorized (~~in writing on form 14PA-20 by the ESSO~~) prior to the funeral services and burial or cremation unless for religious reasons the body must be disposed of immediately and it is not possible to apply before the funeral. In such case, application must be made on the first working day after the funeral.

(4) All assets of the deceased are considered available for funeral expenses. However, if the deceased was a public assistance recipient when he died, assets left to a surviving spouse and/or minor children are considered according to WAC (~~388-42-100~~) 388-42-040.

(5) All assets of a surviving spouse or surviving parents of a minor child are considered available for funeral expenses except those resources which are exempt for a public assistance applicant and income needed to meet the monthly maintenance needs of the surviving individual and his dependents computed according to the department's continuing assistance standards.

(6) Persons applying for funeral expenses shall be required, except for a social security, veterans' administration, or railroad retirement board death benefit, to apply

for any death benefits to which the deceased may be entitled from other public or private agencies or organization. (~~Exceptions in WAC 388-42-070 on Social Security death benefit and in WAC 388-42-080 on railroad retirement death benefit should be carefully observed.~~)

(7) When a body is claimed for scientific purposes no funeral expenses shall be authorized for payment from public assistance funds.

~~((8) Funeral expenses for a deceased inmate of a state institution may be paid providing all funeral rules are met. Any funds of the deceased held by the institution, as well as the resources described in subsections (4) and (5), shall be taken into consideration in determining the amount to be paid by the department.))~~

AMENDATORY SECTION (Amending Order 538, filed 3/31/71, effective 5/1/71)

WAC 388-42-040 FUNERAL EXPENSES—RESOURCES CONSIDERED. (1) The resources available for funeral expenses must be taken into consideration in determining eligibility for payment from department's funds. (~~The listing in WAC 388-42-050 through 388-42-100 is not intended to be exhaustive.~~)

(2) Resources available for funeral expenses may include, but are not limited to, the following third party payments:

(a) A burial benefit from the United States veterans' administration

(b) Washington state workmen's compensation

(c) A lump sum death benefit for the social security administration

(d) A death benefit from the railroad retirement board

(e) Life or burial insurance proceeds

(f) Decedent's estate

(g) Excess resources and income of a surviving spouse or surviving parents of a minor child as defined by WAC 388-42-030(5)

(3) Use of resources and income available to surviving spouses shall be directed by WAC 388-28-482.

(4) Third party death benefits shall be considered available whether paid, directly payable to, or deposited with a funeral director or any other vendor providing funeral, burial, or cremation services.

(5) The department will be responsible for claiming and collecting the death benefit from the railroad retirement board.

(6) The department may pay the cost of funeral expenses when the deceased leaves assets, if the assets are left to a surviving spouse and/or to minor children and if these assets are resources which would be exempt in determining eligibility for public assistance. The department when it furnishes funeral assistance shall have a lien against said assets. The lien shall be valid for six years from the date of filing with the county auditor and shall have preference to all other claims except prior secured creditors. If the assets remain exempt or if no probate is commenced, the lien shall automatically terminate without further action six years after filing.

(7) Cash or certificates of ownership found among the effects of a deceased recipient left with a friend, nursing

home or hospital belong to the estate of the deceased and may be disposed of only in the manner provided by law.

AMENDATORY SECTION (Amending Order 612, filed 9/27/71)

WAC 388-42-110 FUNERAL EXPENSES—INTERMENT OF TWO OR MORE BODIES IN ONE GRAVE. ((+)) The department pays for public assistance burials of two or more bodies in one grave, provided

((a) It is legally permissible for a cemetery to make this type of interment,

(b)) (1) This type of burial is accepted practice in a cemetery and is available to the general public,

((c)) (2) When a body is claimed by relatives or church organizations, permission to bury two or more bodies in one grave is obtained in writing (filed with the ((L)) CSO) from such relatives or church representatives. If the body is un(=)claimed, written permission shall be secured from the board of county commissioners, or its duly appointed representative, and filed with the ((L)) CSO.

Relatives or friends of the deceased, the county commissioners, or other persons are not to be led to believe that the department's rules limit interment to this type burial. It should be impressed upon such persons that they, rather than the department, are responsible for interment or burial.

((d) The maximum cost of this type of burial is the standard in WAC 388-42-150(2).))

AMENDATORY SECTION (Amending Order 612, filed 9/27/71)

WAC 388-42-115 FUNERAL EXPENSES—APPLICATION. (1) The department's legal responsibility for a deceased person does not extend beyond the responsibility of providing funds to meet the funeral expenses ((when the deceased meets the financial requirements set up by law)). In no case does the department authorize the funeral, burial, or any other disposition of a deceased person. The authority to authorize funerals and burials is vested by statute in other designated individuals including the county commissioners in the case of an unclaimed body. ((The department merely authorizes payment of the expenses.))

(2) Application for the payment of funeral expenses shall be made ((on form 14PA20)) by any relative, friend, or church organization claiming the remains or, if no such person or organization exists, by the board of county commissioners, or its duly appointed representative.

AMENDATORY SECTION (Amending Order 538, filed 3/31/71, effective 5/1/71)

WAC 388-42-125 FUNERAL EXPENSES—FAIR HEARING. Relatives or friends of the deceased who apply for payment of funeral expenses shall have the right to a fair hearing if dissatisfied with the ((L)) CSO decision on their request.

AMENDATORY SECTION (Amending Order 1532, filed 8/20/80)

WAC 388-42-150 MAXIMUM COST STANDARDS FOR FUNERAL DIRECTOR'S SERVICES AND BURIAL OR CREMATION SERVICES. (1) Funeral director's services—Actual charges, but not to exceed

- (a) Minimum service
 - Adult or older child (casket 5 feet or larger) \$232
 - Child (casket 2 feet 6 inches, less than 5 feet) \$181
 - Child (casket less than 2 feet 6 inches) \$ 87
- (b) ((Regular)) Minimum standard service
 - Adult or older child (casket 5 feet or larger) \$531
 - Child (casket 2 feet 6 inches, less than 5 feet) \$224
 - Child (casket less than 2 feet 6 inches) \$ 87
- (2) Burial or cremation services
 - (a) Burial only \$239
 - Burial in grave of another \$239
 - Burial with lot included (((\$261))\$269
 - (b) Cremation only \$239
 - Cremation with burial place included \$246
- (3) These standards include all applicable taxes.
- (4) These standards shall be effective July 1, 1980.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 388-42-050 FUNERAL EXPENSES—VETERANS' BURIAL BENEFIT.
- (2) WAC 388-42-060 FUNERAL EXPENSES—WORKMEN'S COMPENSATION.
- (3) WAC 388-42-070 FUNERAL EXPENSES—SOCIAL SECURITY DEATH BENEFIT.
- (4) WAC 388-42-080 FUNERAL EXPENSES—RAILROAD RETIREMENT DEATH BENEFIT.
- (5) WAC 388-42-090 FUNERAL EXPENSES—LIFE INSURANCE.

WSR 81-17-027
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1692—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to refugee assistance, amending WAC 388-15-360.

This action is taken pursuant to Notice No. WSR 81-14-052 filed with the code reviser on June 30, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 43.20A.550.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1276, filed 3/2/78)

WAC 388-15-360 REFUGEE ASSISTANCE. (1) This service ~~((includes))~~ may include information and referral, employment oriented casework, job development, job placement, skills training, work setting training, counseling and orientation, English as second language training, and transportation to department approved training. Effective June 15, 1981, refugees will be allowed up to nine hundred hours of English language instruction or the achievement of benchmarks as established by the superintendent of public instruction and approved by DSHS, whichever comes first.

(2) Goals for Refugee Assistance shall be limited to those specified in WAC 388-15-010(1)(a), (b). Also see WAC 388-15-010(2). See also chapter 388-55 WAC.

WSR 81-17-028
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1693—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-38-010 Definitions—Application.
Amd WAC 388-38-110 Time limit for disposal—Application.

This action is taken pursuant to Notice No. WSR 81-14-051 filed with the code reviser on June 30, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 1101, filed 2/25/76)

WAC 388-38-010 DEFINITIONS. (1) "Application" means a request for financial assistance made by a person in his own behalf or in behalf of another person.

(a) An application for financial assistance has been made when the individual expresses in writing to the ~~((ESSO))~~ CSO his desire to receive assistance.

(b) An application for medical assistance has been made when the individual expresses ~~((verbally or))~~ in writing his desire to receive assistance or to have his eligibility considered.

(2) "Inquiry" means a request for information about the department or its services or about eligibility requirements for assistance. Such inquiry may be followed by an application.

(3) "Statements in support of the application" means specifically form 14PA01 and any other forms required under department regulations which apply to the particular situation.

AMENDATORY SECTION (Amending Order 1165, filed 10/27/76)

WAC 388-38-110 TIME LIMIT FOR DISPOSAL. (1) Each application shall be acted upon as quickly as possible, and within thirty days unless exceptional circumstances in an individual case require a longer period of time. Although no type of application will necessarily require more than thirty days, it may not be possible to reach a decision in certain circumstances such as:

~~((+))~~ (a) Cases in which eligibility decisions depend on medical reports and there is delay in obtaining such reports from the examining doctor or in securing medical information;

~~((+))~~ (b) Cases in which eligibility decisions depend upon state office action and a delayed decision is caused by the state office not having sufficient or adequate information upon which to make a decision;

~~((+))~~ (c) Cases in which eligibility depends upon extensive property appraisals;

~~((+))~~ (d) Cases in which determination of eligibility requires out-of-state or intercity contacts and where the delaying factor is such correspondence.

(2) Applications for medical assistance will be disposed of in accordance with WAC 388-84-105 and 388-84-110.

WSR 81-17-029
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Order 361—Filed August 12, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions on forest lands under the protection of the Department of Natural Resources in its Olympic Area, shutdown zones 649, 650, 651, 653 and 654, in portions of Grays Harbor, Jefferson and Clallam Counties, its South Puget Sound Area, shutdown zones 652 and 659 in portions of Jefferson, Mason, King, Pierce and Lewis counties, and in its Central Area, shutdown zone 659 in a portion of Lewis and

Thurston counties effective midnight, Wednesday, August 12, 1981 until midnight, Friday, August 14, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the areas listed above as included in the logging restrictions are particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges are also suspended.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-25-510 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PARTS OF THE SOUTH PUGET SOUND AND CENTRAL AREAS.

Effective Wednesday, midnight (2400 hours), August 12, 1981, through Friday, midnight (2400 hours), August 14, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time:

Power Saws	-	1100 - 2400
Tractors	-	1300 - 2400
Other Power	-	1300 - 2400
Machinery		

Loading and hauling may continue throughout the day.

DNR shutdown zones affected by this restriction are the following: Zone 652 in Mason and Jefferson counties; zone 659 in King, Pierce, Lewis and Thurston counties.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

WAC 332-26-511 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF

THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA.

Effective Wednesday, midnight (2400 hours), August 12, 1981 through Friday, midnight (2400 hours), August 14, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time: All operations to cease operating from noon to midnight during shutdown period.

DNR shutdown zones affected by this restriction are the following: Zone 649 in western part of Grays Harbor, Jefferson, and Clallam counties; zone 650 in part of Clallam, Jefferson, and Grays Harbor counties; zone 651 in part of Grays Harbor county protected by Olympic Area; zone 653 in Clallam and Jefferson counties protected by Olympic Area, and zone 654 in Clallam, and Jefferson counties protected by Olympic Area.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 81-17-030
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 1694—Filed August 12, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the repeal of Administrative Order #1666, filed July 1, 1981. WAC 388-28-515 is restored to the status it had as last amended by Administrative Order #1547, filed October 1, 1980. WAC 388-29-155 is restored to the status it had as last amended by Administrative Order #1532, filed August 20, 1980.

I, David A. Hogan, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this action is necessary to avoid litigation.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 10, 1981.

By David A. Hogan
Director, Division of Administration

WSR 81-17-031
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 12, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning Child care—Special requirements regarding American Indians, amending WAC 388-73-044.

A public hearing relating to these proposed rules was held on August 5. The purpose of this notice is to postpone adoption to give the secretary additional time to consider public testimony.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 9, 1981, in William B. Pope's Office, 3rd Floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 74.15.030.

This notice is connected to and continues the matter in Notice No. WSR 81-14-008 filed with the code reviser's office on June 23, 1981.

Dated: August 12, 1981
By: David A. Hogan
Director, Division of Administration

WSR 81-17-032
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed August 12, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

Amd WAC 388-15-010 Definition of service goals.
Rep WAC 388-15-290 Juvenile delinquency prevention services.
Amd WAC 388-15-570 Family reconciliation services.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration
Department of Social and Health Services

Mailstop OB-33C
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Franklin, Olympia, Washington, Phone (206) 753-7015, by September 8, 1981. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Tuesday, September 22, 1981, in the Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 30, 1981, in William B. Pope's Office, 3rd Floor, Office Building #2, 12th and Franklin, Olympia, Washington.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at 10:00 a.m., Tuesday, September 22, 1981, Auditorium, Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: August 11, 1981
By: David A. Hogan
Director, Division of Administration

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Amend chapter 388-15 WAC.

Purpose of the rule change is to refine and clarify family reconciliation services.

Statutory authority: RCW 74.08.090.

Summary of the rule or rule change: Family reconciliation services consist of (1) Intake/assessment services, (2) Crisis intervention services and (3) Family support services.

Person or persons responsible for the drafting, implementation and enforcement of the rule: Don Rolstad, Program Manager, Bureau of Children's Services, Phone: 3-0203, Mailstop: OB-41.

These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1335, filed 9/1/78)

WAC 388-15-010 DEFINITION OF SERVICE GOALS. (1) The objectives of services for families, children and adults are to offer services to eligible individuals to help them achieve one or more of the following goals:

(a) Achieving or maintaining economic self-support to prevent, reduce or eliminate dependency.

(b) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency.

(c) Preventing or remedying neglect, abuse or exploitation of children and adults unable to protect their own interests, providing ((crisis

intervention)) family reconciliation services to families in conflict and runaways or preserving, rehabilitating or reuniting families.

(d) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care.

(e) Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to ~~((individuals in institutions:))~~ individuals in institutions.

(2) Only one goal shall be pursued at any one time in the provision of services; however several services may be given to achieve the selected goal.

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

~~WAC 388-15-570 ((SERVICES TO CHILDREN IN THEIR OWN HOME))~~ FAMILY RECONCILIATION SERVICES. (1) Families who are in conflict may request family reconciliation services from the department. Such services shall be provided to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or family and to maintain families intact wherever possible.

(2) Family reconciliation services shall be designed to develop skills and supports within families to resolve family conflicts and may include but are not limited to referral to services for suicide prevention, psychiatric or other medical care, or psychological, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family.

(3) It is the purpose of this service to achieve a reconciliation between the parent and child, to reunify the family and to maintain and strengthen the family unit and thereby avoid the necessity of out-of-home placement of children.

~~((2))~~ (4) Under this program services are provided to runaways and families in conflict. These populations are defined as follows:

(a) Runaways: The department provides ~~((crisis intervention))~~ family reconciliation services to actual runaways, and does not provide ~~((intervention))~~ reconciliation services to threatened runaways - unless the threatened runaways meet the definition of families in conflict.

(b) Families in conflict: The department provides ~~((crisis intervention))~~ family reconciliation services to families to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or family.

~~((3))~~ (5) Services are provided as follows:

(a) Intake/assessment services: IAS are short-term counseling sessions limited to a total of four hours within twenty-four hours directed toward defusing the immediate potential for violence, assessing problems and exploring options leading to problem resolution.

(b) Crisis intervention services: ~~((This service is directed toward defusing immediate potential for violence, assessment of problems and exploration of options which could lead to problems resolution, referral))~~ CIS are time-limited counseling sessions limited to fifteen hours within thirty days and are directed toward developing skills and supports within the family to resolve conflicts or to refer to appropriate resources including medical, legal, ongoing counseling, and child protective services ~~((and provision of short-term family counseling sessions))~~ for problem ~~((s))~~ resolution.

~~((b))~~ (c) Family support services: ~~((These services))~~ FSS are provided to children and their families only following crisis intervention services. This service is authorized when it is apparent that the conditions which necessitated crisis intervention services have not been adequately remedied.

~~((c))~~ (d) These services are not provided for ~~((habitual truants, expelled students and marital disputes not directly involving conflict between children and parents, for))~~ chronic or long-term multiproblem situations, custody and marital disputes, ~~((and for))~~ cases receiving ~~((similar))~~ counseling services from other agencies, child abuse and neglect cases, foster family or group care services in need of follow-up services and post adoption cases still under supervision of an agency.

~~((4))~~ (6) Goals for family reconciliation services ~~((to children in own home))~~ shall be limited to those specified in WAC 388-15-010(1) ~~((b))~~ (c) ~~((4))~~. Also see WAC 388-15-010(2).

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-15-290 JUVENILE DELINQUENCY PREVENTION SERVICES.

WSR 81-17-033

EMERGENCY RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 81-11—Filed August 12, 1981]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

I, Frank B. Brouillet, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules are necessary for budget planning purposes for the 1981-82 school year which commences September 1, 1981.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 28A.41-.170 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-140-025 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—LEAP DOCUMENT 3. "LEAP Document 3" shall mean the formula unit worksheet establishing the ratios and percentage distribution of specified handicapping conditions that was developed by the legislative evaluation and accountability program (LEAP) committee on April 20, 1981 at 11:19 a.m.

NEW SECTION

WAC 392-140-026 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—CERTIFICATED DERIVED BASE SALARY. "Derived base salary" shall mean the salary shown in Bulletin 21-81, Financial Services, dated May 22, 1981.

NEW SECTION

WAC 392-140-027 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—CLASSIFIED AVERAGE SALARY. "Classified average salary" shall mean the salary shown in Bulletin 21-81, Financial Services, dated May 22, 1981.

NEW SECTION

WAC 392-140-028 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—CERTIFICATED DERIVED BASE SALARY. State categorical special education funds shall be allocated using each local district's particular 1980-81 derived base salary and 1981-82 staff mix factor for certificated, special education program employees. The certificated staff mix factor used for certificated employees in each local district shall be determined using the same procedure described in WAC 392-121-121 and WAC 392-121-125. The staff mix factor and average salary computations shall be based upon certificated employees with work assignments in the special education program.

NEW SECTION

WAC 392-140-029 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—CLASSIFIED AVERAGE SALARY. State categorical special education funds shall be allocated using each local district's particular 1980-81 average salary for classified, special education program, employees. The definition of "Full-time-equivalent classified employee" contained in WAC 392-121-115 shall be used to determine each district's special education average classified salary. Only employees with work assignments in the special education program should be included in such calculations.

NEW SECTION

WAC 392-140-030 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—SUPPLIES AND MATERIAL. State categorical special education funds for supplies and materials shall be allocated to school districts for eligible handicapped students served at the maximum distribution rate of \$57 per student per year for the 1981-82 school year and \$63 per student per year for the 1982-83 school year.

NEW SECTION

WAC 392-140-031 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—ELIGIBLE HANDICAPPED STUDENTS. State categorical special education funds shall be allocated in accordance with LEAP Document 3, as defined in WAC 392-140-025, for each served, eligible handicapped student as defined in:

- (1) WAC 392-171-381 (developmentally handicapped preschool students),
- (2) WAC 392-171-396 (orthopedically impaired students),
- (3) WAC 392-171-401 (health impaired students),
- (4) WAC 392-171-421 (mentally retarded students),
- (5) WAC 392-171-431 (multihandicapped students),
- (6) WAC 392-171-436 (deaf students),
- (7) WAC 392-171-441 (hard of hearing students),
- (8) WAC 392-171-446 (visually handicapped students), and
- (9) WAC 392-171-451 (deaf-blind students).

NEW SECTION

WAC 392-140-032 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—HOME AND HOSPITAL. State categorical special education funds shall be allocated to school districts for students eligible under WAC 392-171-486 temporarily requiring home and/or hospital care in 1981-82 and 1982-83 school years at a maximum reimbursement rate of \$45 per student per week or the actual cost per student per week, whichever is lesser, and for travel by school district staff providing such services at the maximum rate per mile that is now or hereafter authorized by law for state employees for the use of private vehicles in connection with state business.

NEW SECTION

WAC 392-140-033 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—FOSTER CARE. State categorical special education funds shall be allocated to school districts for eligible handicapped students served and requiring foster care who do not meet the department of social and health services eligibility standards. These categorical funds shall be allocated according to the following criteria:

(1) For each such eligible handicapped student who is under six years of age the district shall receive a maximum rate of reimbursement of \$219 a month or the actual cost per student per month, whichever is lesser,

(2) For each such eligible handicapped student who is six years of age and under 13 years of age the district shall receive a maximum rate of reimbursement of \$251 a month or the actual cost per student per month, whichever is lesser,

(3) For each such eligible handicapped student who is 13 years of age and under 21 years of age the district shall receive a maximum rate of reimbursement of \$279 per month or the actual cost per student per month, whichever is lesser, and,

(4) All ages referred to in this section shall be the age of each such eligible handicapped student on September 1 of the current school year.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 392-140-034 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—MAXIMUM CONTROL FACTOR—PRORATION. The maximum rates of reimbursement or distribution specified in these sections, WAC 392-140-025 through 033 shall be allocated by the superintendent of public instruction to school districts unless state appropriations for these programs are insufficient and it is necessary for the superintendent of public instruction to prorate all or a portion of these funds appropriated for allocation to school districts for such programs. All such prorations, if necessary, shall be announced to school districts through official agency bulletins.

NEW SECTION

WAC 392-140-035 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—REPORTING. (1) At such times as are designated by the superintendent of public instruction, each school district shall report the number of eligible handicapped students by each handicapping condition receiving special education according to instructions provided by the superintendent of public instruction.

(2) Each school district shall provide, upon request, such additional data as are necessary to enable the superintendent of public instruction to allocate and substantiate the district's allocation of special education funds.

WSR 81-17-034
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 81-12—Filed August 12, 1981]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Special allocations, instructions, and requirements, chapter 392-140 WAC.

I, Frank B. Brouillet, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is these rules are necessary for budget planning purposes for the 1981-82 school year which commences September 1, 1981.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 28A.41-.170 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By Frank B. Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-140-040 1981-83 STATE CATEGORICAL RESIDENTIAL EDUCATIONAL PROGRAM—FUNDING. Residential educational programs operated by a school district shall be supported by funds appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating residential school program of education pursuant to RCW 28A.58.772.

NEW SECTION

WAC 392-140-041 1981-83 STATE CATEGORICAL RESIDENTIAL EDUCATIONAL PROGRAM—REPORTING. (1) At such times as when designated by the superintendent of public instruction, each school district operating a residential educational program shall report the number of eligible handicapped students by each handicapping condition receiving special education according to instructions provided by the superintendent of public instruction.

(2) Each school district operating a residential educational program shall provide, upon request, such additional data as are necessary to enable the superintendent of public instruction to allocate and substantiate the district's allocation of residential program funds.

WSR 81-17-035
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 81-13—Filed August 12, 1981]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Education of Handicapped Children, chapter 392-171 WAC.

I, Frank B. Brouillet, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is it is necessary that this rule be repealed for budget planning purposes for the 1981-82 school year which commences September 1, 1981.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 28A.41-.170 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By Frank B. Brouillet
Superintendent of Public Instruction

REPEALER

Section 392-171-786 of the Washington Administrative Code is repealed as follows:

WAC 392-171-786 Special education program funding and reporting criteria for the 1980-81 school year.

WSR 81-17-036
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-81—Filed August 12, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Areas 4B, 5, 6, 6A, 6C, 7 and 7A are restricted to protect Fraser River and some Puget Sound adult chinook salmon. Area 6D is restricted and Strait tributaries are closed to protect chinook salmon in Strait tributaries. Area 7B and Nooksack River are restricted because no harvestable surplus of Nooksack River pink salmon remains. Area 7C and Samish River are closed to protect escapement of Samish Hatchery fall chinook salmon. Area 8 and the Skagit River restrictions permit harvest of fall chinook and pink salmon. Areas 6B, 9, 10 and 11 are closed to protect Nisqually River pink salmon and Puyallup River chinook. Area 13 and Nisqually restrictions protect Nisqually River pink salmon. Area 10B restrictions protect Lake Washington sockeye. Areas 10C, 10D, and Cedar River are closed to protect Lake Washington sockeye and fall chinook. Portions of Area 12C and Area 12D are closed to protect Hoodspout, Dewatto and lower Hood Canal fall chinook.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By Rolland A. Schmitten
 Director

NEW SECTION

WAC 220-28-105 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *It is unlawful for treaty Indian fishermen to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

Area 4B – Troll-caught chinook under 24 inches in length and troll-caught coho under 16 inches in length must be released. Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 5 – Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6 – Gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6A – Gill nets restricted to 5-7/8-inch maximum mesh, and all other net gear must release chinook salmon over 28 inches when open.

Area 6B – Closed to all commercial net fishing.

Area 6C – Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6D – Gill nets restricted to 6-inch maximum mesh size, and all other net gear must release chinook salmon over 28 inches in length, when open.

Areas 7 and 7A – Gill nets restricted to 5-7/8-inch maximum mesh when open.

** Area 7B – Gill nets restricted to 7-1/2-inch minimum mesh size when open, and purse seines are prohibited.*

** Area 7C – Closed to all commercial fishing.*

** Area 8 – Closed to all commercial fishing through August 15, 1981. Effective August 16, 1981, gill nets restricted to 6-inch maximum mesh size, and all other gear must release chinook salmon, when open.*

Area 9 – Closed to all commercial fishing.

Area 10 – Closed to all commercial fishing.

Area 10B – Gill nets restricted to 6-1/2-inch minimum mesh when open.

Areas 10C and 10D – Closed to all commercial fishing.

Area 11 – Closed to all commercial fishing.

Area 11A – Gill nets restricted to 6-inch maximum mesh size, and all other net gear must release chinook salmon over 28 inches in length, when open.

Areas 12C – Closed to all commercial fishing within 1,000 feet of western shore between Hoodspout Marina Dock and Warfield Trailer Park, and within 1/4 mile of a line connecting the outermost points of Dewatto Bay including Dewatto Bay.

Area 12D – Closed to all commercial fishing.

Area 13 – Gill nets restricted to 7-1/2-inch minimum mesh size when open, and purse seines prohibited.

Puyallup River – Gill nets restricted to 6-inch maximum mesh size when open.

** Nisqually River – Effective August 16, 1981, gill nets restricted to 7-1/2-inch minimum mesh size when open.*

Cedar River – Closed to all commercial fishing.

Dungeness River – Gill nets restricted to 6-inch maximum mesh size.

** Nooksack River – Gill nets restricted to 7-1/2-inch minimum mesh size when open.*

Samish River – Closed to all commercial fishing.

** Skagit River – Closed to all commercial fishing through August 15, 1981, below the Old Faber Ferry Landing including all tributaries. Effective August 16, 1981, in the Skagit River below the Old Faber Ferry Landing, gill nets restricted to 6-inch maximum mesh size, and all other gear must release chinook salmon, when open. Closed to all commercial fishing until further notice above the Old Faber Ferry Landing including all tributaries.*

Clallam River, Deep Creek, Hoko River, Lyre River, Pysht River, Sail River, Salt Creek, Sekiu River, East Twin River, West Twin River – Closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-104 Puget Sound Commercial Fishery Restrictions (81-76)

WSR 81-17-037

ATTORNEY GENERAL OPINION

Cite as: AGO 1981 No. 10

[August 10, 1981]

BONDS—STATE—FINANCING CAPITAL PROJECTS OF WASHINGTON PUBLIC POWER SUPPLY SYSTEM THROUGH ISSUANCE OF STATE BONDS

The legislature could, constitutionally, fund the construction of capital projects by the Washington Public Power Supply System through the issuance of state general obligation bonds; however, unless those bonds were to be authorized by the voters pursuant to Article VIII, § 3 of the state constitution, their issuance would be subject to the constitutional debt limitation established in Article VIII, § 1 of the constitution.

Requested by:

Honorable King Lysen
St. Sen., 31st District
12864 Shorecrest Drive SW
Seattle, Washington 98146

WSR 81-17-038

ATTORNEY GENERAL OPINION

Cite as: AGO 1981 No. 12

[August 12, 1981]

PENSIONS—RETIREMENT—LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' RETIREMENT SYSTEM—MEMBERSHIP ON LOCAL DISABILITY BOARD

(1) A municipal fire fighter or law enforcement officer who was first employed as such on or after October 1, 1977, and thus is classified as a Plan II member of the Law Enforcement Officers and Fire Fighters Retirement System (LEOFF), may nevertheless be elected to, and serve as a member of, a local LEOFF disability board established pursuant to RCW 41.26.110.

(2) Likewise, a municipal fire fighter or law enforcement officer who is a Plan II LEOFF member may vote for the fire fighter or law enforcement officer position on a city disability board under RCW 41.26.110(a); but such a Plan II fire fighter or law enforcement officer may not do so in the case of a county disability board under RCW 41.26.110(b).

Requested by:

Honorable H. A. "Barney" Goltz
State Senator, 42nd District
3003 Vallette Street
Bellingham, Washington 98225

WSR 81-17-039

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 81-82—Filed August 13, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order provides additional protection for chinook salmon.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 13, 1981.

By Frank Haw
for Rolland A. Schmitt
Director

NEW SECTION

WAC 220-36-02100W GRAYS HARBOR—CLOSED AREA. (1) Notwithstanding the provisions of WAC 220-36-021 and WAC 220-36-022, effective 6:00 p.m. August 14 through 6:00 p.m. September 23,

1981, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in Grays Harbor Fishing Areas 2A, 2B, 2C, and 2D.

(2) Effective 6:00 p.m. September 1, 1981 until further notice, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear in any river or stream that is tributary to Grays Harbor.

NEW SECTION

WAC 220-36-02400A GRAYS HARBOR-MESH SIZE Notwithstanding the provisions of WAC 220-36-024, effective 6:00 p.m. September 23 through 6:00 p.m. October 2, 1981 it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes in Grays Harbor Fishing Areas 2A, 2B, 2C, and 2D with gill net gear having a mesh size smaller than 5 inches or greater than 6-1/2 inches.

WSR 81-17-040
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Order 362—Filed August 14, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions on forest lands under the protection of the Department of Natural Resources in its Olympic Area, shutdown zones 649, 650, 651, 653 and 654, in portions of Grays Harbor, Jefferson and Clallam counties, its South Puget Sound Area, shutdown zones 652 and 659 in portions of Jefferson, Mason, King, Pierce and Lewis counties, and in its Central Area, shutdown zone 659 in a portion of Lewis and Thurston counties effective midnight, Friday, August 14, 1981, until midnight, Monday, August 17, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the areas listed above as included in the logging restrictions are particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges are also suspended.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act

(chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1981.

By Brian J. Boyle
 Commissioner of Public Lands

NEW SECTION

WAC 332-25-512 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PARTS OF THE SOUTH PUGET SOUND AREA AND CENTRAL AREAS.

Effective Friday, midnight (2400 hours), August 14, 1981, through Monday, midnight (2400 hours), August 17, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time:

Power Saws	-	1100 - 2400
Tractors	-	1300 - 2400
Other Power	-	1300 - 2400
Machinery		

Loading and hauling may continue throughout the day.

DNR shutdown zones affected by this restriction are the following: Zone 652 in Mason and Jefferson counties; zone 659 in King, Pierce, Lewis and Thurston counties.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

WAC 332-26-513 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA.

Effective Friday, midnight (2400 hours), August 14, 1981, through Monday, midnight (2400 hours), August 17, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time: All operations to cease operating from noon to midnight during shutdown period.

DNR shutdown zones affected by this restriction are the following: Zone 649 in western part of Grays Harbor, Jefferson, and Clallam counties; zone 650 in part of Clallam, Jefferson, and Grays Harbor counties; zone 651 in part of Grays Harbor county protected by Olympic Area; zone 653 in Clallam and Jefferson counties protected by Olympic Area; and zone 654 in Clallam, and Jefferson counties protected by Olympic Area.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashing except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

**WSR 81-17-041
ADOPTED RULES
EDMONDS COMMUNITY COLLEGE
DISTRICT 23**

[Resolution 81-8-2—Filed August 14, 1981]

Be it resolved by the board of trustees of the Edmonds Community College, acting at Brier Hall, Room 116, Edmonds Community College, Lynnwood, Washington 98036, that it does promulgate and adopt the annexed rules relating to tuition and fees rule, chapter 132Y-20 WAC.

This action is taken pursuant to Notice No. WSR 81-17-011 filed with the code reviser on August 7, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.15-.600 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 13, 1981.

By Jennis J. Bapst
Vice President, Administrative Services

**Chapter 132Y-20
TUITION AND FEES RULE**

WAC

132Y-20-010 Tuition and Fees Refund Rule

WAC 132Y-20-010 TUITION AND FEES REFUND RULE. A refund of tuition and fees is made only when a student officially withdraws from a class. Date of receipt of the withdrawal form in the registration office establishes the rate at which refunds will be made. The tuition and fees (full general fees, operating fees, and service and activities fees) will be refunded on a 100 percent, 50 percent, or no-refund level, according to the schedule set forth below:

- (1) 100% refund of all tuition and fees for withdrawal during the first five instructional days of the quarter.
- (2) 50% refund of all tuition and fees for withdrawal during the first thirty calendar days of the quarter.
- (3) No refund of tuition and fees after the first thirty calendar days of the quarter.
- (4) Tuition and fee refunds on classes which begin at any time other than the first week of the quarter will be made:

(a) 100% before the class begins.

(b) 50% during the first 30% of the class meeting time providing this time does not exceed thirty calendar days.

(5) Fees charged for community service, seminars, or other self-supporting courses will be refunded only if withdrawal occurs before the beginning of the class.

(6) No refund of tuition and fees may be made for any purpose beyond the current quarter.

Refund forms and withdrawal forms may be obtained in the Admissions and Registration Office. A refund on a cancelled class is not automatic. The same refund procedure must be followed. Refunds for cancelled classes will be at 100 percent.

**WSR 81-17-042
ADOPTED RULES
EDMONDS COMMUNITY COLLEGE
DISTRICT 23**

[Resolution 81-8-1—Filed August 14, 1981]

Be it resolved by the board of trustees of the Edmonds Community College, acting at Brier Hall, Room 116, Edmonds Community College, Lynnwood, Washington 98036, that it does promulgate and adopt the annexed rules relating to traffic rules, chapter 132Y-100 WAC.

This action is taken pursuant to Notice No. WSR 81-17-012 filed with the code reviser on August 7, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50.140(10) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 13, 1981.

By Jennis J. Bapst
Vice President, Administrative Services

**CHAPTER 132Y-100
TRAFFIC RULES**

WAC

- 132Y-100-001 Purpose for adopting rules.
- 132Y-100-004 Applicable traffic rules and regulations.
- 132Y-100-008 Permit required for vehicles on campus.
- 132Y-100-012 Valid permit.
- 132Y-100-016 Transfer of permits.
- 132Y-100-020 Permit revocation.
- 132Y-100-024 Right to refuse permit.
- 132Y-100-028 Authorization for issuance of permits.
- 132Y-100-032 Display of permits.
- 132Y-100-036 Parking permit fees.
- 132Y-100-040 Refund of fees.
- 132Y-100-044 Additional vehicles.
- 132Y-100-048 Failure to register.

132Y-100-052	Parking permit exceptions.
132Y-100-056	Parking within designated spaces.
132Y-100-060	Locating legal parking space.
132Y-100-064	Motorcycle parking.
132Y-100-068	Bicycle parking.
132Y-100-072	Handicapped parking.
132Y-100-076	Disabled or inoperative vehicles.
132Y-100-080	Regulatory signs and directions.
132Y-100-084	Speed.
132Y-100-088	Pedestrian's right of way.
132Y-100-092	Report of accident.
132Y-100-096	Special traffic/parking regulations and restrictions.
132Y-100-100	Issuance of traffic citations.
132Y-100-104	Fines and penalties.
132Y-100-108	Appeals of fines and penalties.
132Y-100-112	Enforcement.
132Y-100-116	Liability of College.
132Y-100-120	Severability.

WAC 132Y-100-001 PURPOSE FOR ADOPTING RULES. Pursuant to the authority granted by RCW 28B.50.140(10), the Board of Trustees of Community College District 23 is granted authority to make rules and regulations for pedestrian and vehicular traffic on property owned, operated or maintained by the College District. The rules contained in this chapter are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic; and
- (2) To assure access at all times for emergency traffic; and
- (3) To minimize traffic disturbances during class hours; and
- (4) To facilitate the work of the College by assuring access for its vehicles; and
- (5) To assign the limited parking space for the most efficient use.

WAC 132Y-100-004 APPLICABLE TRAFFIC RULES. The traffic rules which are applicable upon State lands devoted mainly to the educational activities of Edmonds Community College are as follows:

- (1) The motor vehicle and other traffic laws of the State of Washington; and
- (2) The traffic code of Lynnwood, Washington, and Snohomish County; and
- (3) Rules set forth in Chapter 132Y-100 WAC.

WAC 132Y-100-008 PERMITS REQUIRED FOR VEHICLES ON CAMPUS. Except as provided in WAC 132Y-100-052 and WAC 132Y-100-092 of these rules, no person shall leave any vehicle unattended, upon the campus of the College without a permit issued by the Security Office of the College, unless such person is in the process of loading, unloading, or is a registered guest with the department they are visiting.

WAC 132Y-100-012 VALID PERMIT. A valid permit is: (1) A temporary permit authorized by the Security Office of Edmonds Community College and displayed in accordance with instructions; or

(2) An unexpired parking permit issued by the Security Office of the College, which permit must be displayed on the vehicle in accordance with instructions.

WAC 132Y-100-016 TRANSFER OF PERMITS. Parking permits are not transferable. If a vehicle is sold or traded, a new permit will be issued to the permit holder at no additional cost if the permit holder does the following:

- (1) Records invalid permit number;
- (2) Removes invalid permit;
- (3) Brings invalid permit or remnant thereof and permit number to the Security Office. The Security Office shall then issue the permit holder a new parking permit upon the presentation of proper vehicle registration.

WAC 132Y-100-020 PERMIT REVOCATION. Parking permits are the property of Edmonds Community College and may be recalled by the Director of Facilities or by the Security Office for any of the following reasons:

- (1) When the purpose of which the permit was issued changes or no longer exists;
- (2) When a permit is used by an unregistered vehicle or by an unauthorized individual;
- (3) Falsification on a parking permit application;
- (4) Continued violations of parking rules;
- (5) An accumulation of unpaid parking citations;
- (6) Counterfeiting or altering a parking permit;
- (7) When it is in the best interest of the College.

WAC 132Y-100-024 RIGHT TO REFUSE PERMIT. The College reserves the right to refuse the issuance of a parking permit.

WAC 132Y-100-028 ISSUANCE OF PERMITS. (1) Students, faculty, and staff, may be issued a parking permit by the Security Office, upon registration of his/her vehicle with the Campus Security Office at the beginning of each academic quarter by presenting vehicle make, model, color, year, license number, and payment.

(2) Campus Information may issue visitor parking permits when such permits are necessary.

(3) Temporary and special parking permits may be issued when such permits are necessary to enhance the business of operation of the College.

(4) Two permits may be issued to one individual without second payment, provided the applicant presents either title or registration indicating ownership of both vehicles.

WAC 132Y-100-032 DISPLAY OF PERMITS. All permanent parking permits shall be permanently affixed to the rear window on the lower left corner unless other arrangements are made with the security officer. Motorcycle permits shall be affixed to the rear bumper. Special and temporary parking permits shall be placed within the vehicle where it can be plainly observed. Permits not displayed in accordance with the provisions of this section shall not be valid.

WAC 132Y-100-036 **PARKING PERMIT FEES.** Parking fees will be determined by the College, and published during the registration period each quarter.

WAC 132Y-100-040 **REFUND OF FEES.** Refund of the parking permit fee shall be permitted upon request, based on the percentage due the student at the time of withdrawal from courses.

Refund will be based on total amount paid for parking; quarterly or yearly.

WAC 132Y-100-044 **ADDITIONAL VEHICLES.** When a new or different motor vehicle is acquired, it shall be necessary to register that vehicle with Edmonds Community College and a permit issued if the vehicle is to be used on campus. No additional fee for parking will be required when new or different vehicle is acquired.

WAC 132Y-100-048 **FAILURE TO REGISTER.** Any person who uses the campus on a frequent basis and fails to register the vehicle shall be subject to a fine to be determined by the College.

WAC 132Y-100-052 **PARKING PERMIT EXCEPTIONS.** Parking permit rules shall not apply to city, county, state, or federally owned vehicles.

WAC 132Y-100-056 **PARKING WITHIN DESIGNATED SPACES.** (1) Any person parking a vehicle on Edmonds Community College property shall park his/her vehicle in parking areas only.

(2) No vehicle other than those needed for maintenance and landscaping may be parked on any area which has been landscaped or designed for landscaping, and developed College property; and/or cement or asphalt walkway or unpaved pathway intended for pedestrian use.

(3) No vehicle shall be parked so as to occupy any portion of more than one parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy more than one space shall not constitute an excuse for violation of this section.

(4) No vehicle may be parked on any area set aside as yellow curb zones, driveways, pedestrian walkways, or loading and service areas.

WAC 132Y-100-060 **LOCATING LEGAL PARKING SPACE.** (1) The responsibility for locating legal parking space rests with the operator of the motor vehicle. Lack of space will not be considered a valid excuse for violating any parking rule.

(2) The fact that a person may park or observe others parked in violation of rules without receiving a citation does not mean that the rule is no longer in effect.

WAC 132Y-100-064 **MOTORCYCLE PARKING.** Motorcycles shall only be parked in spaces reserved for motorcycles and are not allowed to park in four-wheeled vehicle spaces, on grassed area, sidewalks, or immediately adjacent to or within buildings.

WAC 132Y-100-068 **BICYCLE PARKING.** No bicycle shall be parked inside a building, near a building

exit, or on a path or sidewalk. Bicycles must be secured to racks as provided and shall be regulated under the traffic rules of the Edmonds Community College. No parking permit is required.

WAC 132Y-100-072 **HANDICAPPED PARKING.** No vehicle shall park in a handicapped zone without a handicapped permit. To apply for handicapped person's parking permit the disabled individual must contact the Edmonds College Counseling Center. Handicapped parking permits must be renewed quarterly.

WAC 132Y-100-076 **DISABLED OR INOPERATIVE VEHICLES.** No disabled or inoperative vehicle shall be parked on the campus without permission from the Security Office. Vehicles which have been parked in excess of 48 hours and which appear to be inoperative or abandoned may be impounded and stored at the expense of either or both owner and operator thereof.

WAC 132Y-100-080 **REGULATORY SIGNS AND DIRECTIONS.** Edmonds Community College will erect signs, barricades, and other structures and paint marks and other directions upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational or research activities of Edmonds Community College. Such signs, barricades, structures, markings, and directions shall be so made and placed as to be legible and in the opinion of the Director of Facilities will best effectuate the objectives stated in section 001 of these rules.

WAC 132Y-100-084 **SPEED.** No vehicle shall be operated on the campus at a speed in excess of ten (10) miles per hour or such lower speed as is posted. No vehicle of any type shall at any time use the campus and/or lands devoted to educational, research, recreational, or parking for Edmonds Community College for testing, racing, or other unlawful activities.

WAC 132Y-100-088 **PEDESTRIAN'S RIGHT OF WAY.** (1) The operator of a vehicle shall yield to any pedestrian, but no pedestrians shall leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(3) Where a sidewalk is provided, pedestrians shall proceed upon such sidewalk.

WAC 132Y-100-092 **REPORT OF ACCIDENT.** The operator of any vehicle involved in an accident on campus shall within 24 hours report such accident to the Campus Security Office. This does not relieve any person so involved in an accident from his responsibility to file a State of Washington Motor Vehicle Accident Report within 24 hours after such accident.

WAC 132Y-100-096 SPECIAL TRAFFIC/PARKING RULES. Upon special occasions and during emergencies, the College is authorized to impose additional traffic and parking rules for the achievement of objectives in WAC 132-100-004 of these rules.

WAC 132Y-100-100 ISSUANCE OF TRAFFIC CITATIONS. Upon the violations of any of the rules contained in this document Campus Security Officers are authorized to issue traffic citations, setting forth the date, the approximate time of violations, permit number, license number, infraction and name of officer. Such traffic citations may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator.

WAC 132Y-100-104 FINES AND PENALTIES. Campus Security Officers are authorized to impose the following fines and penalties:

(1) Except as provided under subsection 2, fines will be imposed starting the first week of each quarter. The amount of all fines will be determined by the College.

(2) Vehicles parked in a manner to obstruct fire lanes, access to and from parking spaces, handicapped parking or causing a disruption in College activities may be impounded and taken to such place for storage as the College selects. The expenses of such impoundings and storage shall be charged to the owner or operator of the vehicle. The College and its employees shall not be liable for loss or damage of any kind resulting from impounding and storage.

(3) Vehicles involved in more than two (2) violations of these rules within any one quarter may be impounded as provided for in subsection 2 herein.

(4) Fines are to be paid at the College's Cashier's Desk.

WAC 132Y-100-108 APPEAL OF FINES AND PENALTIES. Appeal of fines and penalties levied against a student violator of these rules, must be submitted in writing, within five (5) working days from the date of the citation, to the Director of Facilities or his representative, who will cause a review to be made of the appeal to determine whether a satisfactory solution to both parties, can be reached without further administrative action. An appeal made by a member of the faculty or staff may be made to a person appointed specifically for this purpose by the President of the College.

WAC 132Y-100-112 ENFORCEMENT. In the event a student fails to comply with a determination by the Director of Facilities, such student may be declared ineligible to register for additional courses, to obtain a transcript of his/her grades or credits, until he/she has otherwise complied with the determination.

WAC 132Y-100-116 LIABILITY OF COLLEGE. The College assumes no liability under any circumstances for vehicles parked on campus.

WAC 132Y-100-120 SEVERABILITY. If any provision of Chapter 132Y-100 WAC is adjudged by a court to be unconstitutional, the remaining provisions of Chapter 132Y-100 WAC shall continue in effect.

WSR 81-17-043

EMERGENCY RULES

WENATCHEE VALLEY COLLEGE

[Order 81-96, Resolution 81-96—Filed August 14, 1981]

Be it resolved by the board of trustees of the Wenatchee Valley College, acting at Wenatchee, Washington, that it does promulgate and adopt the annexed rules relating to parking regulations, chapter 132W-116 WAC.

We, the Board of Trustees of Community College District No. 15, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is inasmuch as Wenatchee Valley College was requested to revise its parking regulations by both the State Board for Community College Education and the office of the Attorney General and these revisions cannot be accomplished on permanent status prior to the commencement of fall quarter, 1981, emergency adoption is requested.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated under the general rule-making authority of the Wenatchee Valley College as authorized in RCW 28B.50.140.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By James R. Davis
President

AMENDATORY SECTION (Amending Order 78-72, Resolution 78-72, filed 11/28/78)

WAC 132W-116-010 (~~GENERAL INFORMATION~~) PURPOSE FOR ADOPTING RULES. (~~Parking facilities at Wenatchee Valley College are provided for the convenience of students and staff. The traffic and parking regulations established are for the safety and convenience of pedestrians and drivers and to insure orderly operation.~~

~~The college assumes no liability for vehicles parking on Wenatchee Valley College property.~~

~~Questions related to parking should be referred to the business office.) Pursuant to the authority granted under RCW 28B.50.140(10) and 28B.19.020(2), the Board~~

of Trustees of Wenatchee Valley College is granted authority to make rules and regulations for pedestrian and vehicular traffic over property owned, operated, or maintained by the college district. The rules and regulations in this chapter are established for the following purposes:

(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 operation of the community college district and access to its facilities by the regulation of the use of on-campus parking areas.

AMENDATORY SECTION (Amending Order 79-80, filed 12/18/79)

WAC 132W-116-020 ((FEES)) VEHICLE REGISTRATION AND PARKING PERMITS. ((Each student registering for classes at or sponsored by Wenatchee Valley College shall pay a \$4.00 parking maintenance fee at the time of registration unless such fee is waived by the dean of instruction or the dean of administrative services.

Criteria under which waiver of said fees shall be considered are as follows:

(1) No parking is provided at an off-campus facility.

(2) The off-campus facility is made available free of charge.

(3) The student is enrolling in a one-time (one day) offering or other similar short-time activity involving only one-time parking.

(4) A staff member who has paid the appropriate parking fee prior to registration:)) (1) No person shall park or leave any vehicle, whether attended or unattended, in a designated parking area of Wenatchee Valley College, other than visitor parking, without a valid parking permit.

(2) Visitors must obtain a courtesy permit in order to park in the visitor area longer than the posted thirty minutes or in any other designated parking space for any length of time.

(3) Students and staff utilizing parking facilities at any time must register vehicles with the auxiliary services office at which time a parking permit must be obtained.

(4) Student parking fees are established without regard for the number of credits a student is carrying. Staff parking fees are based on fees designated in the faculty's negotiated agreement, except that a special fee may be established for restricted parking.

(5) Parking permits must be PERMANENTLY affixed to the rear right hand side of the vehicle on either the back window or the rear bumper. Permits for cycles should be affixed in a conspicuous location.

(6) Permits are NONTRANSFERABLE from vehicle to vehicle or from student to student. Permits for more than one vehicle are available for an additional fee.

(7) Vehicles displaying improperly affixed permits will be ticketed.

(8) Temporary permits, allowing a student or staff member to park a nonregistered vehicle, are available at

any administrative office and are valid for one day's parking.

(9) The person to whom a permit is issued shall be held responsible for adherence to these rules and regulations.

(10) Wenatchee Valley College reserves the right to refuse issuance of a parking permit.

(11) Wenatchee Valley College assumes no liability for vehicles parked on college property.

AMENDATORY SECTION (Amending Order 79-80, filed 12/18/79)

WAC 132W-116-050 ((GENERAL)) PARKING AND TRAFFIC REGULATIONS. ((Students and staff utilizing parking facilities at any time are required to observe parking regulations. Failure to observe these regulations may result in impounding of vehicle at owner's expense:)) (1) Vehicles must be parked only in designated ((areas)) parking spaces, occupying not more than one space, and in such a manner as to not obstruct traffic.

(2) All vehicles are to be parked HEADED IN to parking space.

(3) Areas adjacent to yellow curbs or bumpers are no-parking zones.

(4) ((Student and staff)) Registered vehicles may not be parked in areas reserved for visitors ((or handicapped may be towed away at owner's expense)).

(5) Disabled, inoperative or abandoned vehicles may not be parked on campus for ((not)) more than seventy-two hours((, after which time vehicles may be impounded at the owner's expense and liability)).

(6) Cycles, motor bikes and scooters may park in designated parking spaces or in open spaces adjacent to parking ((areas-)) spaces so long as they do not interfere with vehicular or pedestrian traffic and are not on lawns or sidewalks((+ and in designated areas)).

(7) No vehicle may be parked in a handicapped zone unless the vehicle displays a valid state of Washington disabled permit in addition to a college parking permit.

(8) The on-campus speed limit is 10 miles per hour.

(9) Pedestrians have the right of way at all times.

NEW SECTION

WAC 132W-116-065 PARKING VIOLATIONS AND FINES. (1) Violators of these regulations are subject to fines. A \$5.00 fine will be assessed for each violation. If paid within 24 hours from the time a ticket is issued, excluding weekends and holidays, the fine will be reduced to \$2.50. Fines are to be paid at the cashier's station located in Wells Hall.

(2) Violators of these regulations are notified of the violation by the issuance of a parking ticket which indicates the date, approximate time, locality, and nature of the violation. Tickets may be served by attaching or affixing a copy to the vehicle allegedly violating any of the parking regulations.

(3) Questions pertaining to parking, permits, and violations should be addressed to the parking administrator

in the auxiliary services office. The parking administrator's decisions may be appealed in writing to the dean of administrative services whose decision is final.

(4) Parking fines are considered financial obligations to the college, and grades and other official records will not be released until all such obligations have been met. Such unpaid obligations will also result in prohibiting an individual from enrolling in future classes offered by the college.

(5) Wenatchee Valley College parking permits are the property of Wenatchee Valley College and may be recalled and revoked for continued violation of parking and traffic regulations.

(6) (a) Following the issuance of the third unpaid violation of these parking rules and regulations, a 24-hour notice may be placed upon the vehicle in a conspicuous place informing the owner that, unless the outstanding traffic and parking citations are satisfied, the vehicle will be impounded at the owner's risk and expense the next instance the vehicle is found to be parked on college property.

(b) A vehicle may be impounded without notice to the owner, at the owner's risk and expense, when, in the judgment of the parking administrator, the vehicle obstructs or impedes the flow of traffic or poses an immediate threat to public safety.

(c) A vehicle which is disabled, inoperative or abandoned may be impounded and stored at the owner's risk and expense 24 hours after a notice so stating has been placed on the vehicle in a conspicuous location.

WSR 81-17-044

ADOPTED RULES

WENATCHEE VALLEY COLLEGE

[Order 81-97, Resolution 81-97—Filed August 14, 1981]

Be it resolved by the board of trustees of the Wenatchee Valley College, acting at Wenatchee, Washington, that it does promulgate and adopt the annexed rules relating to human rights policy, chapter 132W-149 WAC.

This action is taken pursuant to Notice No. WSR 81-13-036 filed with the code reviser on June 16, 1981. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Wenatchee Valley College as authorized in RCW 28B.50.140.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By James R. Davis
President

AMENDATORY SECTION (Amending Order 78-74, Resolution 78-74, filed 11/28/78)

WAC 132W-149-010 GENERAL HUMAN RIGHTS POLICY. (1) It is the policy of the Board of Trustees of Wenatchee Valley College, within the realm of its authority and in keeping with its responsibility to the public, to prohibit discrimination based on race, religion, color, national origin, sex, marital or parental status, age, the presence of any sensory, mental or physical handicap or Vietnam era and disabled veteran status. This prohibition applies to all aspects of the college's functions, programs and activities, the utilization of its facilities, the official use of the college's name and the employment and educational opportunities it provides.

(2) The board of trustees hereby directs the president of Wenatchee Valley College to establish administrative procedures, in accordance with applicable state and federal laws, rules, and regulations which fulfill this policy and which provide means to monitor and maintain such rules and regulations. The president is directed to report ~~(, from time to time,)~~ to the board of trustees progress and problems relating to the execution of this policy. The Affirmative Action Plan shall be reviewed with the board annually.

(3) The Affirmative Action Plan shall include, but not be limited to, the following objectives:

(a) Wenatchee Valley College will recruit, hire, train, and promote individuals solely upon their qualifications and ability or potential ability to do the job, and shall consider race, religion, color, national origin, sex, age, physical, mental or sensory disability or whether a disabled veteran or a veteran of the Vietnam era only when such is a bona fide occupational qualification.

(b) All other personnel actions such as compensation, benefits, layoffs, return from layoffs, terminations, college-sponsored training, education, tuition assistance, social and recreational programs will be administered without regard to race, religion, color, national origin, sex, age, parental or marital status, physical or sensory disability or whether a disabled veteran or a veteran of the Vietnam era.

(c) Numerical goals will continue to be set in areas where minorities, women, handicapped and Vietnam era veterans are underutilized.

The college will make every good faith effort to meet these goals within the timetables set for them.

(d) A concerted effort will be maintained to influence those who provide goods and services to the college to establish meaningful equal opportunity programs at their facilities.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 132W-149-020 EMPLOYMENT—JOB PLACEMENT AND PROMOTION.

(2) WAC 132W-149-022 EMPLOYMENT—JOB PLACEMENT AND PROMOTION—AFFIRMATIVE ACTION GOALS AND TIMETABLES.

- (3) WAC 132W-149-024 EMPLOYMENT—JOB PLACEMENT AND PROMOTION—PROCEDURES AND POLICIES.
- (4) WAC 132W-149-026 EMPLOYMENT—JOB PLACEMENT AND PROMOTION—EVALUATION.
- (5) WAC 132W-149-030 STUDENT EMPLOYMENT.
- (6) WAC 132W-149-040 GOVERNMENT CONTRACTS.
- (7) WAC 132W-149-050 CONTRACTORS AND VENDORS.
- (8) WAC 132W-149-070 FACILITIES.
- (9) WAC 132W-149-080 STUDENT SERVICES.
- (10) WAC 132W-149-090 EDUCATIONAL PROGRAM.
- (11) WAC 132W-149-100 COMMUNITY RELATIONS.
- (12) WAC 132W-149-110 DISSEMINATION OF POLICY.
- (13) WAC 132W-149-120 IMPLEMENTATION AND ADMINISTRATION.
- (14) WAC 132W-149-130 GRIEVANCE PROCEDURE.

WSR 81-17-045
EMERGENCY RULES
PERSONNEL APPEALS BOARD
 [Order 81-1—Filed August 14, 1981]

Be it resolved by the Personnel Appeals Board, acting at Olympia, that it does promulgate and adopt the annexed rules relating to chapters 358-20 and 358-30 WAC.

We, the Personnel Appeals Board, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the legislature enacted chapter 311, Laws of 1981 effective May 19, 1981 and established a three member board to hear appeals of state employees. The governor appointed the three board members effective July 27, 1981.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 311, Laws of 1981 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 7, 1981.

By A. P. Hunter
 Vice-Chairman

Chapter 358-20 WAC
APPEALS—FILINGS—DECLARATORY RULINGS.

NEW SECTION

WAC 358-20-010 **APPEAL FROM DEMOTION, SUSPENSION, REDUCTION IN SALARY OR DISMISSAL** Any permanent employee who is demoted, suspended, reduced in salary or dismissed may appeal to the Personnel Appeals Board.

NEW SECTION

WAC 358-20-020 **APPEAL FROM VIOLATION OF LAW OR RULES** An employee who is adversely affected by a violation of the State Civil Service Law (Chapter 41.06 RCW) or of the Merit System Rules (Title 356 WAC) may appeal to the Personnel Appeals Board.

NEW SECTION

WAC 358-20-030 **APPEAL OF ALLOCATION OR REALLOCATION** An employee incumbent in a position at the time of its allocation or reallocation or the agency utilizing the position may appeal the determination of the Director of Personnel or designee issued pursuant to WAC 356-10-060(5).

NEW SECTION

WAC 358-20-040 **FILING APPEALS** (1) An appeal must be filed in writing at the principal office of the Personnel Appeals Board within 30 days after the effective date of the action being appealed.

(2) The appeal shall include the name and address of the appellant, the name of the employing agency, and a telephone number at which the appellant can be reached. Appellants who are represented shall include the name, address and telephone number of their representative.

(3) An appeal of a violation of the State Civil Service Law or the Merit System Rules must cite the law(s) or rule(s) which the appellant claims has been violated and the particular circumstances of the alleged violation and how the employee is adversely affected by the alleged violation.

NEW SECTION

WAC 358-20-050 **DECLARATORY RULINGS** (1) As prescribed by RCW 34.04.080, any interested party may petition the Personnel Appeals Board for a declaratory ruling with respect to the applicability to any person, property or state of facts of Sections 1-15, Chapter 311, Laws of 81 or any rule of the Personnel Appeals Board. The petition must be filed in the principal office of the Personnel Appeals Board.

(2) Upon receipt of a petition for declaratory ruling, the Executive Secretary or his designee will acknowledge receipt of the petition and send a copy to the other parties.

(3) The Personnel Appeals Board shall consider the petition without argument and within a reasonable time will:

(a) Notify the petitioner that no declaratory ruling will be issued;

(b) Based on the information in the petition, issue a non-binding declaratory ruling, or

(c) Notify the parties of the time for submitting written argument or of a time and place for hearing oral argument. If a hearing is scheduled, the notice will inform the parties whether a decision, when rendered, will be binding between the agency and the petitioner.

(4) After considering argument, the Personnel Appeals Board will:

(a) If written argument was submitted, notify the parties within a reasonable time that no declaratory ruling will be issued or issue a non-binding ruling.

(b) If a hearing is held, notify the parties within a reasonable time that no declaratory ruling will be issued; issue a non-binding ruling; or if the notice so provided, issue a binding ruling.

(5) A declaratory ruling, if issued after argument and stated to be binding, is binding between the agency and the petitioner on the state of facts alleged, unless it is altered or set aside by a court. Such a ruling is subject to review in the Superior Court of Thurston County in the manner provided in the Administrative Procedures Act (Chapter 34.04 RCW) for the review of decisions in contested cases.

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

Chapter 358-30 WAC HEARINGS—PROCEDURES

NEW SECTION

WAC 358-30-010 ACKNOWLEDGEMENT OF APPEAL, SETTING OF HEARING (1) Upon receipt of an appeal, the Executive Secretary of the Personnel Appeals Board or designee will acknowledge receipt of the appeal and send a copy to the other affected parties.

(2) A hearing before the Personnel Appeals Board or hearings examiner shall be arranged, with each party to be afforded not less than 15 days notice of such hearing, unless all parties agree to waive such notice.

NEW SECTION

WAC 358-30-020 HEARINGS EXAMINERS The Personnel Appeals Board may appoint one or more hearings examiners to preside over hearings and make recommended decisions in accordance with rules established by the Personnel Appeals Board in all cases of employee appeals to the Board. Hearings examiners shall be retained with a personal services contract and compensated for each hearing in accordance with the provisions of Chapter 43.88 RCW and rules adopted pursuant thereto. Hearings examiners shall conduct hearings in the same manner and shall have the same authority as the Personnel Appeals Board when conducting hearings.

NEW SECTION

WAC 358-30-030 HEARINGS (1) Hearings on all appeals shall be open to the public unless the Personnel Appeals Board or hearings examiner determines there is substantial reason for not having an open hearing, or the employee so requests. In addition, an agency may request that a hearings examiner or the Personnel Appeals Board close the hearing.

(2) The hearing shall be informal. Technical rules of evidence shall not apply to the proceedings, except for the rule of privilege recognized by law.

(3) All parties may select representatives of their choosing, present and cross-examine witnesses, and give evidence before the Personnel Appeals Board or hearings examiner.

(4) All testimony shall be on oath administered by a member of the Personnel Appeals Board or hearings examiner.

(5) One member of the Personnel Appeals Board may hold a hearing and take testimony to be reported for action by the Board. Any such hearing shall be done only at the direction of the Chairperson of the Board or as provided in these rules. The Chairperson may assign hearings to a single member of the Board on any appeal over which the Personnel Appeals Board has jurisdiction. Any other member of the Board participating in the decision on an appeal where only one member of the Board has conducted the hearing shall read and/or listen to the record prior to rendering a decision.

(6) The Personnel Appeals Board or hearings examiner shall prepare an official record of the hearing, including all testimony recorded manually or by mechanical device, and exhibits.

(7) The Personnel Appeals Board or hearings examiner shall not be required to transcribe such record unless requested by a party who shall be furnished with a complete transcript upon payment of a reasonable charge therefor.

NEW SECTION

WAC 358-30-040 MOTIONS FOR AND ORDERS OF CONTINUANCE Any party to a hearing may make a motion to continue the hearing for good cause shown. Any such motion shall be in writing directed to the person or persons who will be conducting the hearing. The motion shall state the specific reasons a continuance is necessary and shall be filed with the Executive Secretary and served on the hearing examiner, if any, and the opposing party at least five days prior to the scheduled hearing date. In unusual circumstances and only where the reason for the continuance could not reasonably have been foreseen, the motion may be made when the party becomes aware of the reason.

NEW SECTION

WAC 358-30-050 DISPOSITION FOLLOWING HEARING (1) At the conclusion of a hearing, a hearings examiner or the Personnel Appeals Board may require post-hearing briefs.

(2) A hearings examiner may affirm, reverse or modify an action of an agency.

(3) The Personnel Appeals Board may affirm, reverse or modify the action of an agency or the recommended decision of a hearings examiner or remand the matter for further proceedings before the hearings examiner.

(4) When a hearings examiner or the Personnel Appeals Board reduces a dismissal to a suspension, the period of suspension is not limited by RCW 41.06.170(1).

NEW SECTION

WAC 358-30-060 SUMMARY MOTIONS (1) The Personnel Appeals Board, or a hearings examiner, may decide all, or any part, of an appeal by motion, after a hearing and notice to all parties, if the documents on file, depositions and affidavits, if any, show there is no genuine issue as to any material fact and the appeal should be decided or dismissed as a matter of law.

(2) Summary motions may be made at any time by any party.

(3) If motions are made prior to the hearing date, or if no hearing date has been assigned, the motion may be heard by one member of the Board as provided in WAC 358-30-030, or by the hearing examiner. Any such motion shall be in a writing which sets forth the basis for the motion and shall be filed with the Executive Secretary of the Personnel Appeals Board and served on all parties. After receipt of the motion, the parties will be notified by the Executive Secretary, at least ten (10) days in advance, of the time and place of the hearing on the motion.

(4) Any affidavits to be filed in support of a motion shall be served with the motion. Opposing affidavits shall be served at least three (3) days prior to the hearing. Counter affidavits by the moving party shall be served at least one (1) day prior to the hearing.

(5) When an appeal is dismissed or decided on motion, an order, or recommended order shall be issued as in other cases of appeal to the Personnel Appeals Board.

NEW SECTION

WAC 358-30-070 RECOMMENDED DECISIONS OF HEARINGS EXAMINERS—EXCEPTIONS (1) A hearings examiner shall serve his/her recommended decision, including findings of fact, conclusions of law, and order, upon the Personnel Appeals Board and upon each party and representative as soon as possible after conclusion of the hearing. Service shall be made by certified mail, a return receipt requested.

(2) Within 30 days after service of the recommended decision, any party adversely affected thereby may take exception to the Personnel Appeals Board by filing a written notice of exceptions at the principal office of the Personnel Appeals Board. The notice shall set forth specific exceptions to the recommended decision including each finding of fact and conclusion of law to which exception is taken and any additional errors the parties contend were made by the hearings examiner.

(3) If no exceptions are filed, the recommended decision shall become final with 40 days after service thereof, unless the Personnel Appeals Board notifies each party within that 40-day period that a hearing will be scheduled to consider the recommended decision.

NEW SECTION

WAC 358-30-080 HEARING ON EXCEPTIONS—ORDERS OF BOARD (1) The hearing by the Personnel Appeals Board on exceptions from a recommended decision of a hearings examiner shall be limited to the contentions set forth in the notice of exceptions.

(2) The Personnel Appeals Board will issue its decision within 30 days after the conclusion of the hearing.

(3) When the construction of a rule, regulation or statute is in question the Board will issue findings of fact, conclusions of law and its order.

(4) The decision and order of the Personnel Appeals Board shall be final in cases filed pursuant to RCW 41.06.170(3). In cases filed pursuant to RCW 41.06.170(2) the order and decision of the Personnel Appeals Board shall be final subject to action by the court on appeal.

NEW SECTION

WAC 358-30-090 EXHIBITS AT HEARINGS At any hearing before the Personnel Appeals Board or hearings examiner when exhibits are offered, copies shall be furnished to the opposing party, to each Board member or hearings examiner and for the official file. The parties should interchange copies of exhibits before or at the commencement of the hearing.

NEW SECTION

WAC 358-30-100 ETHICAL CONDUCT All persons appearing in appeal proceedings before the Personnel Appeals Board or hearings examiner in a representative capacity shall conform to Canon 7, Code of Professional Responsibility (Volume 0 RCW). If any person does not conform to these standards, the Personnel Appeals Board or hearings examiner may decline to permit such person to appear in a representative capacity.

NEW SECTION

WAC 358-30-110 FILING PAPERS WITH THE PERSONNEL APPEALS BOARD Papers which must be filed with the Personnel Appeals Board shall not be deemed filed until actual receipt of the papers in the principal office of the Personnel Appeals Board in Olympia, Washington. The Executive Secretary or designee shall issue a receipt and an acknowledgment stating the date filed.

NEW SECTION

WAC 358-30-120 SUBPOENAS (1) Any member of the Personnel Appeals Board, the Executive Secretary or the hearings examiner may, and shall at the request of either party, issue subpoenas, including subpoenas duces tecum. The Personnel Appeals Board or the hearings examiner assigned to the appeal shall certify to the Superior Court the facts of any refusals to obey a subpoena, take the oath, or testify. The court shall summarily hear the evidence on such refusal and, if the

evidence warrants, punish such refusal in the same manner and to the same extent as for contempt committed before or in connection with the proceedings of the court.

(2) Every subpoena shall name the Personnel Appeals Board, the title and case number of the proceedings and shall command the person to whom it is directed to appear at a specified time and place and give testimony or produce designated books, documents, or things under that person's control.

(3) Any representative or party not represented shall prepare subpoenas for issuance, and may present them to a Personnel Appeals Board member, the Executive Secretary or the hearings examiner for signature, and upon return shall make arrangements for service. The service of all subpoenas shall be at the expense of the party requiring the witness to appear. It is recommended that all subpoenas be submitted at least five days prior to the hearing.

(4) Subpoenas shall be personally served upon the designated individual who upon demand, where entitled to make such a demand, shall be tendered the fees for one day's attendance and the mileage allowed by law. A copy of the subpoena will also be provided to the opposing representative or pro se party, agency personnel officer and union representative.

NEW SECTION

WAC 358-30-130 WITNESS FEES Witnesses summoned before the Personnel Appeals Board shall be paid by the party at whose behalf they appear the same fees and mileage that are paid to witnesses in the Superior Court of the county in which the hearing is being held. State employees who remain in pay status shall be compensated for travel only.

NEW SECTION

WAC 358-30-140 PROOF OF SUBPOENA SERVICE The person serving the subpoena shall prove service by filing an acknowledgement or affidavit of service with the Personnel Appeals Board or the hearings examiner at any time prior to adjournment of the hearing. Failure to prove service does not affect the validity of the service.

NEW SECTION

WAC 358-30-150 DISCOVERY (1) Attorneys of record may use discovery procedures in a manner consistent with the civil rules for the Superior Courts of the State of Washington.

(2) A party appearing pro se or not represented by counsel may obtain an order of discovery from the Personnel Appeals Board or the hearings examiner and may use discovery procedures in a manner consistent with the civil rules of the Superior Courts of the State of Washington.

NEW SECTION

WAC 358-30-160 QUASHING Upon motion promptly made by a party to the appeal or by the person to whom the subpoena or discovery is directed and upon notice to the party who issued the subpoena or discovery, the Personnel Appeals Board or hearings examiner may after a hearing:

- (1) Deny the motion;
- (2) Grant the motion if the subpoena or discovery is unreasonable or requires evidence not relevant to any matter in issue; or
- (3) Deny the motion with modification of the subpoena or discovery for just and reasonable cause.

NEW SECTION

WAC 358-30-170 BURDEN OF PROOF At any hearing on appeal from a suspension, demotion, reduction in salary or dismissal the appointing authority shall have the burden of supporting the charges upon which the action was initiated. At any other hearing the party filing the action shall have the burden of proof.

NEW SECTION

WAC 358-30-180 RESTORATION OF RIGHTS AND BENEFITS Any employee, when fully reinstated after appeal, shall be guaranteed all employee rights and benefits, including back pay, sick leave, vacation accrual, retirement and OASDI credits as in RCW 41.06.220.

NEW SECTION

WAC 358-30-190 SERVICE (1) All notices, documents and other papers required under the Personnel Appeals Board rules to be filed or served, shall be filed with the Board and served upon each of the parties and the hearings examiner to whom the appeal is assigned, if any, all within the time stated. Service shall be made personally, or, except as provided in WAC 358-30-070(1), by first class mail.

(2) Service upon parties shall be regarded as complete when personal service has been accomplished; or by mail three (3) days after deposit in the United States mail properly stamped and addressed.

NEW SECTION

WAC 358-30-200 COMPUTATION OF TIME The day of the act, event or default after which the designated period of time begins to run is not to be included in computing any period of time prescribed or allowed by the Personnel Appeals Board Rules. The last day of the period so computed is to be included unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

WSR 81-17-046
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-83—Filed August 14, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is adopted pursuant to RCW 75.40.060.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.40.060 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1981.

By Rolland A. Schmitten
 Director

NEW SECTION

WAC 220-47-914 COMMERCIAL SOCKEYE SALMON FISHERY. (1) *Effective August 16 through August 22, 1981 commercial sockeye salmon fishing rules of the United States Department of Commerce, as adopted by Order 81-48 of the Director of Fisheries and as published in the Federal Register June 25, 1981 are superceded in part by this section.*

(2) *It is unlawful to take, fish for or possess sockeye salmon for commercial purposes in Puget Sound Salmon Management and Catch Reporting Area 4B, 5, 6, 6A, 6C, 7, 7A and 7D except as follows:*

Reef Nets

Monday, August 17, 1981 9:00 A.M. to 9:00 P.M.

Gill Net

6:00 P.M. Monday, August 17 to 9:00 A.M. Tuesday, August 18, 1981.

Purse Seine

Tuesday, August 18, 1981 5:00 A.M. to 9:00 P.M.

(2) *Gill nets restricted to 7-1/2 inch minimum mesh size in Area 7B when open under Department of Fisheries regulations.*

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed effective August 16, 1981:

WAC 220-47-913 COMMERCIAL SOCKEYE SALMON FISHERY (81-79)

WSR 81-17-047
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-84—Filed August 14, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is scheduled fisheries in Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D are currently under IPSFC control. Scheduled fishery in Area 7B allows harvest of chinook salmon, with a mesh restriction imposed by IPSFC. Fisheries in Area 8 and 8A allow a harvest of pink salmon. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent overharvest of salmon stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1981.

By Rolland A. Schmitten
 Director

NEW SECTION

WAC 220-47-607 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY—WEEK OF AUGUST 16, 1981. *Notwithstanding the provisions of WAC 220-47-403, effective August 16 through August 22, 1981, it is unlawful to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:*

* *Areas 4B, 5 and 6 – Closed except under International Pacific Salmon Fisheries Commission (IPSFC) and United States Department of Commerce (USDOC) rules set forth in Emergency Orders 81-48 and 81-*

83. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 6A - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-83. Gill nets restricted to 5-7/8-inch maximum mesh size when open, and purse seines must release all chinook salmon over 28 inches in length when open.

Area 6B - Closed.

* Area 6C - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-83. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Area 6D - Closed.

* Areas 7 and 7A - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-83. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 7B - Closed except gill nets may fish Sunday, Monday, Tuesday, Wednesday, and Thursday nights from 6:00 p.m. to 9:00 a.m. IPSFC restricts gill nets to 7-1/2-inch minimum mesh Sunday, Monday, Tuesday, Wednesday, and Thursday nights. The Fidalgo Bay Salmon Preserve is closed as provided in WAC 220-47-307.

Area 7C - Closed.

* Area 7D - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-83. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Areas 8 and 8A - Closed except gill nets may fish Sunday and Monday nights from 6:00 p.m. to 9:00 a.m. with 5-inch minimum to 6-inch maximum mesh. The Skagit Bay, Port Susan, and Port Gardner Salmon preserves are closed as provided in WAC 220-47-307.

Areas 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-606 Puget Sound All-Citizen Commercial Salmon Fishery—Week of August 9, 1981 Update (81-80)

WSR 81-17-048
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-85—Filed August 14, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at

Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is Areas 4B, 5, 6, 6A, 6C, 7 and 7A are restricted to protect Fraser River and some Puget Sound adult chinook salmon. Area 6D and the Dungeness River are closed to protect Dungeness River pink salmon and chinook salmon already present. Strait tributaries are closed to protect chinook salmon in Strait tributaries. Area 7B and Nooksack River are restricted because no harvestable surplus of Nooksack River pink salmon remains. Area 7C and Samish River are closed to protect escapement of Samish Hatchery fall chinook salmon. Area 8 and the Skagit River restrictions permit harvest of pink salmon. Areas 6B, 9, 10 and 11 are closed to protect Nisqually River pink salmon and South Sound chinook. Area 13 and Nisqually River restrictions protect Nisqually River pink salmon. Area 10A and the Duwamish/Green River are closed to protect Duwamish/Green chinook salmon. Area 10B restrictions protect Lake Washington sockeye. Areas 10C, 10D and the Cedar River are closed to protect Lake Washington sockeye and fall chinook. Portions of Area 12C and Area 12D are closed to protect Hoodspout, Dewatto and lower Hood Canal fall chinook. The Elwha River is restricted to protect pink salmon.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-28-106 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. It is unlawful for treaty Indian fishermen to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Area 4B - Troll-caught chinook under 24 inches in length and troll-caught coho under 16 inches in length must be released. Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 5 - Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6 – Gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 6A – Gill nets restricted to 5-7/8-inch maximum mesh, and all other net gear must release chinook salmon over 28 inches when open.

Area 6B – Closed to all commercial net fishing.

Area 6C – Drift gill nets restricted to 5-7/8-inch maximum mesh when open.

* Area 6D – Gill nets restricted to 6-inch maximum mesh size, and all other net gear must release chinook salmon over 28 inches in length, when open through August 14, 1981. Effective August 15, 1981, closed to all commercial fishery.

Areas 7 and 7A – Gill nets restricted to 5-7/8-inch maximum mesh when open.

Area 7B – Gill nets restricted to 7-1/2-inch minimum mesh size when open, and purse seines are prohibited.

Area 7C – Closed to all commercial fishing.

Area 8 – Closed to all commercial fishing through August 15, 1981. Effective August 16, 1981, gill nets restricted to 6-inch maximum mesh size, and all other gear must release chinook salmon, when open.

Area 9 – Closed to all commercial fishing.

Area 10 – Closed to all commercial fishing.

* Area 10A – Closed to all commercial fishing effective August 15, 1981.

Area 10B – Gill nets restricted to 6-1/2-inch minimum mesh when open.

Areas 10C and 10D – Closed to all commercial fishing.

Area 11 – Closed to all commercial fishing.

Area 11A – Gill nets restricted to 6-inch maximum mesh size, and all other net gear must release chinook salmon over 28 inches in length, when open.

Areas 12C – Closed to all commercial fishing within 1,000 feet of western shore between Hoodspout Marina Dock and Warfield Trailer Park, and within 1/4 mile of a line connecting the outermost points of Dewatto Bay including Dewatto Bay.

Area 12D – Closed to all commercial fishing.

Area 13 – Gill nets restricted to 7-1/2-inch minimum mesh size when open and purse seines prohibited.

Puyallup River – Gill nets restricted to 6-inch maximum mesh size when open.

Nisqually River – Effective August 16, 1981, gill nets restricted to 7-1/2-inch minimum mesh size when open.

Cedar River – Closed to all commercial fishing.

* Duwamish/Green River – Closed to all commercial fishing effective August 15, 1981.

* Dungeness River – Gill nets restricted to 6-inch maximum mesh size through August 14, 1981. Effective August 15, 1981, closed to all commercial fishing.

* Elwha River – Effective August 15, 1981, gill nets restricted to 7-1/2-inch minimum mesh size when open.

Nooksack River – Gill nets restricted to 7-1/2-inch minimum mesh size when open.

Samish River – Closed to all commercial fishing.

Skagit River – Closed to all commercial fishing through August 15, 1981, below the Old Faber Ferry Landing including all tributaries.

Effective August 16, 1981, in the Skagit River below the Old Faber Ferry Landing, gill nets restricted to 6-inch maximum mesh size, and all other gear must release chinook salmon, when open. Closed to all commercial fishing until further notice above the Old Faber Ferry Landing including all tributaries.

Clallam River, Deep Creek, Hoko River, Lyre River, Pysht River, Sail River, Salt Creek, Sekiu River, East Twin River, West Twin River – Closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-105 Puget Sound Commercial Fishery Restrictions (81-81)

WSR 81-17-049
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Order 363—Filed August 16, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions on forest land under the protection of the Department of Natural Resources in its Northwest area, shutdown zone 658, in portions of Whatcom, Skagit, Snohomish and King Counties and in its South Puget Sound Area, shutdown zone 658, in portions of King and Snohomish Counties effective midnight, Sunday, August 16, 1981, until midnight, Wednesday, August 19, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the areas listed above as included in

the logging restrictions are particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges are also suspended.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 16, 1981.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-26-514 COMPLETE LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PART OF THE NORTHWEST AND SOUTH PUGET SOUND AREAS. *Effective Sunday, midnight (2400 hours) August 16, 1981 through Wednesday midnight (2400 hours), August 19, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown from midnight to midnight.*

DNR shutdown zone affected by this restriction is zone 658 in Whatcom, Skagit, Snohomish and King Counties.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zone during the shutdown.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 81-17-050
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
[Order 364—Filed August 17, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule describing logging restrictions on forest lands under the protection of the Department of Natural Resources in its Olympic Area, shutdown zones 649, 650, 651, 653 and 654, in portions of Grays Harbor, Jefferson and Clallam counties, its South Puget Sound Area, shutdown zones 652 and 659 in portions of Jefferson, Mason, King, Pierce and Lewis counties, and in its Central Area,

shutdown zone 659 and 660 in portions of Lewis and Thurston counties and in its Southwest Area, shutdown zones 660 and 621E in portions of Skamania, Lewis, Cowlitz and Clark counties effective midnight, Monday, August 17, 1981, until midnight, Wednesday, August 19, 1981.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and forecasted weather conditions, the areas listed above as included in the logging restrictions are particularly exposed to fire danger. No one may enter areas of logging slash. Burning permits and burning privileges are also suspended.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1981.

By Brian J. Boyle
Commissioner of Public Lands

NEW SECTION

WAC 332-25-515 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PARTS OF THE SOUTH PUGET SOUND, CENTRAL, AND SOUTHWEST AREAS.

Effective Monday, midnight (2400 hours), August 17, 1981, through Wednesday, midnight (2400 hours), August 19, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time:

Power Saws	—	1100 — 2400
Tractors	—	1300 — 2400
Other Power	—	1300 — 2400
Machinery		

Loading and hauling may continue throughout the day.

DNR shutdown zones affected by this restriction are the following: Zone 652 in Mason and Jefferson counties; zone 659 in King, Pierce, Lewis and Thurston counties; zone 660 in Lewis, Skamania, Clark, and Cowlitz counties; zone 621E in Clark and Skamania counties.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashings except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

WAC 332-26-516 MODIFIED LOGGING SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN THE OLYMPIC AREA.

Effective Monday, midnight (2400 hours), August 17, 1981, through Wednesday, midnight (2400 hours), August 19, 1981, all logging, land clearing, and other industrial operations which may cause a fire to start are to be shutdown during the following time: All operations to cease operating from noon to midnight during shutdown period.

DNR shutdown zones affected by this restriction are the following: Zone 649 in western part of Grays Harbor, Jefferson, and Clallam counties; zone 650 in part of Clallam, Jefferson, and Grays Harbor counties; zone 651 in part of Grays Harbor county protected by Olympic Area; zone 653 in Clallam and Jefferson counties protected by Olympic Area; and zone 654 in Clallam, and Jefferson counties protected by Olympic Area.

During the shutdown period, all persons are excluded from logging operating areas and areas of logging slashing except those persons present in the interest of fire protection.

Burning permits in burning permit zones B & C are cancelled in the above zones during the shutdown.

**WSR 81-17-051
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-86—Filed August 17, 1981]**

I, Rolland A. Schmitten, director of the Washington Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use angling.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is pink runs to the Dungeness and Nooksack Rivers require protection.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.98.080[75.08.080] and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 17, 1981.
By Rolland A. Schmitten
Director

REPEALER

The following sections of the Washington Administrative Code are repealed effective immediately:

WAC 220-57-21500D DUNGENESS RIVER (81-58)

WAC 220-57-35000A NOOKSACK RIVER (81-58)

**WSR 81-17-052
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 81-14—Filed August 18, 1981]**

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, the annexed rules relating to Finance—Interdistrict cooperation programs, chapter 392-135 WAC.

I, Frank B. Brouillet, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is school districts are currently preparing interdistrict cooperation agreements for the 1981-82 school year. In order to implement cost savings for the 1981-82 school year, these rules must be adopted on an emergency basis.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 28A.58.075(2) and 28A.58.245 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED July 31, 1981.
By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 80-7, filed 4/15/80)

WAC 392-135-010 DEFINITIONS. *As used in this chapter, the terms: (1) "Residence" (~~shall mean the physical location of a student's principal abode (e.g., the home, house, apartment, etc., within which the student lives the majority of the time);~~*

~~(2) "Resident student" shall mean a student:~~

~~(a) Whose residence is within the school district of attendance; or~~

~~(b) Whose residence is within the boundaries of any military, naval, lighthouse, other United States reservation, national park, national forest, or Indian reservation (provided the student resides upon rented or leased undeceded lands within the Indian reservation) which is contiguous to the school district of attendance; or~~

~~(c) Whose residence is within a school district which does not carry the grades for which the student is eligible to enroll (e.g., a nonhigh school district).~~

~~(3) "Nonresident student" shall mean any student other than a resident student whose residence is within the state of Washington.~~

~~(4) "Resident district" shall mean the Washington state school district or districts of which a student is considered to be a resident), "resident student", "nonresident student", and "resident district" shall mean the same as defined in WAC 392-137-010.~~

~~((f5)) (2) "Serving district" shall mean the Washington state school district which operates a tuition-free interdistrict cooperation program pursuant to an agreement with one or more Washington state school districts.~~

~~(3) "Participating school district(s)" shall mean any Washington state school district that is a signatory to an interdistrict cooperative agreement pursuant to provisions of this chapter.~~

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-135-020 APPLICATION—REQUIREMENTS FOR APPROVAL. (1) Application. The proposed serving district shall be the applicant school district. The applicant school district shall submit a written application for the operation of an interdistrict cooperation program and the proposed written agreement(s) to be entered into by each participating school district to the superintendent of public instruction, division of financial services.

An interdistrict cooperation contract shall include and set forth at least the following:

~~((a) The starting date for the proposed program.~~

~~(b) The location of the serving facilities.~~

~~(c) An explanation of the need(s) and purpose(s) of the proposed program.~~

~~(d) The number of students to be served by the program.~~

~~(e) An explanation of the manner in which the program is to be administered.~~

~~(f) The extra costs, if any, involved in the proposed program.~~

~~(g) An explanation of the economic feasibility of the joint operation.~~

~~(h) A description of joint financing arrangements, if any.~~

~~(i) A list of time in hours if attendance is to be on a part-time basis.~~

~~(j) A list of dates involved if the program is to be operated on an extended year basis.~~

~~(k) The duration of the contract and the procedure, if any, for early termination of the contract.~~

~~(l) The procedure for the disposition of assets and liabilities upon expiration or termination of the contract.))~~

(a) A description of the services and program.

(b) The number of students to be served from each district.

(c) The estimated amount of any operating costs of the program that are not funded from state or federal sources and the method of sharing such unfunded costs.

(2) Requirements for approval consideration. Interdistrict cooperation programs eligible for consideration and approval by the superintendent of public instruction shall be:

(a) Voluntary.

(b) Tuition free.

(c) Necessary for the express purpose of:

(i) Providing educational programs not otherwise available; and/or

(ii) Avoiding unnecessary duplications of specialized or unusually expensive programs and facilities; and/or

(iii) Improving racial balance within and among school districts.

(d) Interdistrict cooperation contracts shall be approved in advance by ~~((resolution of))~~ the board of directors of each participating school district.

NEW SECTION

WAC 392-135-021 REPORTING REQUIREMENTS. (1) Each school district shall provide, upon request of the superintendent of public instruction, such data as the superintendent deems appropriate to identify the resident school district of all nonresident students enrolled in a school district cooperative program who are attending classes in a school district other than the school district in which the student is resident, excepting all high-school students from nonhigh school districts.

(2) The superintendent of public instruction shall provide each serving district of each approved interdistrict cooperative with necessary report forms and shall advise each serving district of the due date established by the superintendent for the return of such completed report forms to the educational service districts or to the superintendent of public instruction as now or hereafter established by the superintendent and published in bulletins of the division of financial services.

(3) Data required by this section shall be used by the superintendent of public instruction for the purposes of WAC 392-121-170 and chapter 392-139 WAC as now or hereafter amended.

WSR 81-17-053

PROPOSED RULES

MEDICAL DISCIPLINARY BOARD

[Filed August 18, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Medical Disciplinary Board intends to adopt, amend, or repeal rules concerning the election of board members and will also consider the repeal of WAC 320-18-010, Prescriptions—Schedule II stimulant drugs;

that such agency will at 9:00 a.m., Friday, September 25, 1981, in the DePaul Room, Sacred Heart Medical

Center, West 101 8th, Spokane, WA, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 18.72.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 18, 1981, and/or orally at 9:00 a.m., Friday, September 25, 1981, DePaul Room, Sacred Heart Medical Center, West 101 8th, Spokane, WA.

Dated: August 13, 1981

By: John H. Keith
Assistant Attorney General
Board Counsel

STATEMENT OF PURPOSE

Name of Agency: Washington State Medical Disciplinary Board.

Purpose: The purpose of the amendments to the election of board members is to improve the efficiency of the election process. The purpose of the repeal of the Schedule II stimulant drugs regulations is because of the passage of RCW 69.50.402 in the Controlled Substances Act which regulates the prescription of these drugs.

Statutory Authority: RCW 18.72.150.

Summary of the Rules: WAC 320-12-030 Nominating Petitions, 320-12-040 Eligibility Requirements in Election, 320-12-050 Time of Election—Ballots, 320-12-060 Identification by Congressional District, 320-12-070 Ballots and 320-18-010 Prescriptions—Schedule II Stimulant Drugs.

Reason Proposed: The election regulations will provide improved election procedures. The repeal of WAC 320-18-010 would eliminate a rule that has been substantially preempted by statute.

Responsible Departmental Personnel: In addition to the members of the board, the following Department of Licensing personnel have knowledge of an responsibility for drafting, implementing and enforcing these rules: Maxine L. Nelson, Administrative Asst., Third Floor, Highways-Licenses Bldg., Olympia, WA 98504, 234-3779 (Scan), 753-3779 (Comm).

Proponents: These amendments were proposed by the Washington State Medical Disciplinary Board.

Agency Comments: These amendments were promulgated pursuant to the authority contained in RCW 18.72.150.

AMENDATORY SECTION (Amending Rule 230-12-030, filed 12/14/64)

WAC 320-12-030 NOMINATING PETITIONS. Nominating petitions shall be signed by not less than twenty-five licensed physicians residing in the congressional district in which the nominee resides (~~shall be submitted to the board thirty days prior to the date of~~

~~election~~). The election shall be held on the second Monday in September and the nominating petitions shall be distributed by the Division of Professional Licensing the second Monday in May and must be returned to the division by the first Monday in July. Nominating petitions ~~(may)~~ will be ~~(obtained)~~ provided ~~(from)~~ by the ~~(office of the professional division)~~ division of professional licensing, ~~(state)~~ department of ~~(licenses)~~ licensing, ~~(Olympia)~~ to ~~(the)~~ Washington state medical association, ~~(Seattle)~~ Washington licensed hospitals, ~~(and from)~~ the county clerk of each county, the local medical societies, and the medical service bureaus in each county.

AMENDATORY SECTION (Amending Rule 320-12-040, filed 12/14/64)

WAC 320-12-040 ELIGIBILITY REQUIREMENT IN ELECTIONS. In order for a licensed physician to be eligible to vote in an election for the selection of a member of the disciplinary board, ~~(he)~~ the physician must live in the congressional district of the candidate for whom ~~(he)~~ the physician desires to vote, and must hold a current valid registration for the year in which the election is held, except in cases where the voter is in the military service where no current fee is required by law.

AMENDATORY SECTION (Amending Rule 320-12-050, filed 12/14/64)

WAC 320-12-050 TIME OF ELECTION—BALLOTS. ~~(The election shall be held on the second Monday in September and the nominating petitions must be filed with the board thirty days prior to the second Monday in September.)~~ Ballots for the election of a member to the medical disciplinary board from each congressional district shall be sent to the physicians residing in each congressional district not later than ~~(July 1st)~~ the second Monday in August and must be returned to the election commission in the ~~(office of the director of licenses)~~ division of professional licensing in Olympia, Washington, by the second Monday in September.

AMENDATORY SECTION (Amending Rule 320-12-060, filed 12/14/64)

WAC 320-12-060 ((SIGNATURE OF VOTERS:)) IDENTIFICATION BY CONGRESSIONAL DISTRICT. In order for ~~(his)~~ the physician's vote to be valid, each physician must ~~(sign envelope No. 2 containing the ballot in envelope No. 1;)~~ print his or her name on the mailing envelope, which is returned to ~~(the election commission of the medical disciplinary board)~~ the division in Olympia, so that the name of each physician voting in the election may be checked off the list of eligible voters.

Reviser's Note: RCW 34.04.058 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 Rule 320-12-070, filed 12/14/64)

WAC 320-12-070 BALLOTS. Voting shall be by secret ballot which shall be enclosed ~~(with an)~~ in a separate envelope ~~(No. 1 entitled "BALLOT")~~ and neither the ballot nor the ballot envelope shall contain any signature or identifying mark whereby the identity of the voter can be ascertained. Mailing envelopes, ballot envelopes and ballots will be provided by the division of professional licensing.

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

REPEALER

The following section of the Washington Administrative Code is hereby repeal:

WAC 320-18-010 PRESCRIPTIONS - SCHEDULE II STIMULANT DRUGS.

WSR 81-17-054
ADOPTED RULES
DEPARTMENT OF LICENSING
(Dental Disciplinary Board)
 [Order PL 382—Filed August 18, 1981]

Be it resolved by the Washington State Dental Disciplinary Board, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to the adding of new chapter 308-38 WAC.

This action is taken pursuant to Notice No. WSR 81-13-042 filed with the code reviser on June 17, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.32.640 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 14, 1981.

By Susan E. Shoblom
 Executive Secretary

Chapter 308-38 WAC
**GUIDELINES FOR DELEGATION OF DUTIES TO
 PERSONS NOT LICENSED AS DENTISTS**

WAC

308-38-100	PURPOSE.
308-38-110	DEFINITIONS.
308-38-120	ACTS THAT MAY BE PERFORMED BY UNLICENSED PERSONS.
308-38-130	ACTS THAT MAY NOT BE PERFORMED BY UNLICENSED PERSONS.
308-38-140	ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER GENERAL SUPERVISION.
308-38-150	ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER CLOSE SUPERVISION.
308-38-160	ACTS THAT MAY NOT BE PERFORMED BY DENTAL HYGIENISTS.

NEW SECTION

WAC 308-38-100 PURPOSE. The purpose of this chapter is to establish guidelines on delegation of duties to persons who are not licensed to practice dentistry. The dental laws of Washington state authorized the delegation of certain duties to non-dentist personnel and prohibit the delegation of certain other duties. By statute, the duties that may be delegated to a person not licensed to practice dentistry may be performed only under the

supervision of a licensed dentist. The degree of supervision required to assure that treatment is appropriate and does not jeopardize the systemic or oral health of the patient varies with, among other considerations, the nature of the procedure and the qualifications of the person to whom the duty is delegated. The dentist is ultimately responsible for the services performed in his or her office and this responsibility cannot be delegated. The Board therefore, in order to promote the welfare of the state and to protect the health and well-being of the people of this state, finds that it is necessary to adopt the following definitions and regulations.

NEW SECTION

WAC 308-38-110 DEFINITIONS. (1) "Dental Disciplinary Board" shall mean the board created by RCW 18.32.560.

(2) "Dental Examining Board" shall mean the board created by RCW 18.32.035.

(3) "Director" shall mean the director of the Department of Licensing.

(4) "Close Supervision" shall mean that a licensed dentist whose patient is being treated has personally diagnosed the condition to be treated and has personally authorized the procedures to be performed. A dentist shall be physically present in the treatment facility while the procedures are performed. Close supervision does not require a dentist to be physically present in the operatory; however, an attending dentist must be in the treatment facility and be capable of responding immediately in the event of an emergency.

(5) "Treatment Facility" means a dental office or connecting suite of offices, dental clinic, room or area with equipment to provide dental treatment, or the immediately adjacent rooms or areas. A treatment facility does not extend to any other area of a building in which the treatment facility is located.

(6) "General Supervision" means supervision of dental procedures based on examination and diagnosis of the patient and subsequent instructions given by a licensed dentist but not requiring the physical presence of the supervising dentist in the treatment facility during the performance of those procedures.

(7) "Unlicensed Person" means a person who is neither a dentist duly licensed pursuant to the provisions of chapter 18.32 RCW nor a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW.

(8) "Oral Prophylaxis" means the preventive dental procedure of scaling and polishing which includes complete removal of calculus, soft deposits, plaque, stains and the smoothing of unattached tooth surfaces. The objective of this treatment shall be creation of an environment in which hard and soft tissues can be maintained in good health by the patient.

(9) "Coronal Polishing" means a procedure limited to the removal of plaque and stain from exposed tooth surfaces, utilizing an appropriate rotary instrument with rubber cap or brush and a polishing agent.

This procedure shall not be intended or interpreted as an oral prophylaxis as defined in WAC 308-38-110(8) a procedure specifically reserved to performance by a licensed dentist or dental hygienist. Coronal polishing

may, however, be performed by dental assistants under close supervision as a portion of the oral prophylaxis. In all instances, however, a licensed dentist shall determine that the teeth need to be polished and are free of calculus or other extraneous material prior to performance of coronal polishing by a dental assistant.

(10) "Root Planing" means the process of instrumentation by which the unattached surfaces of the root are made smooth by the removal of calculus and/or deposits.

(11) "Periodontal Soft Tissue Curettage" means the closed removal of issue lining the periodontal pocket, not involving the reflection of a flap.

(12) "Debridement at the Peridontal Surgical Site" means curettage and/or root planing after reflection of a flap by the supervising dentist. This does not include cutting of osseous tissues.

(13) "Luxation" is defined as an integral part of the surgical procedure of which the end result is extraction of a tooth. Luxation is not a distinct procedure in and of itself. It is the dislocation or displacement of a tooth or of the temporomandibular articulation.

(14) "Incising" is defined as part of the surgical procedure of which the end result is removal of oral tissue. Incising, or the making of an incision, is not a separate and distinct procedure in and of itself.

(15) "Elevating Soft Tissues" is defined as part of a surgical procedure involving the use of the periosteal elevator to raise flaps of soft tissues. Elevating soft tissue is not a separate and distinct procedure in and of itself.

(16) "Suturing" is defined as the readaption of soft tissues by means of stitches as a phase of an oral surgery procedure. Suturing is not a separate and distinct procedure in and of itself.

NEW SECTION

WAC 308-38-120 ACTS THAT MAY BE PERFORMED BY UNLICENSED PERSONS. A dentist may allow an unlicensed person to perform the following acts under the dentist's close supervision: (1) Oral inspection, with no diagnosis.

- (2) Patient education in oral hygiene.
- (3) Place and remove the rubber dam.
- (4) Hold in place and remove impression materials after the dentist has placed them.
- (5) Take impressions solely for diagnostic and opposing models.
- (6) Take impressions and wax bites solely for study casts.
- (7) Remove the excess cement after the dentist has placed a permanent or temporary inlay, crown, bridge or appliance, or around orthodontic bands.
- (8) Perform coronal polish.
- (9) Give flouride treatments.
- (10) Place periodontal packs.
- (11) Remove periodontal packs or sutures.
- (12) Placement of a matrix and wedge for a silver restoration after the dentist has prepared the cavity.
- (13) Place a temporary filling (as ZOE) after diagnosis and examination by the dentist.
- (14) Apply tooth separators as for placement for Class III gold foil.

(15) Fabricate, place, and remove temporary crowns or temporary bridges.

- (16) Pack and medicate extraction areas.
- (17) Deliver a sedative drug capsule to patient.
- (18) Place topical anesthetics.
- (19) Placement of retraction cord.
- (20) Polish restorations at a subsequent appointment.
- (21) Select denture shade and mold.
- (22) Acid etch.
- (23) Apply sealants.
- (24) Place dental x-ray film and expose and develop the films.
- (25) Take intra-oral and extra-oral photographs.
- (26) Take health histories.
- (27) Take and record blood pressure and vital signs.
- (28) Give preoperative and postoperative instructions.
- (29) Assist in the administration of nitrous oxide analgesia or sedation, but shall not start the administration of the gases and shall not adjust the flow of the gases unless instructed to do so by the dentist. Patients must never be left unattended while nitrous oxide-oxygen analgesia or sedation is administered to them. The dentist must be present at chairside during the entire administration of nitrous oxide and oxygen analgesia or sedation if any other central nervous system depressant has been given to the patient. This regulation shall not be construed to prevent any person from taking appropriate action in the event of a medical emergency.
- (30) Select orthodontic bands for size.
- (31) Place and remove orthodontic separators.
- (32) Prepare teeth for the bonding or orthodontic appliances.
- (33) Fit and adjust headgear.
- (34) Remove fixed orthodontic appliances.
- (35) Remove and replace archwires and orthodontic wires.
- (36) Take a facebow transfer for mounting study casts.

NEW SECTION

WAC 308-38-130 ACTS THAT MAY NOT BE PERFORMED BY UNLICENSED PERSONS: No dentist shall allow an unlicensed person who is in his or her employ or is acting under his or her supervision or direction to perform any of the following procedures. (1) Any removal of or addition to the hard or soft natural tissue of the oral cavity.

- (2) Any placing of permanent or semi-permanent restorations in natural teeth.
- (3) Any diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structure.
- (4) Any administration of general or injected local anesthetic of any nature in connection with a dental operation.
- (5) Any oral prophylaxis, except coronal polishing as a part of oral prophylaxis as defined in WAC 308-38-110(9) and 308-38-120(8).
- (6) Any scaling procedure.
- (7) The taking of any impressions of the teeth or jaws, or the relationships of the teeth or jaws, for the purpose

of fabricating any intra-oral restoration, appliances, or prosthesis. Not prohibited are the taking of impressions solely for diagnostic and opposing models or taking wax bites solely for study casts.

(8) Intra-orally adjust occlusal of inlays, crowns, and bridges.

(9) Intra-orally finish margins of inlays, crowns, and bridges.

(10) Cement or recement, permanently, any cast restoration or stainless steel crown.

(11) Incise gingiva or other soft tissue.

(12) Elevate soft tissue flap.

(13) Luxate teeth.

(14) Curette to sever epithelial attachment.

(15) Suture.

(16) Establish occlusal vertical dimension for dentures.

(17) Try-in of dentures set in wax.

(18) Insertion and post-insertion adjustments of dentures.

(19) Endodontic treatment—open, extirpate pulp, ream and file canals, establish length of tooth, and fill root canal.

NEW SECTION

WAC 308-38-140 ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER GENERAL SUPERVISION. A dentist may allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW to perform the following acts under the dentist's general supervision:

(1) Oral inspection and measuring of periodontal pockets, with no diagnosis.

(2) Patient education in oral hygiene.

(3) Take intra-oral and extra-oral radiographs.

(4) Apply topical preventive or prophylactic agents.

(5) Polish and smooth restorations.

(6) Oral prophylaxis and removal of deposits and stains from the surfaces of the teeth.

(7) Record health histories.

(8) Take and record blood pressure and vital signs.

(9) Perform sub-gingival and supra-gingival scaling.

(10) Perform root planing.

NEW SECTION

WAC 308-38-150 ACTS THAT MAY BE PERFORMED BY LICENSED DENTAL HYGIENISTS UNDER CLOSE SUPERVISION. In addition to the acts performed under section WAC 308-38-120, a dentist may allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW to perform the following acts under the dentist's close supervision:

(1) Perform soft-tissue curettage.

(2) Give injections of a local anesthetic.

(3) Place restorations into the cavity prepared by the dentist, and thereafter could carve, contour, and adjust contacts and occlusion of the restoration.

(4) Administer nitrous oxide analgesia.

(5) Apply sealants.

NEW SECTION

WAC 308-38-160 ACTS THAT MAY NOT BE PERFORMED BY DENTAL HYGIENISTS. No dentist shall allow a dental hygienist duly licensed pursuant to the provisions of chapter 18.29 RCW who is in his or her employ or is acting under his or her supervision or direction to perform any of the following procedures:

(1) Any surgical removal of tissue of the oral cavity, except for soft-tissue curettage, as defined in WAC 308-38-110(11).

(2) Any prescription of drugs or medications requiring the written order or prescription of a licensed dentist or physician.

(3) Any diagnosis for treatment or treatment planning.

(4) The taking of any impression of the teeth or jaw, or the relationship of the teeth or jaws, for the purpose of fabricating any intra-oral restoration, appliances, or prosthesis. Not prohibited are the taking of impressions solely for diagnostic and opposing models or taking wax bites solely for study casts.

(5) Intra-orally adjust occlusal of inlays, crowns, and bridges.

(6) Intra-orally finish margins of inlays, crowns, and bridges.

(7) Cement or recement, permanently, any cast restorations or stainless steel crowns.

(8) Incise gingiva or other soft tissue.

(9) Elevate soft tissue flap.

(10) Luxate teeth.

(11) Curette to sever epithelial attachment.

(12) Suture.

(13) Establish occlusal vertical dimension for dentures.

(14) Try-in of dentures set in wax.

(15) Insertion and post-insertion adjustments of dentures.

(16) Endodontic treatment—open, extirpate pulp, ream and file canals, establish length of tooth, and fill root canal.

WSR 81-17-055

ADOPTED RULES

POLLUTION CONTROL

HEARINGS BOARD

[Order 82-1, Resolution 82-1—Filed August 18, 1981]

Be it resolved by the Pollution Control Hearings Board, acting at 4224 6th Avenue S.E., Building 2, RoweSix, Lacey, WA 98504, that it does promulgate and adopt the annexed rules relating to practice and procedure before the board, amending chapters 371-08 and 371-12 WAC.

This action is taken pursuant to Notice No. WSR 81-14-083 filed with the code reviser on July 1, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Pollution Control Hearings Board as authorized in RCW 43.21B.170.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 4, 1981.

By Nat W. Washington
Chairman

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-005 MEMBERSHIP, FUNCTION AND JURISDICTION. (1) Members. The Pollution Control Hearings Board (hereinafter board) is an independent agency of the state of Washington, composed of three members appointed by the governor, ~~((f))~~ with the advice and consent of the senate ~~((t))~~, for a term of six years ~~((after the original appointments))~~. The members are to be qualified by experience or training in pertinent matters pertaining to the environment, and at least one member shall be a lawyer, and not more than two members shall be of the same political party.

(2) Function and jurisdiction. The function of this board is to provide an expeditious and efficient disposition of appeals from the decisions and orders of the Department of Ecology (hereinafter department) or its director; and from the decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW, when such orders and decisions concern matters within the jurisdiction of the board as provided in the act creating it or any subsequent legislation (chapter 43.21B RCW).

(a) Appeals will lie from the issuance, modification or termination of any permit or license issued by the department or air pollution control boards or authorities, including the issuance, modification, or termination of waste disposal permits; the denial of the application for such permits, or the denial of an application for the modification of the terms of such permits.

(b) The board also has jurisdiction to hear and decide appeals from any person aggrieved by an order issued by the department or by such air pollution control boards or authorities with respect to violations of any law administered by the department or of any rule or regulation adopted by the department or by air pollution boards or authorities, inclusive of any variances which the department or air pollution boards and authorities may be authorized to grant, but exclusive of appeals based upon claimed violations of their purely administrative rules and regulations. The board further has jurisdiction to hear and decide appeals from any person aggrieved by any final decision contained in the document issued by the department pursuant to the Environmental Coordination Procedures Act, RCW 90.62.060(6).

(c) This section is intended to be general and informational only, and failure herein to list matters over which the board has jurisdiction at law shall not constitute any waiver or withdrawal whatsoever from such jurisdiction.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-010 BOARD ADMINISTRATION—OFFICE OF THE BOARD. The headquarters and principal office of the board is ~~((Number One South Sound Center))~~ the Environmental Hearings Office, 4224 6th Avenue S.E., Building 2 Rowesix, Mailstop: PY-21, Lacey, Washington. (Telephone No. (206) 459-6327).

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-020 BOARD ADMINISTRATION—QUORUM. Two members of the board shall constitute a quorum for making orders or decisions, or for promulgating rules and regulations relating to its procedures, and may act although one position on the board be vacant (RCW 43.21B.090). One member or designated ~~((hearing examiner))~~ administrative law judge may hold hearings and take testimony when ~~((designated))~~ assigned by the board to so do ~~((; but all proceedings and testimony shall be reported to the board, and ultimate decisions shall be by the board))~~. The findings of such member or administrative law judge shall not become final until approved by a quorum of the board. The lawyer member shall be the chief administrative law judge.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-030 BOARD ADMINISTRATION—COMMUNICATIONS WITH THE BOARD. All written communications by parties pertaining to a particular case, including requests for hearings on claimed violations of rules and regulations as specifically provided in RCW 43.21B.120; notices of appeal from orders and decisions of the director and/or department; and applications and requests for relief of any kind, shall be filed with ~~((the clerk of))~~ the board at its principal office in ~~((Olympia))~~ Lacey, Washington. Copies of all such written communications shall be furnished to the department or other appropriate agency and to all other interested parties or their representatives of record, and the original filed with the ~~((clerk))~~ board shall show thereon compliance with this requirement.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-031 PROCEDURES APPLICABLE. (1) The board shall be guided in procedural matters before it by chapter 371-08 WAC. Chapter 371-08 WAC specifically replaces the Uniform Procedural rules chapter 1-08 WAC, except where specifically noted.

(2) Insofar as applicable, and not in conflict with these rules, the statutes and rules regarding pretrial procedures in civil cases in the superior courts of this state shall be followed. Such rules shall include but shall not be limited to those rules pertaining to discovery of evidence by parties to civil actions.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-032 DEFINITIONS. As used in this chapter the following terms shall have the following meaning:

(1) "Board" refers to and means the Pollution Control Hearings Board as described in WAC 371-08-005. Where appropriate, the term "board" also refers to the ~~((staff and employees))~~ designated agents of the Pollution Control Hearings Board.

(2) "Department" refers to and means the Department of Ecology.

(3) "Presiding officer" or "hearing officer" shall mean any member of the board or any person who is assigned to conduct a conference or hearing by the chairman or by the vice-chairman in event of the chairman's absence.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-035 APPEARANCE AND PRACTICE BEFORE THE BOARD—PERSONS WHO MAY AND MAY NOT APPEAR. No person may appear in a representative capacity before the board or its designated hearing officer other than the following:

(1) Attorneys at law duly qualified and entitled to practice before the Supreme Court of the state of Washington.

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

(3) A bona fide officer, partner or full time employee of an individual firm, association, partnership, corporation or local government unit who appears for such individual, firm, association, partnership, corporation or local government unit.

(4) Legal interns admitted to practice under APR 9 of the Rules of Court may appear before the board under the conditions and limitations therein specified.

(5) No former employee of the department or member of the attorney general's staff may, at any time after ~~((severing his))~~ leaving the employment ~~((with))~~ of the department or the attorney general, appear, except ~~((with the written permission of the department))~~ when permitted by RCW 42.18.220, in a representative capacity on behalf of other parties in a formal proceeding ~~((wherein he/she previously took))~~ in which an active part as a representative of the department was taken in the same case or proceeding.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-040 APPEARANCE AND PRACTICE BEFORE THE BOARD—APPEARANCE BY REPRESENTATIVE. (1) Appearances may be made on behalf of any party by his attorney or other duly authorized representative as defined in WAC 371-08-035, by

(a) Filing a written notice of appearance containing the name of the party to be represented, and the name ~~((and))~~, address and telephone number of the representative, or by

(b) Entering an appearance at the time and place of a conference or hearing on the appeal, and notifying the presiding officer conducting the same of the party to be represented and the name ~~((and))~~, address and telephone number of the representative.

~~((c))~~ (2) Copies of every written notice of appearance shall be furnished by the representative to all other parties or their representatives of record at the time the original is filed with the ~~((clerk of the))~~ board.

~~((d))~~ (3) Unless the department notifies the board otherwise, the attorney general shall, in all appeals from decisions and orders of the department and director, be deemed to have entered appearance for the department, and shall be exempt from the requirements herein relating to the filing of written notices of appearance and to the furnishing of copies of same to other parties and their representatives.

~~((e))~~ (4) Thereafter all future notices and orders shall be served by the board upon such representative. Service upon the representative shall constitute service upon the party.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-050 APPEARANCE AND PRACTICE BEFORE THE BOARD—WITHDRAWAL OR SUBSTITUTION OF REPRESENTATIVES. An attorney or other representative withdrawing from a case shall immediately so notify the ~~((clerk of the))~~ board and all parties of record in writing, or shall state such withdrawal on the record at a conference or hearing. Any substitution of an attorney or representative shall be accomplished by written notification to the ~~((clerk of the))~~ board and to all parties of record, together with the written consent of the prior attorney or representative, and if such consent cannot be obtained, a written statement of the reason therefor shall be supplied.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-055 APPEARANCE AND PRACTICE BEFORE THE BOARD—CONDUCT. All persons appearing in a representative capacity in proceedings before the board shall conform to the standards of ethical conduct required of attorneys before the courts of Washington. If any such person does not conform to such standard, the presiding officer may ~~((, in his/her discretion and depending on all the circumstances;))~~ admonish or reprimand such person, or exclude such person from further participation in the proceedings and adjourn the same, or report the matter to the board which may, in its discretion, after notice and hearing, take appropriate disciplinary action including, but not limited to, a letter of reprimand, and refusal to permit such person to appear in a representative capacity in any proceeding before the board.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-065 PRESIDING OFFICER—POWERS AND DUTIES. It shall be the duty of the presiding officer to conduct conferences or hearings in cases assigned ~~((to him/her))~~ in an impartial and orderly manner ~~((, and he/she))~~. The presiding officer shall have the authority, subject to the other provisions of these rules:

- (1) To administer oaths and affirmations;
- (2) To issue subpoenas as provided in RCW 34.04.105 ~~((A subpoena may also be issued by the attorney of record, or any person making an appearance as authorized by WAC 37-08-035(3) as provided in RCW 34.04.105))~~;
- (3) To rule on all procedural matters, objections and motions;
- (4) To rule on all offers of proof and receive relevant evidence;
- (5) To interrogate witnesses called by the parties in an impartial manner to develop any facts deemed necessary to fairly and adequately decide the appeal;
- (6) To secure and present in an impartial manner such evidence, in addition to that presented by the parties, as ~~((he/she deems))~~ deemed necessary to fairly and equitably decide the appeal;
- (7) To take appropriate disciplinary action with respect to representatives of parties appearing before the board;
- (8) To issue orders joining other parties, on motion of any party, or ~~((on his/her own motion))~~ sua sponte when it appears that such other parties may have an interest in, or may be affected by, the proceedings;
- (9) To consolidate appeals for hearing when such consolidation will expedite disposition of the appeals and avoid duplication of testimony and when the rights of the parties will not be prejudiced thereby;
- (10) To hold conferences for the settlement or amplification of the issues ~~((at such times as set by the chairman))~~;
- (11) To take or cause to be taken depositions and interrogatories pursuant to these rules and to procedures available to litigants in civil cases in superior courts in the state of Washington;
- (12) To cause to be submitted, written sworn statements as currently provided in WAC 1-08-470 through 1-08-500;
- ~~((13))~~ (13) To regulate the course of the hearing;
- ~~((14))~~ (14) To take any other action necessary and authorized by these rules and the law.

NEW SECTION

WAC 371-08-071 SUBPOENAS. (1) Issuance. Subpoenas may be issued by any member of the board, or presiding officer assigned to the case, or by the attorney of record, as provided in RCW 34.04.105. Each subpoena shall be subscribed with the signature of the issuing person. Parties desiring subpoenas to be signed by a person from the board shall make a showing of general relevance and reasonable scope of the testimony or evidence sought, and shall prepare the subpoenas for

issuance, send them to the board's office for signature, and upon return shall make arrangements for service.

(2) Form. Every subpoena shall name the pollution control hearings board and the title of the proceedings, and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents, or things under that person's control at a specified time and place.

(3) Service. Service of subpoenas shall be made by delivering a copy of the subpoena to such person and tendering on demand, where entitled to make such a demand, the fees for one day's attendance and the mileage allowed by law. All costs shall be paid by the party seeking the attendance of the witness.

(4) Proof of service. The person serving the subpoena shall make proof of service by filing the subpoena and the required return, affidavit or acknowledgement of service with the board or presiding officer of the case. Failure to make proof of service does not affect the validity of the service.

(5) Quashing. Upon motion made promptly (at or before the time specified in the subpoena for compliance) by the person to whom the subpoena is directed and upon notice to the party for whom the subpoena was issued, the board or its presiding officer may (a) quash, or (b) modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or (c) condition denial of the motion upon just and reasonable conditions.

(6) Geographical scope. Attendance of witnesses and production of evidence may be required from any place in the state of Washington, at any designated place of hearing.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-075 APPEALS TO THE BOARD—CONTENTS OF NOTICE OF APPEAL. The Notice of Appeal shall contain:

- (1) The name ~~((and))~~, mailing address and telephone number of the appealing party, and of the ~~((name and address of his/her))~~ representative, if any;
- (2) The appealing party's legal residence or principal place of business within the state;
- (3) A copy of the order or decision appealed from, and if the order or decision followed an application, a copy of the application;
- (4) A short and plain statement showing the grounds upon which the appealing party considers such order or decision to be unjust or unlawful, and if one of the grounds so asserted is failure to comply with RCW 43.21C.030(2)(c) (SEPA), three copies of any environmental impact statement if available to appellant;
- (5) ~~((A statement of facts in support of each ground stated;~~
- ~~((6))~~ (6) The relief sought, including the specific nature and extent;
- ~~((7))~~ (7) (6) A statement that the appealing party has read the notice and believes the contents to be true, followed by ~~((his/her))~~ the party's signature and the signature of ~~((his/her))~~ the representative, if any. If the

appealing party is unavailable to sign the Notice of Appeal, it may be signed by ~~((his/her))~~ the representative.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-080 APPEALS TO THE BOARD—TIME FOR FILING APPEALS. (1) Unless provided otherwise by law, the Notice of Appeal shall be filed within thirty days from the date the copy of the order or decision of the department or other ((state)) agency or pollution control board (or authority) was communicated to the appealing party. The original and one copy of the Notice of Appeal shall be filed, by mail or otherwise, with the ((clerk of the)) board(, and)). The date of filing shall be the date of actual receipt by the board. Receipt of an appeal shall be acknowledged; the date stamp placed thereon shall be prima facie evidence of the date of receipt. The board may thereafter require additional copies to be filed.

(2) If the appeal is of a decision or order of the department, one copy shall be filed, by mail or otherwise, with the Director of Ecology. ((If the appeal involves a license or permit, a copy of the Notice of Appeal shall also be mailed to the holder thereof.)) If the decision or order appealed from is made by another ((state)) agency or an air pollution control board (or authority), a Notice of Appeal shall also be filed with that agency or board (or authority). ((The clerk shall forthwith acknowledge receipt of the appeal filed, and his/her stamp placed thereon shall be prima facie evidence of the date of receipt. The board may thereafter require additional copies to be filed.)) If the appeal involves a license or permit, a copy of the Notice of Appeal shall also be mailed to the holder thereof.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-095 APPEALS TO THE BOARD—CROSS-APPEALS. Within twenty days after ~~((granting of an appeal))~~ a notice of appeal is received, interested parties may file ~~((an order))~~ a notice of cross-appeal with the ~~((clerk which shall state clearly the interest which the cross-appellants deem entitles them to a cross-appeal, and))~~ board which shall conform in all respects to the requirements for a Notice of Appeal. The cross-appellant shall be subject to the same rules as an appellant, unless the rule is clearly inapplicable.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-100 APPEALS TO THE BOARD—CORRECTION OR AMENDMENT OF NOTICE. (1) If any Notice of Appeal is found by the board to be defective or insufficient, the board may require the party filing said Notice of Appeal to correct, clarify or amend the same to conform to the requirements of the statute and the board's rules. The board may refuse to schedule any conference or hearing thereon until compliance with such requirements, or may issue an appropriate order

which may include providing for dismissal of such appeal upon failure to comply within a specified time.

(2) Prior to the scheduling of the ~~((first conference))~~ hearing, the party appealing may amend ~~((his))~~ the Notice of Appeal at any time; thereafter, such amendment may be made on such terms as the board or presiding officer may prescribe, and the presiding officer may, when deemed necessary, in justice to all parties, require correction, clarification or amendment of a Notice of Appeal before allowing any hearing thereon to proceed, or may issue an order requiring such correction, clarification or amendment to be made within a specified time, and if such requirement is not complied with, the board may ~~((dismiss))~~ issue an appropriate order which may include dismissal of the appeal.

NEW SECTION

WAC 371-08-102 APPEALS TO THE BOARD—RESPONSIVE PLEADINGS. Respondent(s) may file an answer to an appeal with the board and serve a copy thereof upon other parties within twenty days of receipt of the notice of appeal, or such further time that the board may allow. Answers shall generally conform to the requirements of a notice of appeal.

NEW SECTION

WAC 371-08-104 APPEALS TO THE BOARD—STAYS. (1) The existing law relating to the staying of appealed orders or decisions pending final determination by the board applies to pending matters.

(2) In an appropriate case, a party may apply for a stay of an appealed order or decision. Written application for such stay must be clearly designated as such in the title, preferably by a separate document. The factual and legal reasons for the granting of a stay shall be stated, and the application shall be supported by affidavits, where appropriate. The original application and one copy shall be filed with the board, and one copy shall be served on the appropriate agency and permit holder (if such holder is not the moving party), if any.

(3) Upon receipt of an application, the board will schedule a hearing on the motion. If it appears that a hearing on the merits and issues of the case should be consolidated with the application for a stay, the board will advance the hearing date on its own initiative, or by request of the parties.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-110 CONFERENCES—PURPOSE OF INFORMAL CONFERENCES. The purpose of an informal conference shall be to determine the feasibility of a settlement of the appeal. The presiding officer shall be present at the opening and closing of a scheduled informal conference~~((, but since the absence of the presiding officer))~~. If it may facilitate(, on occasion, the achievement of)) an agreement or a settlement, ~~((he may, on the request of either party, or on his/her own volition, absent himself/herself from))~~ the presiding officer may leave the conference from time to time.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-115 CONFERENCES—WHEN HELD. At any time prior to hearing on an appeal, any party thereto may file a written application with the ~~((clerk of the))~~ board, requesting an informal conference. The board may thereupon, at its discretion, or any time on its own motion, order an informal conference on not less than seven days' notice mailed to each party to the appeal, at a time and place fixed by the board. At any time prior to hearing, the presiding officer to whom the case is assigned, may, pursuant to agreement of all parties, convene and preside at an informal conference at a time and place agreed upon.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-131 CONFERENCES—DOCUMENTARY EVIDENCE. (1) The board or its presiding officer may require:

(a) That all documentary evidence which is to be offered during the taking of evidence be ~~((submitted))~~ identified at or prior to any pre-hearing conference. ~~((The evidence shall be submitted sufficiently in advance of the pre-hearing conference to permit study and preparation for the conference.))~~

(b) That documentary evidence not ~~((submitted in advance))~~ identified, as ~~((may be))~~ required by subsection (1)(a), be ~~((not received in))~~ excluded as evidence in the absence of a clear showing that the offering party had good cause for ~~((his))~~ the failure to produce the evidence sooner.

(c) That the authenticity of all documents ~~((submitted in advance in a proceeding in which such submission is required.))~~ so presented and examined be deemed admitted unless written objection thereto is filed prior to the hearing, except that a party will be permitted to challenge such authenticity at a later time upon a clear showing of good cause for failure to have filed such written objection.

(2) The presiding officer may, upon findings made on the record, limit the documentary evidence to that presented at any pre-hearing conference. For good cause shown any party may submit additional documentary evidence at the time of hearing.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-132 CONFERENCES—EXCERPTS FROM DOCUMENTARY EVIDENCE. When only portions ~~((only))~~ of a document are to be relied upon, the offering party shall prepare the pertinent excerpts, adequately identified, and shall supply copies of such excerpts to the presiding officer and to the other parties. ~~((Only the excerpts, so prepared and submitted, shall be received in the record.))~~ However, the whole of the original document shall be made available for examination and for use by all parties to the proceeding.

NEW SECTION

WAC 371-08-144 PROCEDURES—TELEPHONE. Parties may agree to conduct any conference or hearing, or any part thereof, provided in these rules by telephone conference call. Upon a timely request, the board or its presiding officer may schedule such conference or hearing if it appears to promote the fair, speedy and economical processing of a matter compatible with this procedure.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-156 HEARINGS—ASSIGNMENT DAY—TIME. (1) As a general rule, the board, or its designee, shall assign hearing days for cases before it for review on the first Tuesday of each month: PROVIDED, That if such day falls on a legal holiday, the assignment day shall be the next working day ~~((PROVIDED FURTHER, That upon notice to all parties, the board))~~. The board in its discretion may make such assignments at other times.

(2) The board or its designee may set pre-hearing conference dates at the same time and on the same conditions as that set out in subsection (1) above.

(3) In all cases, the chairman shall be consulted before assignments are finalized.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-160 HEARINGS—NOTICE OF HEARING. (1) Time. If the board ~~((orders))~~ schedules a hearing, it shall mail a written notice thereof to all parties not less than twenty days prior to the hearing date unless otherwise provided by law.

(2) Contents. The notice shall identify the appeal to be heard, the names of the parties to the appeal and their representatives, if any, and shall specify the time and place of hearing, and that the hearing is to be held pursuant to chapter 43.21B RCW and chapter 371-08 WAC.

NEW SECTION

WAC 371-08-163 HEARINGS—BRIEFS. An original and three copies of written briefs, if filed, should be submitted to the board at least three days before the time of hearing, or other such time as the board may prescribe. When briefs are filed, a copy shall also be served on the other parties or their attorneys. The board may permit or require the filing of additional briefs. Proposed findings may be included with the briefs.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-165 HEARINGS—CONTINUANCES, HEARING POSTPONEMENTS AND DISMISSAL. (1) Continuances.

(a) Pursuant to agreements at pre-hearing conference. If agreement is reached at a pre-hearing conference, continuances shall be granted in accordance with such

agreement and no written application therefor shall be required.

(b) Requests prior to hearing. If, prior to the hearing date, a party (~~finds that he/she will~~) is not (~~be~~) able to fully present (~~all such~~) evidence at the scheduled hearing, such party shall file a written request for continuance with the (~~clerk of the~~) board setting forth the reasons therefor as soon as such reasons are known and deliver copies to all other parties.

(c) Requests at time of hearing. If reasons requiring a continuance of a hearing are not known in time to permit compliance with subsection (b) of this section, application therefor may be made orally at the hearing.

(d) When granted. Applications for a continuance made pursuant to subsections (b) or (c) above shall only be granted upon a proper showing of good cause to prevent manifest injustice. In order to show "good cause," the party applying for a continuance because of the unavailability of a witness or witnesses shall show that due diligence was exercised in attempting to obtain the presence of such witnesses at the time set for hearing and the reasons for their unavailability, and shall identify the witnesses and explain, in substance, what (~~he intends to prove by~~) the testimony of such witnesses would prove. In all cases in which a request for continuance is granted, subsequent hearings shall be scheduled.

(2) Hearing postponements. A postponement of a hearing may be requested by any party after receipt of the notice of hearing: PROVIDED, That written objections are filed within ten days of the receipt of such notice. Copies of such request shall be served on all other parties. If the request is granted, all parties shall be notified of the postponement. Requests for postponement not filed within the ten day period shall be granted only in exceptional cases to prevent manifest injustice.

In all cases in which a request for postponement is granted, subsequent hearings shall be scheduled in accordance with (~~rule~~) WAC 371-08-175.

(3) Dismissal. If the (~~moving~~) appealing party fails to appear at the scheduled hearing and fails to obtain a continuance or postponement as provided in this section, the appeal shall be dismissed except to prevent manifest injustice or unless such party can show good cause for such failure. Such showing shall be made in writing under oath and shall be filed with the board and copies delivered to all other parties not later than ten days after the mailing of the order of dismissal.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-175 HEARINGS—SETTING SUBSEQUENT HEARINGS. Any further hearings shall be scheduled in due course at such time and place as deemed proper by the board, the presiding officer or the chairman.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-180 HEARINGS—PROCEDURES AT HEARINGS. (1) Presiding officer. All hearings

shall be conducted by a presiding officer who shall conduct the hearing in an orderly manner and rule on all procedural matters, objections and motions.

(2) Testimony under oath. Oaths shall be administered by the presiding officer. All testimony to be considered by the board shall be sworn, and each person shall swear (or affirm) that the testimony about to be given shall be the truth, the whole truth, and nothing but the truth.

(3) Order of presentation of evidence. The presiding officer shall determine the proper order of presentation of evidence. As a general rule, the appealing party shall initially introduce (~~all~~) its evidence (~~in his case in chief~~), except that in case of an appeal from an order assessing a penalty, the department (or air pollution board), shall initially introduce all evidence necessary to (~~their cases in chief~~) its case. Rebuttal evidence will then be received.

Witnesses may be called out of turn in contravention of this rule (~~only~~) by agreement of all parties.

(~~3~~) (4) Opening statements. Unless the presiding officer rules otherwise, (~~all~~) parties (~~shall~~) may present an oral opening statement setting out briefly a statement of the basic facts, disputes, and issues of the case.

(~~4~~) (5) Written statement of qualifications of expert witnesses. Any party who plans to introduce the testimony of any expert witness at the hearing shall submit as an exhibit to the board and all parties at the (~~outset of the~~) hearing a written statement of the qualifications, experience, and expertise of each such expert witness.

(~~5~~) (6) Former employee as an expert witness. No former employee of the department shall, at any time after (~~severing his~~) leaving the employment (~~with~~) of the department, appear, except (~~with the written permission of the department~~) when permitted by RCW 42.18.220, as an expert witness on behalf of other parties in a formal proceeding (~~wherein he previously took~~) in which an active part in the investigation as a representative of the department was taken.

(~~6~~) (7) Objections and motions to strike. Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon, and the transcript shall not include extended argument or debate.

(~~7~~) (8) Rulings. The presiding officer, on objection or (~~on his own motion~~) sua sponte, shall exclude all irrelevant or unduly repetitious evidence and all rulings upon objections to the admissibility of evidence shall be made in accordance with WAC 371-08-185 (~~=~~) through 371-08-189.

NEW SECTION

WAC 371-08-183 HEARINGS—STANDARD AND SCOPE OF REVIEW. (1) The board will apply the specific criteria provided by law in making its decision on each case.

(2) Hearings shall be quasi-judicial in nature and shall be conducted de novo unless otherwise provided by law.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-185 HEARINGS—ADDITIONAL EVIDENCE BY PRESIDING OFFICER. The presiding officer may, when all parties have rested, present such evidence, in addition to that presented by the parties, as deemed necessary to decide the appeal fairly and equitably. Any such evidence secured and presented by the presiding officer shall be presented in an impartial manner, and shall be received subject to full opportunity for cross-examination by all parties. If a party desires to present rebuttal evidence to any evidence so presented by the presiding officer, ~~((he/she shall make))~~ application shall be made therefor immediately following the conclusion of such evidence. Such application shall be granted by assignment of a time and place for presentation of such rebuttal evidence.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-187 RULES OF EVIDENCE—OFFICIAL NOTICE—MATTERS OF LAW. The board and its hearing officers, upon request made before or during a hearing, will officially notice:

(1) Federal law. The Constitution; congressional acts, resolutions, records, journals and committee reports; decisions of federal courts and administrative agencies; executive orders and proclamations; and all rules, orders and notices published in the Federal Register.

(2) State law. The Constitution of the state of Washington, acts of the legislature, resolutions, records, journals and committee reports; Decisions of administrative agencies of the state of Washington, executive orders and proclamations by the governor; and all rules, orders and notices filed with the code reviser.

(3) Governmental organization. Organization, territorial limitations, officers, departments, and general administration of the government of the state of Washington, the United States, the several states and foreign nations.

(4) Agency organization. The department, commission or board organization, administration, officers, personnel, official publications, and practitioners before its bar.

(5) Rules of regional authorities. Rules or regulations of air pollution control boards or authorities established pursuant to chapter 70.94 RCW, when such rules or regulations are filed with the board pursuant to ~~((section 5, chapter 69, Laws of 1974 ex. sess))~~ RCW 43.21B.260.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-188 RULES OF EVIDENCE—OFFICIAL NOTICE—MATERIAL FACTS. In the absence of controverting evidence, the board and its hearing officers, upon request made before or during a hearing, or in a proposed decision, may officially notice:

(1) Board proceedings. The pendency of, the issues and position of the parties therein, and the disposition of any proceeding then pending before or theretofore concluded by the board;

(2) Business customs. General customs and practices followed in the transaction of business;

(3) Notorious facts. Facts so generally and widely known to all well-informed persons as not to be subject to reasonable dispute, or specific facts which are capable of immediate and accurate demonstration by resort to accessible sources of generally accepted authority, including but not exclusively, facts stated in any publication authorized or permitted by law to be made by any federal or state officer, department, or agency;

(4) Technical knowledge. Matters within the technical knowledge of the board as a body of experts, within the scope or pertaining to the subject matter of its statutory duties, responsibilities or jurisdiction;

(5) Request or suggestion. Any party may request, or the presiding officer may suggest, that official notice be taken of a material fact, which shall be clearly and precisely stated, orally on the record, at any pre-hearing conference or oral hearing or argument, or may make such request or suggestion by written notice, any pleading, motion, memorandum, or brief served upon all parties, at any time prior to a final decision;

(6) Statement. Where an initial or final decision of the board rests in whole or in part upon official notice of a material fact, such fact shall be clearly and precisely stated in such decision. In determining whether to take official notice of material facts, the hearing officer may consult any source of pertinent information, whether or not furnished as it may be, by any party and whether or not admissible under the rules of evidence;

(7) Controversion. Any party may controvert a request or a suggestion that official notice of a material fact be taken at the time the same is made if it be made orally, or by a pleading, which the same is made or suggested. If any decision is stated to rest in whole or in part upon official notice of a material fact which the parties have not had a prior opportunity to controvert, any party may controvert such fact by appropriate exceptions if such notice be taken in an initial or intermediate decision or by a petition for reconsideration if notice of such fact be taken in a final report. Such controversion shall concisely and clearly set forth the sources, authority and other data relied upon to show the existence or nonexistence of the material fact assumed or denied in the decision;

(8) Evaluation of evidence. Nothing herein shall be construed to preclude the board or its authorized agents from utilizing their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-189 RULES OF EVIDENCE—TENTATIVE ADMISSION—EXCLUSION—DISCONTINUANCE—OBJECTIONS. When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The officer conducting the hearing may, ~~((in his/her discretion,))~~ either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. Parties objecting to the introduction of evidence shall state the

precise grounds of such objection at the time such evidence is offered.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-190 DISPOSITION OF CONTESTED CASES—DEFINITION. As used herein, a contested case shall mean any case not previously disposed of by agreement of the parties, or by dismissal thereof either voluntarily or for failure of prosecution, which is submitted to the board for determination of any issue(s) of fact or law.

AMENDATORY SECTION (Amending Order 75-2, filed 11/5/75)

WAC 371-08-196 DISPOSITION OF CONTESTED CASES—TRANSCRIPTS. The following shall be the policy of the board with regard to transcription of the record:

(1) If less than two or no members of the board are present at the hearing and if exceptions to the proposed decision and order of the board or presiding officer have been timely filed as provided by WAC 371-08-205, the board shall cause a transcript to be printed for review by the ~~((entire))~~ board. Any party may obtain a transcript upon payment of the reasonable cost thereof.

(2) The board, in its discretion, may at any time cause a transcript to be printed.

(3) In any case when the board shall not cause a transcript to be printed, it shall be the obligation of the party wishing a transcript, or such portions of it, to order the same from the board reporter and assume the cost of printing same.

AMENDATORY SECTION (Amending Order 75-2, filed 11/5/75)

WAC 371-08-200 DISPOSITION OF CONTESTED CASES—PROPOSED AND FINAL DECISIONS AND ORDERS. (1) Final.

(a) When the hearing on the appeal has been heard by a majority of the board, and upon completion of the record and submission of the issues for decision and order, a written final decision and order concurred in by them then may be adopted which shall contain findings and conclusions as to each contested issue of fact and law.

(b) After issuance of a final decision issued under this subsection, any party may file a petition for reconsideration with the board. Such petition must be filed within eight days of mailing of the final decision. Copies of the petition for reconsideration, and an answer, if required, shall be served on the other parties of record. The original and three copies shall be filed with the board.

(c) The filing of a petition for reconsideration shall suspend the final decision of the board until the petition is denied by the board, or a modified decision is entered by the board.

(d) In response to a petition for reconsideration, the board may deny it, or may modify its decision or reopen the hearing.

(e) Such final decision and order shall be the final decision of the board for purposes of judicial review.

(2) Proposed. When the hearing on the appeal has been heard by less than a majority of the board or when less than a majority of the board concur in the matter or when the board shall otherwise elect to do so, a written proposed final decision and order shall thereafter be prepared which shall contain findings and conclusions as to each contested issue of fact and law.

The provision of WAC 371-08-205, 371-08-210, and 371-08-215 shall apply to such proposed decision and order. Petitions for reconsideration are not applicable to final decisions issued after such proposed decisions.

(3) Copies of the final decision and order and proposed decision and order, as the case may be, shall be mailed by the board to each party to the appeal and to the attorney or representative of record.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-201 DISPOSITION OF CONTESTED CASES—PRESENTATION OF ADDITIONAL EVIDENCE. After the parties have rested or upon review of the record, the board may present such evidence, in addition to that contained in the record, as deemed necessary to decide the appeal fairly and equitably. Any evidence secured and presented by the board shall be presented in an impartial manner, and shall be received subject to full opportunity for cross-examination by all parties. If a party desires to present rebuttal evidence to any evidence so presented by the board, ~~((he must make))~~ application shall be made therefor immediately following the ~~((conclusion))~~ submission of such evidence. Such application will be granted by assignment of a time and place for taking of such rebuttal evidence.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-205 DISPOSITION OF CONTESTED CASES—EXCEPTIONS. (1) Time for filing. Within twenty days, or such further period as the board may allow on written application of a party, from the date of ~~((communication))~~ receipt of the proposed decision and order to the parties or their attorneys of record, any party aggrieved thereby may file with the ~~((clerk of the))~~ board, a written statement of exceptions thereto. Copies thereof shall be furnished to all other parties. In the event such statement of exceptions is filed, the failure of any party not aggrieved by the proposed decision and order to file a statement of exceptions shall not be deemed a waiver by such party of any objections or irregularities disclosed by the record.

(2) Contents. Such statement of exceptions shall set forth in detail the grounds therefor and the party or parties filing the same shall be deemed to have waived all objections or irregularities not specifically set forth therein. A general exception to findings of fact on the ground that the weight of evidence is to the contrary shall not be considered sufficient compliance, unless the exception shall refer to the evidence relied upon in support thereof. If legal issues are involved, the statement of

exceptions shall set forth the legal theory relied upon and citation of authority and/or argument in support thereof. The statement of exceptions should also contain the exceptor's proposed findings of fact and/or conclusions of law covering the factual and legal issues to which exceptions are being taken.

(3) Reply to exceptions. Any party may, within ten days or such further time as the board may allow, submit a reply to exceptions, a written brief or a statement of position regarding the matters on which exceptions were taken, or the board may, on its own motion, require the parties to submit written briefs or statements of position or to appear and present oral argument regarding the matters on which exceptions were taken, within such time and on such terms as may be prescribed.

(4) Action by board on exceptions. The board shall, in a case in which it determines that a statement of exceptions does not properly conform to the provisions of subsection (2) above, issue an order requiring the party to amend such statement of exceptions to conform to that rule, within a specified time. Failure of the party to comply with such order shall result in the board issuing an order adopting the proposed decision and order of the board as the decision and order of the board on the ground that no legally sufficient statement of exceptions had been taken to said proposed decision and order.

(5) Exceptions to rulings on admissibility of evidence. If an exception is taken to a ruling or rulings of a presiding officer sustaining an objection to admissibility of evidence, or denying a continuance for the presentation of further evidence, and the board determines that said ruling or rulings were erroneous, the board may:

- (a) Return the case to the presiding officer with appropriate instructions, or
- (b) open the matter for further argument and decision by the board itself.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-215 DISPOSITION OF CONTESTED CASES—FINAL DECISIONS AND ORDERS. After the filing of a statement or statements of exceptions, if any, and reply, if any, the filing of briefs or presentation of oral argument, thereon, if required, and the obtaining of additional evidence, if any, as provided for in WAC 371-08-201, the record before the board shall be considered by at least two of the members of the board: **PROVIDED**, That if two members cannot agree on a decision, the third member must consider the record before the board: **AND FURTHER PROVIDED**, That if two members cannot agree on a decision in any case, the substantive decision of the department or pollution control board (or authority) will control in those cases where the appealing party has the burden of proof. Every final decision and order rendered by the board shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the board's order based thereon. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal ((or)) and to ((his)) the attorney of record.

AMENDATORY SECTION (Amending Order 77-1, filed 9/8/76)

WAC 371-08-220 APPEALS TO THE COURTS—NOTICE OF APPEAL TO THE SUPERIOR COURT. All appeals from orders of the board, whether after a formal or informal hearing, shall be to a superior court. (See *Maple Leaf Investors, Inc. v. Department of Ecology*, 10 Wn.App. 586.) The appealing party shall file with the board and all parties of record a copy of the Notice of Appeal to the superior court((; and shall keep the board informed concerning the outcome of the appeal)).

AMENDATORY SECTION (Amending Order 77-1, filed 9/8/76)

WAC 371-08-230 APPEALS TO THE COURTS—CERTIFICATION OF RECORD. Upon receipt of a copy of the Notice of Appeal to the superior court, the board shall certify and transmit to the reviewing court the record made before the board ((to the court to which the appeal is taken)) as set forth in RCW 34.04.130(4) and in accordance with WAC 371-08-195 through 371-08-196.

AMENDATORY SECTION (Amending Order 75-1, filed 1/9/75)

WAC 371-08-245 PETITIONS FOR RULE MAKING. (1) Right to petition for rule making. Any interested person may petition the board for the promulgation, amendment, or repeal of any rule.

(2) Form of petition. The form of the petition for promulgation, amendment, or repeal of any rule shall generally adhere to the following:

At the top of the page shall appear the wording, "Before the Pollution Control Hearings Board, state of Washington." On the left side of the page below the foregoing, the following caption shall be set out: "In the Matter of the petition of (name of petitioning party) for (state whether promulgation, amendment or repeal) of rule (or rules)." Opposite the foregoing caption shall appear the word "Petition."

The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party and whether the petitioner seeks the promulgation of new rule or rules, or amendment or repeal of existing rule or rules. The second paragraph, in case of a proposed new rule or amendment of an existing rule, shall set forth the desired rule in its entirety. Where the petition is for amendment, the new matter shall be underscored and the matter proposed to be deleted shall appear in double parentheses. Where the petition is for repeal of an existing rule, such shall be stated and the rule proposed to be repealed shall either be set forth in full or shall be referred to by rule number. The third paragraph shall set forth concisely the reasons for the proposal of the petitioner and shall contain a statement as to the interest of the petitioner in the subject matter of the rule. Additional numbered paragraphs may be used to give full explanation of petitioner's reason for the action sought.

Petitions shall be dated and signed by the person or entity named in the first paragraph or by ~~((his/her))~~ the petitioner's attorney. The original and two legible copies of the petition shall be filed with the board. Petitions shall be on white paper, either 8-1/2" x 11" or 8-1/2" x 13" in size.

(3) Consideration of petitions. All petitions shall be considered by the entire board, and the board may, in its discretion, order an informal hearing or meeting for the further consideration and discussion of the requested promulgation, amendment, or repeal of any rule.

(4) Notification of disposition of petition. The board shall notify the petitioning person within a reasonable time of the disposition, if any, of the petition.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 371-08-025 BOARD ADMINISTRATION—OFFICE OF THE CLERK OF THE BOARD.

(2) WAC 371-08-090 APPEALS TO THE BOARD—GRANTING THE APPEAL.

(3) WAC 371-08-145 CONFERENCES—APPLICABILITY OF SUPERIOR COURT RULES.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-020 DEFINITIONS. (1) Public records. "Public record" includes any writing containing information relating to the performance of any governmental or proprietary function which is prepared, owned, used or retained by the Pollution Control Hearings Board, regardless of physical form or characteristics.

(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) Pollution Control Hearings Board. The Pollution Control Hearings Board (hereinafter board) is a quasi-judicial body created pursuant to chapter 43.21B RCW and is hereinafter referred to as the "board." Where appropriate, the term "board" also refers to the staff and employees of the ~~((Pollution Control Hearings Board))~~ Environmental Hearings Office.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-040 COMMUNICATIONS WITH THE BOARD. All communications with the board, including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973, and these rules, requests for copies of the board's decisions and other matters, shall be addressed as follows: Pollution Control Hearings Board, ~~((c/o Clerk of the Board, Number One~~

~~South Sound Center))~~ Environmental Hearings Office, 4224 6th Avenue S.E., Building 2 Rowsix, MS: PY-21, Lacey, Washington 98504.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-050 PUBLIC RECORDS OFFICER. The ~~((board's public records))~~ administrative officer shall be in charge of the ~~((clerk of the board. The clerk))~~ public records. Such person shall be responsible for implementation of these rules and regulations regarding release of public records, and generally insuring compliance with the public records disclosure requirements of chapter 1, Laws of 1973, sections 25 through 34.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-070 REQUESTS FOR PUBLIC RECORDS. In accordance with the provisions of chapter 1, Laws of 1973, that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the 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 board which shall be available at its administrative office. The form shall be presented to the ~~((clerk of the))~~ board or to any member of the board's staff ~~((, if the clerk is not available,))~~ at the administrative office of the board during customary office hours. The request shall include the following information:

- The name of the person requesting the record;
- The time of day and calendar date on which the request was made;
- The nature of the request;
- 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;
- If the requested matter is not identifiable by reference to the board's current index, an appropriate identification 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 ~~((clerk or))~~ staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-100 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to denials 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 written statement by the ~~((clerk, officer or other))~~ staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the ((clerk or other)) staff member denying the request shall refer it to a member of the board. The member shall immediately consider the matter and, if appropriate, call a special meeting of the board as soon as possible to review the denial. In any case, the request shall be returned with a final written decision of the board or its acting member within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the board or its acting member shall have returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

(4) With regard to review of denial or requests hereunder, the provisions of WAC 371-08-020 shall be inapplicable.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-110 PROTECTION OF PUBLIC RECORDS. The ((clerk of the board)) administrative officer shall, to the extent practicable, insure that records requested are not removed from the premises nor portions thereof removed by members of the public.

AMENDATORY SECTION (Amending Order 74-1, filed 2/7/74)

WAC 371-12-130 ADOPTION OF FORM. The board hereby adopts the use by all persons requesting inspection and/or copies of records the form set out below, entitled "request for public records."

We have received your request for copies of our public records. Please complete the form ((on the right {below})) and return it with the amount required. We will forward the requested copies to you as soon as we receive this form.

Thank you.

Return to:

Pollution Control Hearings Board
((Shorelines Hearings Board))
((Number One South Sound Center))
Environmental Hearings Office
4224 6th Avenue S.E.
Building 2 Rowesix, MS: PY-21
Lacey, Washington 98504

POLLUTION CONTROL HEARINGS BOARD
((SHORELINES HEARINGS BOARD))
REQUEST FOR PUBLIC RECORDS

Date Time
Name
Address

Description of Records (see index):

.....
.....
.....

I certify that the information obtained through this request for public records will not be used for commercial purposes.

.....
Signature
Number of Copies
Number of Pages
Per Page Charge \$.....
Total Charge \$.....

WSR 81-17-056
NOTICE OF PUBLIC MEETINGS
PIERCE COUNTY FIRE
PROTECTION DISTRICT NO. 5
[Memorandum—August 18, 1981]

Per Resolution No. 81-4, dated 8/13/81. Beginning September 10, 1981 the meeting time for Pierce County Fire District #5 Commissioner's regular meeting will be changed from 8:00 p.m. to 7:30 p.m.

Beginning September 24, 1981 the frequency of Pierce County Fire District #5 Commissioner's regular meeting will be twice monthly - the second meeting to be the fourth Thursday of each month - excluding holidays - at 1:30 p.m. at headquarters station, 6711 Kimball Dr., Gig Harbor.

WSR 81-17-057
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed August 18, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning hearing on petition, amending WAC 458-14-125;

that such agency will at 10:00 a.m., Tuesday, September 29, 1981, in the large conference room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 5, 1981, in the Director's Conference Room, 414 General Administration Building, Olympia, Washington.

The authority under which these rules are proposed in RCW 84.08.010 and 84.08.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 29, 1981, and/or orally at

10:00 a.m., Tuesday, September 29, 1981, large conference room, General Administration Building, Olympia, Washington.

Dated: August 18, 1981
By: Trevor W. Thompson
Assistant Director

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: County Board of Equalization hearing on petitions, amending WAC 458-14-125.

Purpose: To establish a method for the county board of equalization to handle appeals.

Statutory Authority: RCW 84.08.010 directs the Department of Revenue to exercise general supervision and control over the administration of the assessment and tax laws of the state and over county boards of equalization and RCW 84.08.070 directs the department to adopt such rules and regulations as are necessary to carry out its duties. Summary and Reasons for the Rule: Due to the large workload that the boards of equalization have encountered due to active revaluation programs of the county assessors, it is necessary to establish procedures whereby the boards can complete their duties in a timely manner and at a reasonable cost. This amendatory rule will allow board members to act as hearing examiners and thereby handle two to three times the number of appeals they could handle sitting as a board.

Person Responsible for Drafting, Implementation and Enforcement: Trevor W. Thompson, Director, Property Tax, Evergreen Plaza Bldg., Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action required by the courts.

AMENDATORY SECTION (Amending PT 71-3, filed 4/29/71)

WAC 458-14-125 HEARING ON PETITION. The county board of equalization shall hold an individual hearing on each petition which shall be numbered as received and shall be heard in the order received or at a time fixed by the board. Each petitioner and county assessor shall be notified by the clerk of the board at least three days in advance of the hearing time scheduled for his petition.

The petitioner and all witnesses shall be sworn. The board may use the following or other appropriate oath:

Chairman or clerk of the board:

Do you solemnly swear that the testimony you are about to give in this matter is the truth, the whole truth, and nothing but the truth, so help you God.

Appellant: I do.

The petitioner shall be given adequate time to present his case either in person or through his attorney or other authorized representative. Upon conclusion of the petitioner's case the county assessor shall present his case which shall include (~~executed Forms 500-BE-53 and 55 as the case may be, and~~) any documentary evidence deemed material.

If the county assessor is not going to respond to a petition, he shall so inform the board.

The board shall consider all evidence and facts presented in each appeal and shall render a decision on every petition prior to the adjournment. If a decision in each appeal cannot be made prior to adjournment date as provided by law, the board shall request to be reconvened to enable it to complete its duties.

~~((The board may appoint one or more of its members as an examiner for the purpose of holding prehearing conferences with the petitioner. Such prehearing conferences shall not be required by the board as a condition precedent to the petitioner's obtaining an individual hearing before the full board, and the function of such prehearing conferences shall be limited to defining the issues raised by the petitioner as may be required to assist the petitioner in the hearing before the full board. If, after a prehearing conference, a petitioner wishes to waive his right to a hearing before the full board, such waiver shall be in writing. The full board may require of the examiner such written reports, as it deems appropriate.))~~

The board may appoint one or more of its members to act as an examiner to assist the board in completing its duties. The board member examiner may hold hearings separate from the full board and take testimony from both the appellant and the assessor's staff. The examiner shall submit the testimony of the appellant and assessor and report his/her findings to the full board. The board shall make the final decision as to the value of the property under appeal. The board member examiner's report to the full board will be in lieu of the appearance of the appellant and assessor's personnel; Provided, that if the full board so desires, testimony may be taken from the appellant and assessor's personnel.

Reviser's Note: RCW 34.04.058 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 81-17-058 PROPOSED RULES DEPARTMENT OF REVENUE [Filed August 18, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning Deferral of special assessments and/or property taxes—Limitations of deferral—Interest, amending WAC 458-18-060;

that such agency will at 10:00 a.m., Tuesday, September 29, 1981, in the large conference room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 5, 1981, in the Director's Conference Room, 414 General Administration Building, Olympia, Washington.

The authority under which these rules are proposed in RCW 84.38.180.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 29, 1981, and/or orally at

10:00 a.m., Tuesday, September 29, 1981, large conference room, General Administration Building, Olympia, Washington.

Dated: August 18, 1981
 By: Trevor W. Thompson
 Assistant Director

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Deferral of special assessments and/or real property taxes—Limitations of deferral—Interest, amending WAC 458-18-060.

Purpose: To amend rule to conform to statutory change caused by chapter 322, Laws of 1981.

Statutory Authority: RCW 84.38.180 directs the Department of Revenue to make rules and regulations to provide for effective administration of the deferral.

Summary and Reasons for the Rule: The 1981 legislature changed the interest rate on delinquent property taxes to 12% from 8%. The interest on deferred tax was the same as delinquent property taxes. Chapter 332, Laws of 1981, has now frozen the interest rate on deferred taxes at 8%.

Person Responsible for Drafting, Implementation and Enforcement: Trevor W. Thompson, Director, Property Tax, Evergreen Plaza Bldg., Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action required by the courts.

AMENDATORY SECTION (Amending Order PT 76-1, filed 4/7/76)

WAC 458-18-060 DEFERRAL OF SPECIAL ASSESSMENTS AND/OR PROPERTY TAXES—LIMITATIONS OF DEFERRAL—INTEREST. The lien created by the deferral of special assessments and/or real property taxes shall not exceed eighty (80%) percent of the claimant's equity value in said property. Equity value will be determined as of January 1 in the year the taxes are to be deferred.

The lien shall include:

(1) The total amount of special assessments and/or real property taxes deferred, plus

(2) Interest on the amount deferred at ~~((such rates as prescribed for delinquent taxes in RCW 84.56.020, as now or hereafter amended;))~~ the rate of eight (8%) percent per year, until said lien is paid.

[Filed August 18, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning:

- Amd WAC 458-16-130 Real property sold or acquired by property owner deemed to be exempt.
- Amd WAC 458-16-190 Churches, parsonages and convents.
- Amd WAC 458-16-280 Art, scientific and historical collections—Fire companies—Humane societies;

that such agency will at 10:00 a.m., Tuesday, September 29, 1981, in the large conference room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 5, 1981, in the Director's Conference Room, 414 General Administration Building, Olympia, Washington.

The authority under which these rules are proposed in RCW 84.36.865.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 29, 1981, and/or orally at 10:00 a.m., Tuesday, September 29, 1981, large conference room, General Administration Building, Olympia, Washington.

Dated: August 18, 1981
 By: Trevor W. Thompson
 Assistant Director

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue as follows:

Title: Amendatory sections: Real property sold or acquired by owner deemed to be exempt, WAC 458-16-130; Churches, parsonages and convents, WAC 458-16-190; and Art, scientific and historical collections, WAC 458-16-280.

Purpose: To amend existing rules to conform to statutory changes adopted by the 1981 legislature and to clarify other provisions in the rules.

Statutory Authority: RCW 84.36.865 directs the Department of Revenue to make such rules and regulations as such shall be necessary to permit the effective administration of the property tax exemption laws.

Summary and Reasons for the Rule: To conform rules to chapter 141, Laws of 1981 and to clarify that certain properties must be owned by their users in order to qualify for exemption. This amendatory language also provides for prorating current year's taxes when property goes from exempt to taxable status.

Person Responsible for Drafting, Implementation and Enforcement: Trevor W. Thompson, Director, Property Tax, Evergreen Plaza Bldg., Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Law or Court Action Citation: No federal laws involved or action required by the courts.

AMENDATORY SECTION (Amending Order PT 81-7, filed 2/11/81)

WAC 458-16-130 ((PROPERTIES)) REAL PROPERTY SOLD OR ACQUIRED BY PROPERTY OWNER DEEMED TO BE EXEMPT. As required by RCW 84.36.855, real property which is transferred or converted by an exempt body to taxable ownership or use or which is no longer exempt for any reason shall be subject to a prorata portion of taxes allocable to that property for the remaining portion of that year, after the date of the execution of the instrument of sale, contract or exchange, or the conversion to a taxable use or the date the property is no longer exempt as provided in RCW 84.40.350 through 84.40.390. Real property exempted pursuant to RCW 84.36.030, 84.36.040, 84.36.050 and 84.36.060 is also subject to the provisions of RCW 84.36.810.

When any property owner determined to be, or could be, exempt under chapter 84.36 RCW acquires ownership of real property which was in other ownership as of January 1 or converts real property from a taxable to an exempt use must apply for and provide proof that under the specific RCW section and appropriate WAC, the property is entitled to exemption or continued exemption from time of transfer or conversion. Organizations seeking exemption under the provisions of this rule shall, within 60 days of conversion to an exempt use, make application to the Department of Revenue, or shall make a request for an extension of time, in writing, prior to the expiration of the 60 day period. If the extension is requested for good cause, therein the department may grant an extension.

If filed after the expiration of the 60 day period a late filing penalty shall be imposed pursuant to WAC 458-16-111 and RCW 84.36.825.

When organizations acquire or convert real property to an exempt use, the property will upon approval of the application for exemption, be entitled to a cancellation of the prorata portion of taxes payable for the remaining portion of the year from the date of acquisition or conversion plus exemption for the following year.

AMENDATORY SECTION (Amending Order PT 77-2, filed 5/23/77)

WAC 458-16-190 CHURCHES, PARSONAGES AND CONVENTS. All churches and grounds that are owned by religious organizations and exclusively used for church purposes shall be exempt to the following extent:

(1) The area upon which a church and parsonage is or shall be built, not exceeding five acres of land. The area exempt includes the ground covered by the church, parsonage, and convent, the buildings and improvements required for the maintenance and security of such property and the structures and ground necessary for street access, parking, light and ventilation. (AGO 5-1-1952; PTB No. 217)

(2) If the requirements of section (1) are met the exemption will apply to a parsonage or convent and a church built on non-contiguous lots, or to the construction of separate parsonages for a minister and assistant minister (AGO 4-9-1947), and to caretakers quarters when the following conditions are met.

(a) The residential use is necessary for the protection of property.

AND

(b) The size is reasonable for the purpose.

AND

(c) The caretaker is required to be on the premises 365 days a year to provide security or provide custodial service indicated in (c1) or (c2) without exception unless a substitute is in place.

AND

(d) No rent is paid to the church by the caretaker but is provided to him as part of his employment.

AND

(e1) Protection is afforded by the caretakers, not merely by their presence, but they regularly patrol the grounds, and/or buildings and generally act in the capacity of insuring the property is secure.

OR

(e2) Necessary on a daily basis to open and close the premises at irregular hours, activate or shut down environmental systems, and other maintenance activities necessary for the effective operation and utilization of the facilities.

(3) Land unoccupied or not covered by a church, parsonage or convent, and not occupied for church or related purposes, is exempt up to an area the equivalent of 120 feet by 120 feet, except where additional unoccupied land may be required to conform with state or local codes, zoning, or licensing requirements.

Where (~~title is in church ownership, but the~~) property is used for non-church purposes, the exemption is lost. If a portion of the church building or grounds is used for commercial rather than church purposes, that portion must be segregated and taxed whether or not the profit reserved by the church from the commercial use is applied to church purposes. (Norwegian Lutheran Church v. Wooster, 176 Wash. 581 (1934).)

The rental or lease of any portion of the church building or grounds is subject to the following provisions:

(1) Must be to a nonprofit organization, association, corporation or school.

(2) Must be for an eleemosynary use (see definition below).

(3) Rental must be reasonable and solely for operation and maintenance of property.

"Church purposes" shall be construed to mean the use of real and personal property owned by a nonprofit religious organization for religious worship or related administrative, educational, eleemosynary, and social activities. This definition is to be broadly construed.

"Eleemosynary" shall be construed to mean charitable; not limited to the distribution of alms, but also includes activities when some social objective is served or general welfare is advanced, and where, but for the activity, government might be required to provide the service.

"Convent" means a house or set of buildings occupied by a community of clergymen or nuns devoted to religious life under a superior.

"Parsonage" means a residence occupied by a clergyman who is designated for a particular congregation and who holds regular services therefor.

With regard to property covered by this rule, the Department of Revenue may request additional information, in the area of finances, relative to the lease rental or license to use the properties claimed for exemption. This shall not be construed as a license to require general information relating to the amount of revenue received as donations, gifts, bequests, or tithes. The Department shall have access to financial information, where necessary, to establish nonprofit status, if requested in writing.

AMENDATORY SECTION (Amending Order PT 77-2, filed 5/23/77)

WAC 458-16-280 ART, SCIENTIFIC AND HISTORICAL COLLECTIONS—FIRE COMPANIES—HUMANE SOCIETIES. 1. All art, scientific, or historical collections, together with all real and personal property used exclusively for the safekeeping, maintaining or exhibiting of such, which are maintained or exhibited for the general public and not for profit, shall be exempt from taxation under the following conditions:

(a) Such organization must be organized and operated exclusively for artistic, scientific, historical, literary or educational purposes, and

(b) Receive a substantial part of its income (exclusive of income received in the exercise or performance by such organization of its purpose or function) from the United States, any state or political subdivision thereof, or from direct or indirect contributions from the general public.

2. Fire engines and other implements used to put out fires, and the buildings or fire stations to the extent that they are exclusively used for the safekeeping of such equipment, and to hold fire company meetings, shall be exempt, provided that such properties are owned by either a city, town or nonprofit fire company.

3. Property within the state which is owned and actually used by humane societies shall be exempt. (BTA 11213)

((4- This exemption shall not apply to the performing arts. (BTA 11308)))

WSR 81-17-060
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed August 18, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Revenue intends to adopt, amend, or repeal rules concerning:

New WAC 458-16-282 Musical, dance, artistic, dramatic and literary associations.
 New WAC 458-16-300 Public meeting facilities.
 New WAC 458-16-301 Applications without penalties.
 New WAC 458-16-310 Community celebration facilities;

that such agency will at 10:00 a.m., Tuesday, September 29, 1981, in the large conference room, General Administration Building, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, October 5, 1981, in the Director's Conference Room, 414 General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 84.36.865.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 29, 1981, and/or orally at 10:00 a.m., Tuesday, September 29, 1981, large conference room, General Administration Building, Olympia, Washington.

Dated: August 18, 1981
 By: Trevor W. Thompson
 Assistant Director

STATEMENT OF PURPOSE

This statement of purpose, prepared in compliance with RCW 34.04.045, accompanies proposed rules to be promulgated by the Department of Revenue, as follows:

Title: Property tax exemptions for musical, dance, artistic, dramatic and literary associations, WAC 458-16-282; Public meeting facilities, WAC 458-16-300; Community celebration facilities, WAC 458-16-310; and applications without penalties, WAC 458-16-301.

Purpose: To establish procedures for applying for exemption and establishing criteria for granting the exemption.

Statutory Authority: RCW 84.36.865 directs the Department of Revenue to make such rules and regulations as such shall be necessary to permit effective administration of the property tax exemption laws.

Summary and Reasons for the Rule: Chapter 141, Laws of 1981, granted additional property tax exemptions for certain types of

property. These rules further define the criteria the property must meet in order to be granted the exemption.

Person Responsible for Drafting, Implementation and Enforcement: Trevor W. Thompson, Evergreen Plaza Bldg., Room 301, 711 South Capitol Way, Olympia, Washington 98501, (206) 753-5503.

Proposer of the Rule: Department of Revenue, Olympia, Washington 98504.

Comments and Recommendations: None.

Federal Laws or Court Action Citation: No federal laws involved or action required by the courts.

NEW SECTION

WAC 458-16-282 MUSICAL, DANCE, ARTISTIC, DRAMATIC AND LITERARY ASSOCIATIONS. The real and personal property owned by or leased to nonprofit organizations whose purpose is to produce and/or perform musical, dance, artistic, dramatic or literary works, for the benefit of the general public and not for profit, shall be exempt from taxation in accordance with the following rules:

- (1) Must be organized and operated exclusively for the purpose of the exemption.
- (2) Must receive a substantial portion of its income, exclusive of moneys received from admissions to its performances, from contributions or donations.
- (3) Applications for leased property must include a copy of the lease agreement.
- (4) The property meets all the conditions of RCW 84.36.800 through 84.36.865.
- (5) Substantial for purposes of this exemption shall mean twenty-five percent or more.

NEW SECTION

WAC 458-16-300 PUBLIC MEETING FACILITIES. Real and personal property used exclusively for public assembly or meeting places shall be exempt from taxation in accordance with the following rules:

- (1) In order to qualify, the following conditions must be met:
 - (a) It is owned by a nonprofit organization;
 - (b) The area to be exempted does not exceed one acre;
 - (c) The owning organization has publicized fee schedules, a policy on the availability, and any restrictions on the use of the facility;
 - (d) The rental fee charged does not exceed the maintenance and operating expenses created by the users thereof;
 - (e) It is not used to promote business or pecuniary gain, except fund raising activities conducted by nonprofit organizations; and
 - (f) The applicant has provided to the department on an annual basis:
 - (i) A schedule of all users and the purpose of their use for the previous year; and
 - (ii) A detailed statement of income and expenses for the previous year.
- (2) Other community meeting halls whose owners schedule regular meetings of their organizations will also qualify for the exemption if they meet the conditions in subsection (1) of this section, and:
 - (a) The scheduled uses by the owner do not exceed twenty-five percent of the useable time and such facility is available for public gatherings and for meetings of other organizations or persons at all other times; and
 - (b) the facility is used for public gatherings an equal or greater number of times as the owning organization.
- (3) Public gathering shall mean any gathering that is open to the general public and shall include meetings of organizations which allow attendance by nonmembers.
- (4) Facilities used more than fifty percent of the time for meetings of organizations which disallow attendance by nonmembers do not qualify for this exemption.
- (5) The loss of the exemption for a year will not subject the property to the provisions of RCW 84.36.810, provided that if the loss of the exemption was due to sale or transfer of the property or due to false information, RCW 84.36.810 shall apply.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 458-16-301 APPLICATIONS WITHOUT PENALTIES.

(1) Applications for exemption under WAC 458-16-282, 458-16-300 and 458-16-310 shall be accepted, without penalties, through October 31, 1981. Applications submitted in November 1981 shall have a \$10 late filing penalty and in December 1981, a \$20 penalty.

(2) This section shall expire January 1, 1982.

NEW SECTION

WAC 458-16-310 COMMUNITY CELEBRATION FACILITIES. Real and personal property used for community celebration events shall be exempt from taxation in accordance with the following rules:

- (1) It is owned by a nonprofit organization;
- (2) The area to be exempted does not exceed twenty-nine acres;
- (3) The property has been primarily used for community celebration events for the last ten years;
- (4) The purpose of the property is to provide a facility for the annual gathering;
- (5) The owning organization has publicized fee schedules, a policy on the availability and any restrictions on the use of the facility;
- (6) The rental fee charged does not exceed the maintenance and operating expenses created by the users thereof;
- (7) It is not used to promote business or pecuniary gain, except fund raising activities conducted by nonprofit organizations;
- (8) Any enclosed structures other than restroom facilities will not qualify; and
- (9) The applicant has provided to the department on an annual basis:
 - (a) A schedule of all users and the purpose of their use, for the previous year; and
 - (b) A detailed statement of income and expenses for the previous year.

WSR 81-17-061

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 81-87—Filed August 18, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial and personal use fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to provide protection for upriver fall chinook salmon while allowing a fishery on hatchery salmon in the lower Columbia and tributaries.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 18, 1981.

By Rolland A. Schmitt
Director

NEW SECTION

WAC 220-32-03600I TERMINAL AREA FISHERIES (1) Notwithstanding the provisions of WAC 220-32-036, it is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Columbia River Fishing Areas except during the seasons provided for hereinafter in each respective fishing area:

Grays River – Those waters of Grays Bay northerly of a line projected true east from Rocky Point to a boundary marker on the mainland, including those waters of Deep River upstream to Highway 4 Bridge and those waters of Grays River upstream to markers at Leo Reisticka Farm. Open fishing period shall be:

6:00 p.m. August 24, 1981 to 6:00 p.m. August 28, 1981

6:00 p.m. August 31, 1981 to 6:00 p.m. September 4, 1981

6:00 p.m. September 7, 1981 to 6:00 p.m. September 11, 1981

Skamokawa-Steambot Sloughs – Those waters of Skamokawa and Steambot sloughs north and easterly of a line projected southeasterly from mainland across slough mouth to light "33" on northwest tip of Price Island upstream in Skamokawa Creek to first west fork and including Steambot Slough southerly to a line projected easterly from southern tip of Price Island to mainland. Open fishing period shall be:

6:00 p.m. August 24, 1981 to 6:00 p.m. August 28, 1981

6:00 p.m. August 31, 1981 to 6:00 p.m. September 4, 1981

6:00 p.m. September 7, 1981 to 6:00 p.m. September 11, 1981

Cowlitz River – Those waters of the Cowlitz River upstream of a line projected southeast from flashing green light on the west bank at the mouth of the Cowlitz River to the west tip of Cottonwood Island to a boundary marker on the east bank at the Cowlitz River mouth northerly to a line projected between boundary markers near the cement plant on the west bank of the Cowlitz River. Open fishing periods shall be:

6:00 p.m. August 24, 1981 to 6:00 p.m. August 28, 1981

6:00 p.m. August 31, 1981 to 6:00 p.m. September 4, 1981

6:00 p.m. September 7, 1981 to 6:00 p.m. September 11, 1981

Camas Slough – Those waters of Camas Slough upstream of a line projected true north from western tip of Lady Island to mainland upstream to line projected from Crown Zellerbach pumphouse southerly to the east end of Lady Island. Open fishing period shall be:

6:00 p.m. August 31, 1981 to 6:00 p.m.
September 4, 1981
6:00 p.m. September 7, 1981 to 6:00 p.m.
September 11, 1981
6:00 p.m. September 14, 1981 to 6:00 p.m.
September 18, 1981

(2) Lawful gear in the areas described in subsection (1) of this section shall be "terminal gear." Terminal gear is defined as gill net gear no more than 100 fathoms in length measured at the cork line, which may be free floating or stationary if it is not staked or tied to a fixed object or the shore and which must be attended at all times. The minimum mesh size for such terminal gear is 5 inches.

(3) It shall be unlawful for anyone except Washington licensed fishermen to gill net in terminal areas described in subsection (1) of this section.

(4) It shall be unlawful for anyone except a licensed wholesale fish dealer to possess or transport outside of open Washington terminal areas any salmon taken during the respective terminal area seasons, except that fish caught in the Cowlitz River may be delivered to buyers located upstream of the designated fishing area.

NEW SECTION

WAC 220-56-10500A RIVER MOUTH DEFINITION—WASHOUGAL RIVER Notwithstanding the provisions of WAC 220-56-105, effective immediately until further notice, the mouth of the Washougal River is defined as a line projected true north to the mainland from the western tip of Lady Island.

NEW SECTION

WAC 220-57-16000L COLUMBIA RIVER AND TRIBUTARIES Notwithstanding the provisions of WAC 220-57-160:

(1) Effective immediately through September 1, 1981, the personal use salmon bag limit in that portion of the Columbia River from the Interstate 5 Bridge to the Hood River Bridge shall be BAG LIMIT C.

(2) Effective immediately until further notice the personal use salmon bag limit in that portion of the Columbia River upstream from the Hood River Bridge shall be BAG LIMIT C.

(3) Effective immediately until further notice the personal use salmon bag limit in that portion of the Columbia River downstream from the Interstate 5 Bridge to a line projected true north and south through Buoy 10 shall be six salmon not less than 10 inches in length, not more than three of which may exceed 24 inches in length. The possession limit at any one time shall not exceed the equivalent of two daily bag limits of fresh salmon. Additional salmon may be possessed in a frozen or processed form.

(4) Notwithstanding the provisions of Chapter 220-57 WAC, effective immediately until further notice, the personal use salmon bag limit described in subsection (3) of this section shall apply in the open portions of the following tributaries to the Columbia River:

- (a) Grays River – downstream of 7,000 line bridge
- (b) Elokomin River
- (c) Cowlitz River
- (d) Toutle River
- (e) Lewis River – mainstem, North Fork and East Fork
- (f) Washougal River
- (g) Kalama River
- (h) Klickitat River
- (i) White Salmon River
- (j) (Little) White Salmon River

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-57-16000K Columbia River (81-66)
WAC 220-57-17500G Cowlitz River (81-67)

WSR 81-17-062
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 81-88—Filed August 18, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is adopted pursuant to RCW 75.40.060.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.40.060 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 18, 1981.

By Rolland A. Schmitten
Director

NEW SECTION

WAC 220-47-915 COMMERCIAL SOCKEYE SALMON FISHERY. (1) Effective August 18 through August 22, 1981 commercial sockeye salmon fishing rules of the United States Department of Commerce, as adopted by Order 81-48 of the Director of Fisheries and

as published in the Federal Register June 25, 1981 are superceded in part by this section.

(2) It is unlawful to take, fish for or possess sockeye salmon for commercial purposes in Puget Sound Salmon Management and Catch Reporting Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D except as follows:

Reef Nets

Tuesday August 18, 1981 11:00 A.M. to 9:00 P.M.

Gill Nets

6:00 P.M. Tuesday August 18, 1981 to 9:00 A.M. Wednesday August 19, 1981.

Purse Seines

Tuesday, August 18, 1981 5:00 A.M. to 9:00 P.M.

Wednesday, August 19, 1981 5:00 A.M. to 9:00 P.M.

(2) Gill nets restricted to 7-1/2 inch minimum mesh size in Area 7B when open under Department of Fisheries regulations.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-914 COMMERCIAL SOCKEYE SALMON FISHERY. (81-83)

WSR 81-17-063
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 81-89—Filed August 18, 1981]

I, Rolland A. Schmitt, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is scheduled fisheries in Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D are currently under IPSFC control. Scheduled fishery in Area 7B allows harvest of chinook salmon, with a mesh restriction imposed by IPSFC. Fisheries in Area 8 and 8A allow a harvest of pink salmon. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent overharvest of salmon stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 18, 1981.

By Rolland A. Schmitt
 Director

NEW SECTION

WAC 220-47-608 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY—WEEK OF AUGUST 16, 1981—UPDATE. Notwithstanding the provisions of WAC 220-47-403, effective August 18 through August 22, 1981, it is unlawful to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

* Areas 4B, 5 and 6 – Closed except under International Pacific Salmon Fisheries Commission (IPSFC) and United States Department of Commerce (USDOC) rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Area 6A – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open, and purse seines must release all chinook salmon over 28 inches in length when open.

Area 6B – Closed.

* Area 6C – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Area 6D – Closed.

* Areas 7 and 7A – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Area 7B – Closed except gill nets may fish Sunday, Monday, Tuesday, Wednesday, and Thursday nights from 6:00 p.m. to 9:00 a.m. IPSFC and WDF restrict gill nets to 7-1/2-inch minimum mesh Sunday, Monday, Tuesday, Wednesday, and Thursday nights. The Fidalgo Bay Salmon Preserve is closed as provided in WAC 220-47-307.

Area 7C – Closed.

* Area 7D – Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Areas 8 and 8A - Closed except gill nets may fish Sunday and Monday nights from 6:00 p.m. to 9:00 a.m. with 5-inch minimum to 6-inch maximum mesh. The Skagit Bay, Port Susan, and Port Gardner Salmon preserves are closed as provided in WAC 220-47-307.

Areas 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-607 Puget Sound All-Citizen Commercial Salmon Fishery—Week of August 16, 1981 (81-84).

**WSR 81-17-064
PROPOSED RULES
BOARD OF
PILOTAGE COMMISSIONERS
[Filed August 19, 1981]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Pilotage Commissioners, Department of Transportation, intends to adopt, amend, or repeal rules concerning licensing of pilots, amending WAC 296-116-080(5).

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, October 8, 1981, in the Washington State Ferries Conference Room, Pier 52, Seattle, Washington 98104.

The authority under which these rules are proposed is RCW 88.16.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 8, 1981, and/or orally at 9:00 a.m., Thursday, October 8, 1981, Washington State Ferries Conference Room, Pier 52, Seattle, Washington 98104.

Dated: August 18, 1981
By: Judith L. Weigand
Assistant Attorney General

STATEMENT OF PURPOSE

Amending WAC 296-116-080. Licensing of Pilots, authorized by RCW 88.16.090. The rule sets up standards and qualifications for licensing pilots for Puget Sound pilotage district and each other pilotage district.

The proposed amendment is contained within WAC 296-116-080(5), changing ten years experience to five years experience. The purpose of this amendment is to facilitate training of new pilots by making a greater number of experienced pilots available for supervision.

Washington State Attorney General's Office, Transportation Division, 5th Floor, Highways-Licenses Building, Olympia, Washington 98504, phone 753-6126.
Board of Pilotage Commissioners, Washington State Department of Transportation, government agency.

AMENDATORY SECTION (Amending Order 76-6, filed 3/4/80)

WAC 296-116-080 LICENSING OF PILOTS. (1) No person shall be licensed by the board unless he has applied for a pilotage license and successfully completed: (a) The pilotage examination; (b) familiarization trips required by the board; (c) tug and tow boat assist observation trips; and (d) the pilotage training program, if applicable.

The majority of the entire board shall pass on the licensing of a pilot and licenses shall be signed by the chairperson. All applicants shall have and display a United States government masters license and a first class United States endorsement without restrictions on that license to pilot in whichever pilotage district the applicant desires a license. In addition all applicants shall have and display an endorsement to their masters license issued by the United States Coast Guard certifying competence as a radar observer.

(2) Prior to commencing familiarization trips, an applicant must pass a written and oral examination given and graded by the board. The board shall hold examinations at such times as will ensure the maintenance of an efficient and competent pilotage service. Notice of the examination shall be published four months in advance by one paid advertisement in a major newspaper and written notice to one radio station, one television station, United Press International, and the Associated Press, as well as all pilots licensed by the board and all operators registered with the board. The board may, in an emergency, call for an immediate examination of applicants who have an application on file with the board.

- (A) The examination may be taken by all qualified applicants who:
 - (i) have had a license application on file with the board for at least one month prior to the examination. (This requirement may be waived upon the showing of good cause);
 - (ii) have tendered an examination fee of one hundred dollars which will be applied to his first year license fee if successful and shall be returned to the applicant if he is unable to sit for the examination; and
 - (iii) have had a physical examination by a physician designated by the board not more than thirty days prior to the examination to determine his physical fitness to be a pilot.
- (b) The examination shall be in compliance with RCW 88.16.090 and shall consist of questions covering, but not limited to, the following subjects as they pertain to the pilotage district for which the examination is being given:

- (i) rules of the road as set forth in United States Government Publications;
- (ii) aids to navigation;
- (iii) courses, distances, and distance past abeam at change-of-course points, course points within channels, waterways, and navigable tributaries within the pilotage district for which the examination is being given;
- (iv) cable crossing areas;
- (v) dredged channel widths and depths;
- (vi) bridge signals - width, regulations, and closed periods;
- (vii) ship handling, docking and undocking problems, use of tow-boats and anchors, and seamanship;
- (viii) Vessel Traffic System regulations where applicable;
- (ix) ranges for determining compass error;
- (x) channel ranges;
- (xi) engine and rudder order commands for United States and foreign merchant vessels and United States naval vessels;
- (xii) operation and use of marine radar, including rapid plotting techniques;
- (xiii) calculation of currents and tides;
- (xiv) pier, wharf, or terminal locations and berth numbers; dock or pier headings, lengths, and minimum depths of water alongside;
- (xv) prohibited areas, restricted areas, and explosive anchorages;
- (xvi) use of navigational and bridge instruments;
- (xvii) anchorage locations;
- (xviii) duties of pilot;
- (xix) relationship between pilot and master;
- (xx) location and meaning of storm warning signals;

- (xxi) meaning of one and two flag signals;
- (xxii) United States government public health quarantine regulations;
- (xxiii) harbor regulations;
- (xxiv) Washington State Pilotage Act and rules of the board of pilotage commissioners;
- (xxv) chart knowledge, including chart symbols and abbreviations as set forth in the latest department of commerce NOS (National Ocean Survey) Chart No. 1.

(3) After successful completion of the examination, the board shall determine the number of familiarization trips which the applicant will have to make pursuant to RCW 88.16.090. Familiarization trips are ship movements over specified routes on which the applicant observes the route and the actions of the licensed pilot on board.

(4) After successful completion of familiarization trips, the board shall specifically assess the experience of the applicant with respect to tug and tow boat assists to vessel movements. If necessary, the board shall require that applicants make a certain number of observation trips aboard tug or tow boats prior to entering the training program, if applicable, or prior to being licensed if no training program is required.

(5) After passing the examination, and completing familiarization trips and tug and tow boat assist observations, applicants for the Puget Sound Pilotage District must enter and successfully complete a training program. In this program applicants shall be required to pilot vessels under the supervision of Puget Sound pilots with more than ((ten)) five years experience. After every such assignment the supervisory pilots shall fill out, on a form provided by the board, an evaluation of the applicant's performance. After completion of the training period, the board shall evaluate the applicant's performance in shiphandling skills on the basis of these forms and other relevant information and decide whether the applicant should be licensed. Applicants shall pilot under such supervision for a minimum period of six months during which they shall have at least one hundred assignments.

WSR 81-17-065
PROPOSED RULES
ENERGY FACILITY SITE
EVALUATION COUNCIL
 [Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning Procedure—Guidelines—Applications for site certification, chapter 463-42 WAC;

that such agency will at 1:30 p.m., Monday, September 28, 1981, in the EFSEC Hearing Room, 4224 6th Avenue S.E., Lacey, WA, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 80.50.040(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 25, 1981, and/or orally at 1:30 p.m., Monday, September 28, 1981, EFSEC Hearing Room, 4224 6th Avenue S.E., Lacey, WA.

Dated: August 18, 1981

By: William L. Fitch
 Executive Secretary

STATEMENT OF PURPOSE

Rule Title and Purpose: Procedure—Guidelines—Applications for Site Certification, chapter 463-42 WAC.

Statutory Authority: RCW 80.50.040(1).

Rule Summary and Supporting Statement on Proposed Action: Chapter 463-42 WAC provides detailed guidelines for the form and content of applications for the certification of the site for a proposed energy facility. The guidelines need to be reorganized in harmony with the SEPA EIS format to reduce conflict therewith and unnecessary duplicative effort.

Agency Responsibility for Drafting: Management Committee, Russell Albert, Chairman, EFSEC, 4224 6th Avenue S.E., Lacey, WA 98504, 753-7384; Implementing: William L. Fitch, Executive Secretary, Energy Facility Site Evaluation Council, 4224 6th Avenue S.E., Lacey, WA 98504, 753-7384; and Enforcing: Nicholas D. Lewis, Chairman, Energy Facility Site Evaluation Council, 4224 6th Avenue, S.E., Lacey, WA 98504, 753-7384.

Person or Organization Proposing Rule: Washington State Energy Facility Site Evaluation Council.

Agency Comments, if any: None.

AMENDATORY SECTION (Amending Order 113, filed 2/4/77)

WAC 463-42-010 PURPOSE AND SCOPE. This chapter sets forth guidelines for preparation of applications for energy facility site certification pursuant to chapter 80.50 RCW ((in addition to delineating certain initial stage procedures)).

NEW SECTION

WAC 463-42-015 GENERAL—DESCRIPTION OF APPLICANT. The applicant shall provide an appropriate description of the applicant's organization and affiliations for this proposal.

NEW SECTION

WAC 463-42-025 GENERAL—DESIGNATION OF AGENT. The applicant shall designate an agent to receive communications on behalf of the applicant.

NEW SECTION

WAC 463-42-035 GENERAL—FEE. The statutory fee shall accompany an application and shall be a condition precedent to any action by the council. Payment shall be by a cashier's check payable to the state treasurer.

NEW SECTION

WAC 463-42-045 GENERAL—WHERE FILED. Applications for site certification shall be filed with the council at the council office.

NEW SECTION

WAC 463-42-055 GENERAL—FORM AND NUMBER OF COPIES. Applications shall be on 8-1/2 by 11" sheets, in loose-leaf form with a hard cover binder. Thirty-five copies of the application shall be supplied to the council, and two copies to each county, and one copy to each port district in which the site is located at the time that the original is filed. In addition, one copy shall be supplied to each intervenor on admission to the proceedings. Information later submitted shall be by page-for-page substitutions suitable for insertion in the application binder.

NEW SECTION

WAC 463-42-065 GENERAL—FULL DISCLOSURE BY APPLICANTS. It is recognized that these guidelines can only be comprehensive in a relative sense. Therefore, and in addition to the other guidelines contained herein, the council adopts the basic guideline that

an applicant for site certification must identify in the application all information known to the applicant which has a bearing on site certification.

NEW SECTION

WAC 463-42-075 GENERAL—ASSURANCES. The application shall set forth insurance, bonding or other arrangements proposed in order to mitigate for damage or loss to the physical or human environment caused by project construction or operation.

NEW SECTION

WAC 463-42-085 GENERAL—MITIGATION MEASURES. The application shall describe the means to be utilized to minimize or mitigate possible adverse impacts on the physical or human environments.

NEW SECTION

WAC 463-42-095 GENERAL—SOURCES OF INFORMATION. The applicant shall disclose sources of all information and data and shall identify all pre-application studies bearing on the site and other sources of information.

NEW SECTION

WAC 463-42-105 GENERAL—GRAPHIC MATERIAL. It is the intent that material submitted pursuant to these guidelines shall be descriptive and shall include illustrative graphics in addition to narration. This requirement shall particularly apply to subject matter that deals with systems, processes, and spacial relationship. The material so submitted shall be prepared in a professional manner and in such form and scale as to be understood by those who may review it.

NEW SECTION

WAC 463-42-115 GENERAL—SPECIFIC CONTENTS AND APPLICABILITY. It is recognized that not all sections of these guidelines apply equally to all proposed energy facilities. If the applicant deems a particular section to be totally inapplicable the applicant must justify such conclusion in response to said section. The applicant must address all sections of this chapter and must substantially comply with each section, show it does not apply or secure a waiver from the council. Information submitted by the applicant shall be accompanied by a certification by applicant that all EFSEC application requirements have been reviewed, the data have been prepared by qualified professional personnel, and the application is substantially complete.

NEW SECTION

WAC 463-42-125 PROPOSAL—SITE DESCRIPTION. The application shall contain a description of the proposed site indicating its location, prominent geographic features, typical geological and climatological characteristics, and other information necessary to provide a general understanding of all sites involved, including county or regional land use plans and zoning ordinances.

NEW SECTION

WAC 463-42-135 PROPOSAL—LEGAL DESCRIPTIONS AND OWNERSHIP INTERESTS. The application shall contain a legal description of the site to be certified and shall identify the applicants and all nonprivate ownership interests in such land.

NEW SECTION

WAC 463-42-145 PROPOSAL—CONSTRUCTION ON SITE. The applicant shall describe the characteristics of the construction to occur at the proposed site including the type, size, and cost of the facility; description of major components and such information as will acquaint the council with the significant features of the proposed project.

NEW SECTION

WAC 463-42-155 PROPOSAL—ENERGY TRANSMISSION SYSTEMS. The applicant shall describe the routing, conceptual design, and construction schedule of all proposed associated facilities to be constructed.

NEW SECTION

WAC 463-42-165 PROPOSAL—WATER SUPPLY. The applicant shall describe the location and type of water intakes and associated facilities.

NEW SECTION

WAC 463-42-175 PROPOSAL—SYSTEM OF HEAT DISSIPATION. The applicant shall describe both the proposed and alternative systems for heat dissipation from the proposed facilities.

NEW SECTION

WAC 463-42-185 PROPOSAL—CHARACTERISTICS OF AQUATIC DISCHARGE SYSTEMS. Where discharges into a watercourse are involved, the applicant shall identify outfall configurations and show proposed locations.

NEW SECTION

WAC 463-42-195 PROPOSAL—WASTEWATER TREATMENT. The applicant shall describe each wastewater source associated with the facility and for each source, the applicability of all known, available, and reasonable methods of wastewater control and treatment. Where wastewater control involves collection and retention for recycling and/or resource recovery, the applicant shall show in detail the methods selected, including at least the following information: waste source(s), average and maximum daily amounts and composition of wastes, storage capacity and duration, and any bypass or overflow facilities to the wastewater treatment system(s) or the receiving waters. Where wastewaters are discharged into receiving waters, the applicant shall provide a detailed description of the proposed treatment system(s), including appropriate flow diagrams and tables showing the sources of all tributary waste streams, their average and maximum daily amounts and composition, individual treatment units and their design criteria, major piping (including all bypasses), and average and maximum daily amounts and composition of effluent(s).

NEW SECTION

WAC 463-42-205 PROPOSAL—SPILLAGE PREVENTION AND CONTROL. The applicant shall describe all spillage prevention and control measures to be employed regarding accidental and/or unauthorized discharges or emissions, relating such information to specific facilities, including but not limited to locations, amounts, storage duration, mode of handling, and transport.

NEW SECTION

WAC 463-42-215 PROPOSAL—SURFACE-WATER RUN-OFF. The applicant shall describe how surface-water runoff and erosion are to be controlled during construction and operation to assure compliance with state water quality standards.

NEW SECTION

WAC 463-42-225 PROPOSAL—EMISSION CONTROL. The applicant shall demonstrate that the highest and best practicable treatment for control of emissions will be utilized in facility construction and operation. In the case of fossil fuel power plants and petroleum refineries, the applicant should deal with products containing sulphur and particulates. In the case of a nuclear-fueled plant, the applicant should deal with optional plant designs as these may relate to gaseous emissions.

NEW SECTION

WAC 463-42-235 PROPOSAL—CONSTRUCTION AND OPERATION ACTIVITIES. The applicant shall: Provide the proposed construction schedule, identify the major milestones, and describe activity levels versus time in terms of craft and noncraft employment; and describe the proposed operational employment levels.

NEW SECTION

WAC 463-42-245 PROPOSAL—CONSTRUCTION MANAGEMENT. The applicant shall describe the organizational structure including the management of project quality and environmental functions.

NEW SECTION

WAC 463-42-255 PROPOSAL—CONSTRUCTION METHODOLOGY. The applicant shall describe in detail the construction procedures, including major equipment, proposed for any construction activity within watercourses, wetlands and other sensitive areas.

NEW SECTION

WAC 463-42-265 PROPOSAL—PROTECTION FROM NATURAL HAZARDS. The applicant shall describe the means employed for protection of the facility from earthquakes, flood, tsunami, storms, avalanche or landslides, and other major natural disruptive occurrences.

NEW SECTION

WAC 463-42-275 PROPOSAL—SECURITY CONCERNS. The applicant shall describe the means employed for protection of the facility from sabotage, vandalism and other security threats.

NEW SECTION

WAC 463-42-285 PROPOSAL—STUDY SCHEDULES. The applicant shall furnish a brief description of all present or projected schedules for additional environmental studies. The studies descriptions should outline their scope and indicate projected completion dates.

NEW SECTION

WAC 463-42-295 PROPOSAL—POTENTIAL FOR FUTURE ACTIVITIES AT SITE. The applicant shall describe the potential for any future additions, expansions, or further activities which might be undertaken by the applicant on or contiguous to the proposed site.

NEW SECTION

WAC 463-42-305 PHYSICAL ENVIRONMENT—CONTOUR MAPS. The applicant shall include contour maps showing the original topography and any changes likely to occur as a result of energy facility construction and related activities. Contour maps showing proposed shoreline or channel changes shall also be furnished.

NEW SECTION

WAC 463-42-315 PHYSICAL ENVIRONMENT—EARTH REMOVAL. The applicant shall describe all procedures to be utilized to minimize erosion and other adverse consequences during the removal of vegetation, excavation of borrow pits, foundations and trenches, disposal of surplus materials, and construction of earth fills. The location of such activities shall be described and the quantities of material shall be indicated.

NEW SECTION

WAC 463-42-325 PHYSICAL ENVIRONMENT—LANDSCAPE RESTORATION. The applicant shall describe the procedures to be utilized to restore or enhance the landscape disturbed during construction (to include temporary roads).

NEW SECTION

WAC 463-42-335 PHYSICAL ENVIRONMENT—ENVIRONMENTAL SAFEGUARDS—GEOLOGIC AND HYDROLOGIC SURVEY. The applicant shall include the results of a comprehensive hydrologic and geologic survey showing conditions at the site, the nature of foundation materials, and potential seismic activities.

NEW SECTION

WAC 463-42-345 PHYSICAL ENVIRONMENT—AIR POLLUTION CONTROL. The applicant shall identify all pertinent air pollution control standards. The application shall contain adequate data showing air quality and meteorological conditions at the site. Meteorological data shall include, at least, adequate information about wind direction patterns, air stability, wind velocity patterns, precipitation, humidity, and temperature. The applicant shall describe the means to be utilized to assure compliance with air quality and emission standards.

NEW SECTION

WAC 463-42-355 PHYSICAL ENVIRONMENT—AIR POLLUTION IMPACT. The applicant shall describe the extent to which facility operations may cause visible plumes, fogging, misting, icing, or impairment of visibility, and changes in ambient levels caused by all emitted pollutants.

NEW SECTION

WAC 463-42-365 PHYSICAL ENVIRONMENT—DUST CONTROL. The applicant shall describe for any area affected, all dust sources created by construction or operation of the facility and shall describe how these are to be minimized or eliminated.

NEW SECTION

WAC 463-42-375 PHYSICAL ENVIRONMENT—ODOR CONTROL. The applicant shall describe for the area affected, all odors caused by construction or operation of the facility and shall describe how these are to be minimized or eliminated.

NEW SECTION

WAC 463-42-385 PSD APPLICATION. The applicant shall include a completed Prevention of Significant Deterioration permit application.

NEW SECTION

WAC 463-42-395 PHYSICAL ENVIRONMENT—WATER SOURCE AND USAGE. The applicant shall indicate the source and the amount of water required during construction and operation of the plant and show that it is available for this use and describe all existing water rights, withdrawal authorizations or restrictions which relate to the proposed source.

NEW SECTION

WAC 463-42-405 PHYSICAL ENVIRONMENT—COMPATIBILITY WITH WATER QUALITY STANDARDS. The applicant shall demonstrate that facility construction and/or operational discharges will be compatible with and meet state water quality standards.

NEW SECTION

WAC 463-42-415 PHYSICAL ENVIRONMENT—HYDROGRAPHIC STUDY OF WATERS. The application shall set forth all background water quality data pertinent to the site, and hydrographic study data and analysis of the receiving waters within one-half mile of any proposed discharge location with regard to: Bottom configuration; minimum, average and maximum water depths and velocities; water temperature and salinity profiles; anticipated effluent distribution and dilution, and plume characteristics under all discharge conditions; and other relevant characteristics which could influence the impact of any wastes discharged thereto.

NEW SECTION

WAC 463-42-425 PHYSICAL ENVIRONMENT—GROUND-WATER ACTIVITY. The applicant shall describe any changes in ground-water activity or quality which might result from project construction or operation.

NEW SECTION

WAC 463-42-435 PHYSICAL ENVIRONMENT—NPDES APPLICATION. The applicant shall include a completed National Pollutant Discharge Elimination System permit application.

NEW SECTION

WAC 463-42-445 PHYSICAL ENVIRONMENT—INVENTORY OF POTENTIALLY AFFECTED VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE DESCRIBED. The applicant shall describe all vegetation, animal life, and aquatic life which might reasonably be affected by construction and/or operation of the energy facility and any associated facilities. Any endangered species or noteworthy species or habitat shall receive special attention. Assessment of these factors shall include density and distribution information.

NEW SECTION

WAC 463-42-455 PHYSICAL ENVIRONMENT—IMPACT OF CONSTRUCTION AND OPERATION ON VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The applicant shall describe the projected effect of facility construction and/or operation upon vegetation, animal life, and aquatic life.

NEW SECTION

WAC 463-42-465 PHYSICAL ENVIRONMENT—DESCRIPTION OF MEASURES TAKEN TO PROTECT VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE. The application shall contain a full description of each measure to be taken by the applicant to protect vegetation, animal life, and aquatic life from the effects of facility operation and construction.

NEW SECTION

WAC 463-42-475 PHYSICAL ENVIRONMENT—NOISE AND GLARE. The applicant shall describe the impact of lights, noise, and glare from construction and operation and shall describe the measures to be taken in order to eliminate or lessen this impact.

NEW SECTION

WAC 463-42-485 PHYSICAL ENVIRONMENT—LOCAL LAND USE PLANS AND ZONING ORDINANCES. As part of the application, the applicant shall furnish copies of adopted land use plans and zoning ordinances, including the latest land use regulation and a survey of present land uses within the following distances of the immediate site area:

- (1) In the case of thermal power plants, 25 miles radius;
- (2) In the case of petroleum refineries 10 miles radius;
- (3) In the case of petroleum or LNG storage areas or underground natural gas storage, 10 miles radius from center of storage area or well heads;
- (4) In the case of pipe lines and electrical transmission routes, 1 mile either side of center line.

NEW SECTION

WAC 463-42-495 PHYSICAL ENVIRONMENT—MULTI-PURPOSE USE OF TRANSMISSION ROUTES. The applicant shall indicate consideration of multipurpose utilization of rights of way and describe the measures to be employed to utilize, restore, or rehabilitate disturbed areas.

NEW SECTION

WAC 463-42-505 PHYSICAL ENVIRONMENT—SAFETY STANDARDS COMPLIANCE. The applicant shall identify all federal, state, and local health and safety standards which would normally be applicable to the construction and operation of a project of this nature and shall describe methods of compliance therewith.

NEW SECTION

WAC 463-42-515 PHYSICAL ENVIRONMENT—SAFETY WHERE PUBLIC ACCESS ALLOWED. The applicant shall describe the means proposed to insure safe utilization of those areas under applicant's control to which public access will be granted.

NEW SECTION

WAC 463-42-525 PHYSICAL ENVIRONMENT—EMERGENCY PLANS. The applicant shall describe emergency plans which will be required to assure the public safety and environmental protection on and off the site in the event of a natural disaster or other major incident relating to or affecting the project and further, will identify the specific responsibilities which will be assumed by the applicant.

NEW SECTION

WAC 463-42-535 HUMAN ENVIRONMENT—SOCIOECONOMIC IMPACT. The applicant shall submit a detailed socioeconomic impact study which identifies primary and secondary and positive as well as negative impacts on the socioeconomic environment with particular attention and analysis of impact on population, work

forces, property values, housing, traffic, health and safety facilities and services, education facilities and services, and local economy.

NEW SECTION

WAC 463-42-545 HUMAN ENVIRONMENT—ACCESS. The applicant shall describe existing roads, railroads, and other transportation facilities and indicate what additional access, if any, will be needed during planned construction and operation.

NEW SECTION

WAC 463-42-555 HUMAN ENVIRONMENT—TRANSPORTATION IMPACT. The applicant shall identify all permanent transportation facilities impacted by the construction and operation of the energy facilities, the nature of the impacts and the methods to mitigate impacts. Such impact identification, description and mitigation shall, at least, take into account:

- (1) Expected traffic volumes during construction, based on where the work force is expected to reside;
- (2) Access routes for moving heavy loads, construction materials or equipment;
- (3) Expected traffic volumes during normal operation of the facility;
- (4) For transmission facilities, anticipated maintenance access; and
- (5) Consistency with local comprehensive transportation plans.

NEW SECTION

WAC 463-42-565 HUMAN ENVIRONMENT—TRANSPORTATION FACILITY CONSTRUCTION. The applicant shall indicate the applicable standards to be utilized in improving existing transportation facilities and in constructing new permanent or temporary access facilities, and shall indicate the final disposition of new access facilities and identify who will maintain them.

NEW SECTION

WAC 463-42-575 HUMAN ENVIRONMENT—TRANSPORTATION OF FUELS AND WASTE PRODUCTS. Except where security restrictions are imposed by the federal government, the applicant shall indicate the manner in which fuels and waste products are to be transported to and from the facility, including a designation of the specific routes to be utilized.

NEW SECTION

WAC 463-42-585 HUMAN ENVIRONMENT—ENERGY CONSUMPTION. The applicant shall generally describe the energy consumption during both construction and operation of the proposed facilities as to sources of supply, locations of use, types, amounts, and new delivery facilities.

NEW SECTION

WAC 463-42-595 HUMAN ENVIRONMENT—SOLID WASTES DISPOSAL. The applicant shall describe the disposition of all solid or semisolid construction and operation wastes including spent fuel, ash, sludge, and bottoms, and show compliance with applicable state and local comprehensive solid waste disposal plans.

NEW SECTION

WAC 463-42-605 HUMAN ENVIRONMENT—RADIATION LEVELS. For facilities which propose to release any radioactive materials, the applicant shall set forth information relating to radioactivity. Such information shall include background radiation levels of appropriate receptor media pertinent to the site. The applicant shall also describe the proposed radioactive waste treatment process, the anticipated release of radionuclides, their expected distribution and retention in the environment, the pathways which may become sources of radiation exposure, and projected resulting radiation doses to human populations. Other sources of radiation which may be associated with the project shall be described in all applications.

NEW SECTION

WAC 463-42-615 HUMAN ENVIRONMENT—AESTHETICS. The applicant shall describe the aesthetic impact of the proposed energy facility and associated facilities and any alteration of surrounding terrain. The presentation will show the location and design of the

facilities relative to the physical features of the site in a way that will show how the installation will appear relative to its surroundings.

NEW SECTION

WAC 463-42-625 HUMAN ENVIRONMENT—CRITERIA, STANDARDS, AND FACTORS UTILIZED TO DEVELOP TRANSMISSION ROUTE. The applicant shall indicate the federal, state, and industry criteria used in the energy transmission route selection and construction factors considered in developing the proposed design and shall indicate how such criteria are satisfied.

NEW SECTION

WAC 463-42-635 HUMAN ENVIRONMENT—HISTORICAL, ARCHAEOLOGICAL, AND RECREATIONAL SITE PRESERVATION/CREATION. The applicant shall list all historical, archaeological, and recreational sites within the area affected by construction and operation of the facility and shall then describe how each will be impacted by construction and operation.

NEW SECTION

WAC 463-42-645 ANALYSIS OF ALTERNATIVES. The applicant shall provide an analysis of alternatives for site, route, and other major elements of the proposal.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 463-42-020 BASIC REQUIREMENT—FULL DISCLOSURE BY APPLICANTS.
- (2) WAC 463-42-030 APPLICATION—WHERE FILED.
- (3) WAC 463-42-040 APPLICATION—FORM AND NUMBER OF COPIES.
- (4) WAC 463-42-050 APPLICATION—ORGANIZATION—INDEX.
- (5) WAC 463-42-060 APPLICATION—SPECIFIC CONTENTS AND APPLICABILITY.
- (6) WAC 463-42-070 APPLICATION—OPTIONAL APPLICATION FORM AND CONTENT.
- (7) WAC 463-42-080 APPLICATION—OPTION (2) PROCEDURAL SCHEDULE.
- (8) WAC 463-42-090 APPLICATION—DESIGNATION OF AGENT.
- (9) WAC 463-42-100 APPLICATION—FEE.
- (10) WAC 463-42-110 CONTENT—GRAPHIC MATERIAL.
- (11) WAC 463-42-120 CONTENT—SOURCES OF INFORMATION.
- (12) WAC 463-42-130 CONTENT—CONSTRUCTION AND STUDY SCHEDULES.
- (13) WAC 463-42-140 CONTENT—POTENTIAL FOR FUTURE ACTIVITIES AT SITE.
- (14) WAC 463-42-150 CONTENT—ANALYSIS OF ALTERNATIVES.
- (15) WAC 463-42-160 CONTENT—SAFETY STANDARDS COMPLIANCE.
- (16) WAC 463-42-170 CONTENT—DESCRIPTION OF APPLICANT.
- (17) WAC 463-42-180 CONTENT—SITE DESCRIPTION.
- (18) WAC 463-42-190 CONTENT—LEGAL DESCRIPTIONS AND OWNERSHIP INTERESTS.
- (19) WAC 463-42-200 CONTENT—LAND USE PLANS AND ZONING ORDINANCES.
- (20) WAC 463-42-210 CONTENT—CONSTRUCTION ON SITE.
- (21) WAC 463-42-220 CONTENT—CONTOUR MAPS.
- (22) WAC 463-42-230 CONTENT—ACCESS.
- (23) WAC 463-42-240 CONTENT—ENERGY TRANSMISSION SYSTEMS.
- (24) WAC 463-42-250 CONTENT—CRITERIA, STANDARDS, AND FACTORS UTILIZED TO DEVELOP TRANSMISSION ROUTE.
- (25) WAC 463-42-260 CONTENT—MULTIPURPOSE USE OF TRANSMISSION ROUTES.
- (26) WAC 463-42-270 CONTENT—SAFETY WHERE PUBLIC ACCESS ALLOWED.

- (27) WAC 463-42-280 CONTENT—RADIATION LEVELS.
- (28) WAC 463-42-290 CONTENT—PROTECTION FROM NATURAL HAZARDS.
- (29) WAC 463-42-300 CONTENT—SECURITY CONCERNS.
- (30) WAC 463-42-310 CONTENT—EMERGENCY PLANS.
- (31) WAC 463-42-320 CONTENT—EARTH REMOVAL.
- (32) WAC 463-42-330 CONTENT—SURFACE-WATER RUNOFF.
- (33) WAC 463-42-340 CONTENT—LANDSCAPE RESTORATION.
- (34) WAC 463-42-350 CONTENT—TRANSPORTATION IMPACT.
- (35) WAC 463-42-360 CONTENT—TRANSPORTATION FACILITY CONSTRUCTION.
- (36) WAC 463-42-370 CONTENT—TRANSPORTATION OF FUELS AND WASTE PRODUCTS.
- (37) WAC 463-42-380 CONTENT—ENVIRONMENTAL SAFEGUARDS—GEOLOGIC AND HYDROLOGIC SURVEY.
- (38) WAC 463-42-390 CONTENT—WATER SOURCE AND USAGE.
- (39) WAC 463-42-400 CONTENT—WATER SUPPLY.
- (40) WAC 463-42-410 CONTENT—COMPATIBILITY WITH WATER QUALITY STANDARDS.
- (41) WAC 463-42-420 CONTENT—SPILLAGE PREVENTION AND CONTROL.
- (42) WAC 463-42-430 CONTENT—SYSTEM OF HEAT DISSIPATION.
- (43) WAC 463-42-440 CONTENT—CHARACTERISTICS OF AQUATIC DISCHARGE SYSTEMS.
- (44) WAC 463-42-450 CONTENT—HYDROGRAPHIC STUDY OF WATERS.
- (45) WAC 463-42-460 CONTENT—GROUND-WATER ACTIVITY.
- (46) WAC 463-42-470 CONTENT—WASTEWATER TREATMENT.
- (47) WAC 463-42-480 CONTENT—NPDES APPLICATION.
- (48) WAC 463-42-490 CONTENT—SOLID WASTES DISPOSAL.
- (49) WAC 463-42-500 CONTENT—AIR POLLUTION CONTROL.
- (50) WAC 463-42-510 CONTENT—AIR POLLUTION IMPACT.
- (51) WAC 463-42-520 CONTENT—EMISSION CONTROL.
- (52) WAC 463-42-530 CONTENT—DUST CONTROL.
- (53) WAC 463-42-540 CONTENT—ODOR CONTROL.
- (54) WAC 463-42-550 CONTENT—INVENTORY OF POTENTIALLY AFFECTED VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE DESCRIBED.
- (55) WAC 463-42-560 CONTENT—IMPACT OF CONSTRUCTION AND OPERATION ON VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE.
- (56) WAC 463-42-570 CONTENT—DESCRIPTION OF MEASURES TAKEN TO PROTECT VEGETATION, ANIMAL LIFE, AND AQUATIC LIFE.
- (57) WAC 463-42-580 CONTENT—AESTHETICS.
- (58) WAC 463-42-590 CONTENT—NOISE AND GLARE.
- (59) WAC 463-42-600 CONTENT—ENERGY CONSUMPTION.
- (60) WAC 463-42-610 CONTENT—HISTORICAL, ARCHAEOLOGICAL, AND RECREATIONAL SITE PRESERVATION/CREATION.
- (61) WAC 463-42-620 CONTENT—SOCIOECONOMIC IMPACT.

WSR 81-17-066
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION

[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State

Criminal Justice Training Commission intends to adopt, amend, or repeal rules concerning recruitment and selection standards for law enforcement employment, new section WAC 139-26-010;

that such agency will at 10:00 a.m., Thursday, October 8, 1981, in the Washington State Criminal Justice Training Center, 2450 South 142nd, Seattle, WA, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 43.101.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1981, and/or orally at 10:00 a.m., Thursday, October 8, 1981, Washington State Criminal Justice Training Center, 2450 South 142nd, Seattle, WA.

Dated: August 18, 1981
By: James C. Scott
Executive Director

STATEMENT OF PURPOSE

Rule: New section WAC 139-26-010, Recruitment and Selection Standards for Law Enforcement Personnel.

Agency: Washington State Criminal Justice Training Commission.

General Purpose of Rule: This rule prescribes statewide standards for the recruitment and selection of suitable officer candidates by local law enforcement agencies.

Description, Summary, and Statutory Authority for Rule: This rule facilitates a standardized and effective process for the local selection of officer personnel by prescribing (1) a minimum criterion for eligibility as an officer candidate, and (2) the process by which a local agency will select from such candidates. The authority to adopt this rule, which has been recommended by the Training Commission's Board on Law Enforcement Training Standards and Education, is provided by RCW 43.101.080(18).

Responsible Agency Personnel: The following personnel of the Washington State Criminal Justice Training Commission have responsibility for drafting, implementation and enforcing this rule: James C. Scott, Executive Director and Garry E. Wegner, Assistant Director, Washington State Criminal Justice Training Commission, Mailstop PW-11, Olympia, WA 98504, Phone (206) 753-7450.

NEW SECTION

WAC 139-26-010 RECRUITMENT AND SELECTION STANDARDS FOR LAW ENFORCEMENT EMPLOYMENT. The following minimum standards shall govern the process of recruitment and selection of applicants for the position of full-time commissioned law enforcement officer in and for the State of Washington:

- (1) Every officer applicant, by the time of employment, shall:
 - (a) be a citizen of the United States;
 - (b) be at least 21 years of age;
 - (c) possess a current and valid driver's license;
 - (d) possess at least a high school diploma or GED equivalency; and
 - (e) not have been convicted of a felony offense.
- (2) In each instance of, and prior to, the appointment or employment of any eligible applicant, appointing or hiring authority shall determine the applicant's competency and suitability to perform the functions and assume the trust and responsibility inherent to the law enforcement profession. Such determination shall include:
 - (a) an in-depth background investigation of the applicant, with consideration given to the specific responsibilities of a law enforcement officer and the need for public trust and confidence in law enforcement personnel. Such investigation shall include:
 - (i) the fingerprinting of the applicant and a search made of local, state, and national fingerprint files to disclose any criminal record of such applicant;
 - (ii) the administration of a polygraph examination by a certified polygraph examiner; and
 - (iii) the obtaining of information and/or documentation regarding the applicant's employment history, military service, education, personal conduct, and driving history.
 - (b) an examination of the applicant by a licensed physician who has knowledge of the demands of the law enforcement profession and who, based upon job-related medical standards, will certify the absence of any physical or medical condition or impairment which would preclude full and active performance within law enforcement employment;
 - (c) an examination to assure that the applicant's reading and writing skills are commensurate with general law enforcement duties and responsibilities.
 - (d) an oral interview of the applicant to determine the applicant's suitability, including personal appearance, personality, maturity, attitude, and ability to communicate;
 - (e) an examination to assure that the applicant's physical strength, agility, coordination, and general physical fitness is commensurate with the physical activities and expectations of general law enforcement duties and responsibilities;
 - (f) whenever possible, an examination by a licensed psychologist or psychiatrist who has knowledge of the demands of the law enforcement profession and who shall make determinations as to the applicant's mental stability, including emotional maturity, temperament, and ability to endure job-related stresses.

**WSR 81-17-067
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION
[Filed August 19, 1981]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Criminal Justice Training Commission intends to adopt, amend, or repeal rules concerning goals of Board on Judicial Training Standards and Education, repealing WAC 139-44-010;

that such agency will at 10:00 a.m., Thursday, October 8, 1981, in the Washington State Criminal Justice Training Center, 2450 South 142nd, Seattle, WA, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 43.101.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1981, and/or orally at 10:00 a.m., Thursday, October 8, 1981, Washington State

Criminal Justice Training Center, 2450 South 142nd, Seattle, WA.

Dated: August 18, 1981
By: James C. Scott
Executive Director

STATEMENT OF PURPOSE

Rule: Repealing WAC 139-44-010, Goals of Board on Judicial Training Standards and Education.

Agency: Washington State Criminal Justice Training Commission.

General Purpose of Rule: This repealer accords the intent of chapter 132, Laws of 1981, which removes judicial training from the purview of the Washington State Criminal Justice Training Commission's authority and responsibility.

Description, Summary, and Statutory Authority for Rule: This repealer completes the deletion of judicial training from the Training Commission's authority and responsibility by repealing the rule dealing with such training. The authority to act on this matter is based upon an agency's inherent authority to repeal a rule which it properly adopted and which has been made moot by subsequent legislative enactment.

Responsible Agency Personnel: The following personnel of the Washington State Criminal Justice Training Commission have responsibility for drafting, implementing and enforcing this rule: James C. Scott, Executive Director and Garry E. Wegner, Assistant Director, Washington State Criminal Justice Training Commission, Mailstop PW-11, Olympia, WA 98504, Phone (206) 753-7450.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 139-44-010 GOALS OF BOARD ON JUDICIAL TRAINING STANDARDS AND EDUCATION.

WSR 81-17-068
PROPOSED RULES
CRIMINAL JUSTICE
TRAINING COMMISSION
[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Criminal Justice Training Commission intends to adopt, amend, or repeal rules concerning supervisory certification of law enforcement personnel new section WAC 139-46-010;

that such agency will at 10:00 a.m., Thursday, October 8, 1981, in the Washington State Criminal Justice Training Center, 2450 South 142nd, Seattle, WA, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 43.101.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1981, and/or orally at 10:00 a.m., Thursday, October 8, 1981, Washington State Criminal Justice Training Center, 2450 South 142nd, Seattle, WA.

Dated: August 18, 1981
By: James C. Scott
Executive Director

STATEMENT OF PURPOSE

Rule: New section WAC 139-46-010, Supervisory Certification of Law Enforcement Personnel.

Agency: Washington State Criminal Justice Training Commission.

General Purpose of Rule: The purpose of this rule is to ensure that newly appointed or promoted first-level supervisors (generally, sergeants) of local law enforcement agencies, possess the basic knowledge and skills required by, and unique to, the supervisor's role.

Description, Summary, and Statutory Authority for Rule: This rule requires that new law enforcement supervisors obtain the Training Commission's supervisory certification either prior to or within 12 months of assuming such position. It applies to such assumption occurring on or after January 1, 1982, and prescribes two training components which must be completed for certification. The authority to adopt this rule, which has been recommended by the Training Commission's Board on Law Enforcement Training Standards and Education, is provided by RCW 43.101.160.

Responsible Agency Personnel: The following personnel of the Washington State Criminal Justice Training Commission have responsibility for drafting, implementing and enforcing this rule: James C. Scott, Executive Director and Garry E. Wegner, Assistant Director, Washington State Criminal Justice Training Commission, Mailstop PW-11, Olympia, WA 98504, Phone (206) 753-7450.

NEW SECTION

WAC 139-46-010 SUPERVISORY CERTIFICATION OF LAW ENFORCEMENT PERSONNEL. (1) For purposes herein, the term "first-level supervisory position" is defined as a position above operational level for which commensurate pay is authorized, and is occupied by a law enforcement officer who, in the upward chain of command, principally is responsible for the direct supervision of non-supervisory employees of a department or is subject to assignment of such responsibilities and most commonly is the rank of sergeant.

(2) Every law enforcement officer promoted, appointed, or transferred to a first-level supervisory position on or after January 1, 1981, shall obtain the supervisory certification of the Washington State Criminal

Justice Training Commission prior to, or within 12 months after, such promotion, appointment, or transfer. The requirements for supervisory certification are:

(a) possession of the basic law enforcement certificate or basic equivalency certificate, or the Washington State Criminal Justice Training Commission; and

(b) successful completion of the Training Commission's 40-hour "First-Level Supervision" course or other supervisory training deemed the equivalent thereof by the Board on Law Enforcement Training Standards and Education.

(3) It shall be the responsibility of the employing agency to ensure compliance by its supervisory personnel with the above provisions. No waiver of, or variance in, such provisions shall be granted unless approved by the Board on Law Enforcement Training Standards and Education upon the written request of the applicant for supervisory certification.

WSR 81-17-069
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1695—Filed August 19, 1981]

I, David A. Hogan, Director, Division of Administration of the Department of Social and Health Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd ch. 388-08 WAC Fair hearings.

Amd WAC 388-33-377 Grant continuation pending fair hearing.

This action is taken pursuant to Notice No. WSR 81-14-041 filed with the code reviser on June 29, 1981. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 34.04.020 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 12, 1981.

By David A. Hogan
Director, Division of Administration

AMENDATORY SECTION (Amending Order 768, filed 1/10/73)

WAC 388-08-002 FAIR HEARING—STATUTORY BASIS. ((†) The right to a fair hearing established by RCW 74.08.070 applies to all applicants for or recipients of benefits, assistance and/or services authorized by Title 74 RCW.

(2) The right to a fair hearing may be exercised by an individual feeling himself aggrieved by lack of a reasonably prompt decision or a decision of the department or its local office in respect to his claim for assistance or

service authorized by Title 74 RCW, or aggrieved by department policy as it affects his situation.

(3) A comparable right is established by RCW 74.15-.130 for any child welfare agency (legally defined as including a foster home) which believes its application for a license was improperly denied or whose license was suspended, revoked, or not renewed.

(4) In the absence of a superior court order or final decree of divorce the right to a fair hearing is provided by RCW 74.20A.050 for any individual alleging defenses to liability for debts accrued and/or accruing for child support based on public assistance paid to or for dependent children, as established by the notice of the secretary pursuant to chapter 74.20A RCW:)) An applicant for or recipient of public assistance who is aggrieved by a decision of the department has the right to a fair hearing except he or she has no right to a fair hearing to appeal a decision when either state or federal law requires automatic grant or assistance adjustments for classes of recipients unless the reason for an individual appeal is incorrect grant or assistance computation. This right is established in RCW 74.08.070.

(1) An applicant has the right to a fair hearing to appeal a department decision denying his/her application for assistance or to appeal the department's not acting on his/her application with reasonable promptness.

(2) A recipient has the right to a fair hearing to appeal a department decision to terminate, suspend, or reduce his/her assistance or a decision to pay a grant through a protective payee.

AMENDATORY SECTION (Amending Order 768, filed 1/10/73)

WAC 388-08-405 WITHDRAWAL—DISMISSAL—SETTLEMENT. ((†) A petitioner in a fair hearing, contested case, or license hearing shall have the right to withdraw at any time prior to the decision by filing a written notice with the department or its hearing officer.

(2) If after receiving a notice of a hearing, a petitioner, his attorney or other designated representative fails to appear and does not respond within fifteen days to a letter of inquiry, the hearing request shall be considered abandoned.

(3) An appeal may be concluded by a written stipulated settlement entered into by the appellant with the department:)) (1) The hearings examiner may deny or dismiss a request for a fair hearing:

(a) Where it has been withdrawn by the appellant in writing, or

(b) Where the sole issue is one of state or federal law requiring automatic grant adjustments for classes of recipients, or

(c) Where the appellant has abandoned the request for a hearing. If the appellant fails to appear at a hearing in person or by representative without good cause the hearings examiner shall deem the appellant to have abandoned the appeal. Where the request has been dismissed as abandoned and the appellant wants the request to be reinstated, the appellant must petition to have the request reinstated within fifteen days of the date the order of dismissal was mailed by the hearings

examiner. The petition must state good cause for the failure to appear at the hearing.

(2) An appeal may be concluded by a written stipulated settlement signed by the appellant (or his/her representative) and signed by the department and approved by the examiner.

AMENDATORY SECTION (Amending Order 1640, filed 4/20/81)

WAC 388-33-377 GRANT CONTINUATION PENDING FAIR HEARING. (1) When a recipient of medical benefits, AFDC, refugee assistance, general assistance continuing and/or services files a request for fair hearing according to chapter 388-08 WAC within the advance notice period, assistance shall not be suspended, reduced, or terminated; except assistance shall not be continued when the sole issue is one of state or federal law requiring automatic grant adjustments for classes of recipients, unless the reason for an individual appeal is incorrect grant, benefit, or service computation. Assistance will also not be continued if an automatic grant adjustment required either by state or federal law results in termination of a program.

(2) When a recipient requests a fair hearing within the advance notice period to appeal the department's planned action to reduce, suspend, or terminate assistance, which is not an automatic grant adjustment required by either state or federal law, the determination of whether the issue is one of policy or is an issue of fact or judgment will be determined at the fair hearing by the hearing examiner.

(a) If there is an issue of fact or judgment including the correctness of application of the department's rules and policy, assistance will then continue through the month in which a fair hearing decision is rendered.

(b) If the issue is one of policy, assistance is discontinued at the end of the month in which the hearing is held. The department shall promptly inform the client in writing if assistance will not be continued, based on the ((above)) determination that the issue is one of policy.

(3) Assistance shall be reinstated in any case where the notice to reduce, suspend or terminate ((the grant)) does not require advance notice, if the recipient requests a fair hearing within ten days of the mailing of the notice of action. Subsections (1) and (2) of this section apply.

(4) Assistance shall not be continued under the provisions in this section if the ((claimant)) appellant requests in writing that assistance not be continued, or if the request is withdrawn in writing by the claimant or abandoned.

(5) When the appellant requests a delay in the hearing, the hearing examiner shall determine the reasonableness of the request and whether assistance will be continued during the extended period. Assistance shall be discontinued if the hearing examiner determines that the hearing has been unreasonably delayed by the appellant.

WSR 81-17-070
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Order 365—Filed August 19, 1981]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the adoption of an emergency rule lifting logging restrictions on lands protected by the Department of Natural Resources in parts of its Southwest Area effective immediately.

I, Brian J. Boyle, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to existing and predicted weather conditions, the area defined above included in a modified logging shutdown are no longer exposed to extreme fire danger.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.150, 76.04.190 and 76.04.200 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 19, 1981.

By Brian J. Boyle
 Commissioner of Public Lands

NEW SECTION

WAC 332-26-517 LIFTING MODIFIED SHUTDOWN IN PARTS OF WESTERN WASHINGTON UNDER THE PROTECTION OF THE DEPARTMENT OF NATURAL RESOURCES IN PART OF ITS SOUTHWEST AREA.

Effective immediately, Wednesday, August 19, 1981, restrictions on all logging, land clearing, and other industrial operations which may cause a forest fire to start are lifted.

Restrictions are lifted in zones 621E and 660 in Clark, Cowlitz, Skamania, and Lewis Counties.

WSR 81-17-071
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
DISTRICT 23

[Memorandum—August 13, 1981]

Please be advised that the Board of Trustees of Edmonds Community College District 23, at its meeting this date,

established the third Thursday of each month at 1:30 p.m. as its regular meeting date and time. These dates are for the 81-82 academic year.

WSR 81-17-072
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the amending of WAC 173-530-940, Declaration of withdrawal. This section is part of chapter 173-530 WAC, Water resources program in the Klickitat River Basin, WRIA-30;

that such agency will at 7:00 p.m., Thursday, September 24, 1981, in the Klickitat County PUD Auditorium, 1313 South Columbus, Goldendale, WA, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, September 30, 1981, in Room 284, Department of Ecology, Headquarters Office, St. Martin's College Campus, Lacey, Washington.

The authority under which these rules are proposed is RCW 90.54.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 28, 1981, and/or orally at the hearing above.

Dated: August 17, 1981
By: John F. Spencer
Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-530-940, Declaration of Withdrawal. This section is part of chapter 173-530 WAC, Water Resources Program in the Klickitat River Basin, WRIA-30.

Description of purpose: To extend the withdrawal of public waters from appropriation during pendency of Little Klickitat River adjudication.

Statutory authority: RCW 90.54.050.

Summary of rule: The amendment extends the withdrawal of the unappropriated public waters of the Little Klickitat River Basin from November 1, 1981 to November 1, 1983 or until a state water resources management program has been adopted for the river basin as provided in chapter 173-500 WAC.

Reasons supporting proposed action: The withdrawal of public waters from appropriation is extended during the pendency of the Little Klickitat River adjudication.

Agency personnel responsible for drafting: Gene Wallace, Department of Ecology,

Olympia, 753-2829; implementation and enforcement: Russ Taylor, Department of Ecology, Yakima, (509) 575-2491.

Person or organization proposing rule, and whether public, private, or governmental: Department of Ecology, state government.

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: None.

Whether rule is necessary as a result of federal law or federal or state court action: No.

AMENDATORY SECTION (Amending Order DE-78-18, filed 10/17/78)

WAC 173-530-940 **DECLARATION OF WITHDRAWAL.** The department declares that, after the effective date hereof, the public waters of the Little Klickitat River Basin are withdrawn from further appropriation until November 1, ((+1981)) 1983 or until a state water resources management program has been adopted for the Little Klickitat River Basin as provided in chapter 173-500 WAC, whichever occurs first. After the effective date of the regulation for the withdrawal, the department will continue to accept applications for water rights in the basin, as provided in RCW 90.03.250 and 90.44.060; however, no actions of approval or disapproval of these application shall be made by the department during the time the withdrawal is in effect except as provided for in WAC 173-530-960.

Reviser's Note: RCW 34.04.058 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 81-17-073
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the amending of WAC 173-19-120, Chelan County; 173-19-2521, Seattle, City of and 173-19-470, Yakima County;

that such agency will at 2:00 p.m., Tuesday, September 22, 1981, in the Hearings Room, Department of Ecology, Air and Land Offices, 4224 Sixth Avenue S.E., Lacey, WA, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Thursday, October 1, 1981, in Room 273, Department of Ecology, Headquarters Office, St. Martin's College Campus, Lacey, Washington.

The authority under which these rules are proposed is RCW 90.48.120 and 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 30, 1981, and/or orally at the hearing above.

Dated: August 17, 1981
By: John F. Spencer
Deputy Director

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-120, Chelan County; 173-19-2521, Seattle, City of and 173-19-470, Yakima County.

Description of purpose: Adoption of revised shoreline master programs into state master program, chapter 173-19 WAC.

Statutory authority: RCW 90.58.120 and 90.58.200.

Summary of rule: The amendments adopt revisions to shoreline master programs for Chelan County, City of Seattle and Yakima County.

Reasons supporting proposed action: Shoreline master programs and revisions thereto are developed by local government and submitted to the Department of Ecology for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency personnel responsible for drafting, implementation and enforcement: Susan Wenke, Department of Ecology, Mailstop PV-11, Olympia, WA 98504, 753-4388.

Person or organization proposing rule, and whether public, private, or governmental: Department of Ecology, state government and local government.

Agency comments or recommendations regarding statutory language, implementation, enforcement, fiscal matters: None.

Whether rule is necessary as a result of federal law or federal or state court action: No.

AMENDATORY SECTION (Amending Order DE 81-23, filed 7/20/81)

WAC 173-19-120 CHELAN COUNTY. Chelan County master program approved April 22, 1975. Revision approved June 26, 1980. Revision approved July 15, 1981. Revision approved October 1, 1981.

AMENDATORY SECTION (Amending Order DE 81-12, filed 5/15/81)

WAC 173-19-2521 SEATTLE, CITY OF. City of Seattle master program approved June 30, 1976. Revision approved March 11, 1977. ~~Revision approved August 12, 1980.~~ Revision approved September 10, 1980. Revision approved February 24, 1981. Revision approved May 14, 1981. Revision approved October 1, 1981.

AMENDATORY SECTION (Amending Order DE 81-1, filed 2/27/81)

WAC 173-19-470 YAKIMA COUNTY. Yakima County master program approved September 5, 1974. Revision approved September 8, 1977. Revision approved February 24, 1981. Revision approved October 1, 1981.

WSR 81-17-074
PROPOSED RULES
DEPARTMENT OF GAME
(Game Commission)
[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 42.30 RCW, that the State Game Commission intends to adopt, amend, or repeal rules concerning:

New	WAC 232-28-20402	Deletion of Klickitat County from the general buck season (only buck deer with visible antlers) October 10 to November 1 and November 19 to 22, all dates inclusive as listed in the 1981 hunting seasons and game bag limits pamphlet.
Amd	WAC 232-12-011	Wildlife classified as protective wildlife.
Amd	WAC 232-12-014	Wildlife classified as endangered species.
Amd	WAC 232-12-154	Juvenile fishing waters.
Amd	WAC 232-12-157	Steelhead fishing permit—Punch card.
Amd	WAC 232-12-804	Description of central and field organization of the Department of Game.
Amd	WAC 232-12-806	Operations and procedures.
Amd	WAC 232-12-810	Public records officer.
Amd	WAC 232-12-814	Requests for public records.
Amd	WAC 232-12-820	Review of denials of public records requests.
Amd	WAC 232-12-824	Records index.
Rep	WAC 232-12-802	Definitions.
Rep	WAC 232-12-808	Public records available.
Rep	WAC 232-12-812	Inspection and copying hours.
Rep	WAC 232-12-818	Exemptions.
Rep	WAC 232-12-822	Protection of public records.
Rep	WAC 232-12-826	Address for request;

that such agency will at 9:00 a.m., Monday, October 5, 1981, in the Black Angus Motor Inn, 107 North 2nd, Walla Walla, WA 99362, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Monday, October 5, 1981, in the Black Angus Motor Inn, 107 North 2nd, Walla Walla, WA 99362.

The authority under which these rules are proposed is RCW 77.12.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 5, 1981, and/or orally at 9:00 a.m., Monday, October 5, 1981, Black Angus Motor Inn, 107 North 2nd, Walla Walla, WA 99362.

Dated: August 19, 1981

By: Wallace F. Kramer
Chief, Wildlife Enforcement Division

STATEMENT OF PURPOSE

Title: New Section WAC 232-28-20402
Deletion of Klickitat County from the general buck season (only buck deer with visible antlers) October 10 to November 1 and November 19 to 22, all dates inclusive as listed in the 1981 hunting seasons and game bag limits pamphlet. Amendatory Sections WAC 232-12-011 Wildlife classified as protective wildlife; 232-12-014 Wildlife classified as endangered species; 232-12-154

Juvenile fishing waters; 232-12-157 Steelhead fishing permit—Punch card; 232-12-804 Description of central and field organization of the Department of Game; 232-12-806 Operations and procedures; 232-12-810 Public records officer; 232-12-814 Requests for public records; 232-12-820 Review of denials of public records requests; and 232-12-824 Records index. Repealing WAC 232-12-802 Definitions; 232-12-808 Public records available; 232-12-812 Inspection and copying hours; 232-12-818 Exemptions; 232-12-822 Protection of public records; and 232-12-826 Address for request.

Summary: Adopts new section and amends sections relating to protection, and perpetuation of the wildlife resources as outlined in the text of each section listed.

Reasons in Support of Rule: To properly manage the wildlife resource, and update existing rules.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Wallace F. Kramer, Chief, Wildlife Enforcement Division, Department of Game, 600 N. Capitol Way, Olympia, WA 98504, Telephone: 753-5740.

Person or Organization Proposing Rule: Washington State Department of Game, 600 N. Capitol Way, Olympia, WA 98504.

Agency Comments or Recommendations: None.

Is Rule Required by Federal Law, Federal Court Action or State Court Action: No.

NEW SECTION

WAC 232-28-20402 DELETION OF KLICKITAT COUNTY FROM THE GENERAL BUCK SEASON (ONLY BUCK DEER WITH VISIBLE ANTLERS) OCTOBER 10 TO NOVEMBER 1 AND NOVEMBER 19 TO 22, ALL DATES INCLUSIVE AS LISTED IN THE 1981 HUNTING SEASONS AND GAME BAG LIMITS PAMPHLET. Notwithstanding the provisions of WAC 232-28-204, Klickitat County is deleted from the general buck season (only buck deer with visible antlers) October 10 to November 1 and November 19 to 22, all dates inclusive as listed in the 1981 Hunting Seasons and Game Bag Limits pamphlet.

AMENDATORY SECTION (Amending Order No. 165, filed 6/1/81)

WAC 232-12-011 WILDLIFE CLASSIFIED AS PROTECTED WILDLIFE. ((Protected wildlife includes all wild birds not classified as game birds or predatory birds and grizzly bear, *Ursus arctos*; caribou, *Rangifer tarandus*; sea otter, *Enhydra lutris*; fur seal, *Callorhinus ursinus*; fisher, *Martes pennanti*; wolverine, *Gulo luscus*; gray squirrel, *Sciurus griseus* and *carolinensis*; Douglas squirrel, *Tamiasciurus douglasii*; red squirrel, *Tamiasciurus hudsonicus*; flying squirrel, *Glaucomys sabrinus*; golden-mantled ground squirrel, *Callospermophilus saturatus*; chipmunks, *Eutamias*, all species found wild in Washington; cony or pika, *Ochotona princeps*; hoary marmot, *Marmota caligata* and *olympus*; pigmy rabbit, *Sylvilagus idahoensis*; fox squirrel, *Sciurus niger*; all wild turtles not otherwise classed as endangered species; mammals of the order Cetacea including whales, porpoises and mammals of the suborder Pinnipedia not otherwise designated as endangered species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.))

Protected wildlife includes: Preble's shrew, *Sorex preblei*; masked shrew, *Sorex cinereus cinereus*; masked shrew, *Sorex cinereus streatori*; Marriam's shrew, *Sorex merriami*; pygmy shrew, *Microsorex hoyi*; Keen's myotis, *Myotis keenii*; long-eared myotis, *Myotis evotis*; fringed myotis, *Myotis thysanodes*; long-legged myotis, *Myotis volans*; small-footed myotis, *Myotis leibi*; silver-haired bat, *Lasionycteris noctivagans*; western pipistrelle, *Pipistrellus hesperus*; hoary bat, *Lasiurus cinereus*; Townsend's big-eared bat, *Plecotus townsendii*; pallid bat, *Antrozous pallidus*; pygmy rabbit, *Sylvilagus idahoensis*; Olympic marmot, *Marmota olympus*; Washington ground squirrel, *Spermophilus washingtoni*; western gray squirrel, *Sciurus griseus*; northern flying squirrel, *Glaucomys sabrinus*; northern picket gophers, *Tomomys talpoides douglasi* and *limosus*; western pocket gophers, *Thomomys mazama couchi*, *T. m. glacialis*, *T. m. louiei*, *T. m. melanops*, *T. m. tacomensis*, and *T. m. tumuli*; Ord's kangaroo rat, *Dipodomys ordii*; northern grasshopper mouse, *Onychomys leucogaster*; Kinkaid meadow vole, *Microtus pennsylvanicus kinkaidi*; gray-tailed vole, *Microtus canicaudus*; sagebrush vole, *Lagurus curtatus*; northern bog lemming, *Synaptomys borealis*; western jumping mouse, *Zapus princeps*; fisher, *Martes pennanti*; wolverine, *Gulo gulo*. Mammals of the order Cetacea including whales, porpoises and mammals of the suborder Pinnipedia not otherwise designated as endangered species are protected wildlife. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear. Protected wildlife also includes: all wild birds not classified as game birds, predatory birds, or endangered species; all wild turtles not classified as endangered species; sagebrush lizard, *Sceloporus graciosus*; desert horned lizard, *Phrynosoma platyrhinos*; souther alligator lizard, *Gerrhonotus multicarinatus*; rubber boa, *Charina bottae*; ringneck snake, *Diadophis punctatus*; sharptail snake, *Contia tenuis*; striped whipsnake, *Masticophis taeniatus*; Pacific gopher snake, *Pituophis melanoleucus catenifer*; California mountain kingsnake, *Lampropeltis zonata*; night snake, *Hypsiglena torquata*; blotched tiger salamander, *Ambystoma tigrinum*; Pacific giant salamander, *Dicamptodon ensatus*; Cope's salamander, *Dicamptodon copei*; Olympic salamander, *Rhyacotriton olympicus*; Dunn's salamander, *Plethodon dunni*; Van Dyke's salamander, *Plethodon vandykei*; larch mountain salamander, *Plethodon larselli*; tailed frog, *Ascaphus truei*; Woodhouse's toad, *Bufo woodhousei*; Lake Crescent whitefish, *Prosopium snyderi*; pygmy whitefish, *Prosopium coulteri*; Olympic mudminnow, *Novumbra hubbsi*; lake chub, *Couesius plumbeus*; brassy minnow, *Hybognathus hankinsoni*; Oregon chub, *Hybopsis crameri*; Puget Sound longnose sucker, *Catostomus* sp. cf. *catostomus*; mountain sucker, *Catostomus platyrhynchus*; sand roller, *Percopsis transmontanus*; black stickleback, *Gasterosteus aculeatus microcephalus*; Lake Washington dwarf pelagic sculpin, *Cottus* sp. cf. *aleuticus*; slimy sculpin, *Cottus cognatus*; margined sculpin, *Cottus marginatus*; giant Columbia River limpet, *Lanx nuttalli*; giant Columbia spire snail, *Lithoglyphus columbiana*; Beller's ground beetle, *Agonum belleri*; long-horned leaf beetle, *Nodacia idola*; Columbia River tiger beetle, *Cicindela columbica*; click beetle, *Eanus hatchii*; Oregon silver spot fritillary, *Speyeria zerene hippolyta*.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 165, filed 6/1/81)

WAC 232-12-014 WILDLIFE CLASSIFIED AS ENDANGERED SPECIES. Endangered species include: Columbian white-tailed deer, *Odocoileus virginianus leucurus*; Blue whale, *Balaenoptera musculus*; Bowhead whale, *Balaena mysticetus*; Finback whale, *Balaenoptera physalus*; Gray whale, *Eschrichtius gibbosus*; Humpback whale, *Megaptera novaeangliae*; Right whale, *Balaena glacialis*; Sei whale, *Balaenoptera borealis*; Sperm whale, *Physeter catodon*; Wolf, *Canis lupus*; American peregrine falcon, *Falco peregrinus anatum*; Arctic peregrine falcon, *Falco peregrinus tundrius*; Aleutian Canada goose, *Branta canadensis leucopareia*; Brown pelican, *Pelecanus occidentalis*; ((Green sea turtle, *Chelonia mydas*);) Leatherback sea turtle, *Dermochelys coriacea*; ((Olive (Pacific) Ridley sea turtle, *Lepidochelys olivacea*);) Grizzly bear, *Ursus arctos horribilis*; Sea Otter, *Enhydra lutris*; Mountain caribou, *Rangifer tarandus montanus*; White pelican, *Pelecanus erythrorhynchos*; Peale's peregrine falcon, *Falco peregrinus pealei*; Sandhill crane, *Grus canadensis*; Snowy

plover, Charadrius alexandrinus ; Upland sandpiper, Bartramia longicauda .

AMENDATORY SECTION (Amending Order No. 165, filed 6/1/81)

WAC 232-12-154 JUVENILE FISHING WATERS. It is unlawful for a person over ~~((fourteen))~~ thirteen or fifteen years of age to fish in waters designated for juvenile fishing only.

AMENDATORY SECTION (Amending Order No. 165, filed 6/1/81)

WAC 232-12-157 STEELHEAD FISHING PERMIT—PUNCH CARD. (1) It is unlawful for a person, except a treaty Indian possessing a valid federal or treaty fishing identification card, to fish for steelhead trout without having in their immediate possession a valid steelhead fishing permit.

(2) Upon taking a steelhead trout over twenty inches in length, the holder of a steelhead fishing permit must immediately remove from the card one punch and enter on the corresponding space the date of the catch and the name of the water in which the fish was caught, except in waters designated as "Selective Fishery," "Catch and Release" or "Fly Fishing Only—barbless hooks" by the commission, it is not necessary to remove a punch from the steelhead punch card, if the fish is released.

(3) Every person possessing a steelhead fishing permit must, by June 1, following the period for which it was issued, return that permit to an authorized license dealer or the department.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 42, filed 7/19/73)

WAC 232-12-804 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE DEPARTMENT OF GAME. The headquarters ~~((and administrative office))~~ of the Department of Game, ~~((and))~~ the director and the administrative staff is located at 600 No. Capitol Way, Olympia, Washington, 98504. In addition, the department has ~~((eight))~~ six regional offices, ~~((located throughout the state;))~~ each of which supervises department activities within its respective area. Their locations are:

~~((N-8702 Division Street))~~
~~((Spokane, WA 99218))~~

~~((1540 Alder St. N.W.))~~
~~((Ephrata, WA 98823))~~

~~((2801 Naches Highway))~~
~~((Yakima, WA 98902))~~

~~((1100 E. College Way))~~
~~((Mt. Vernon, WA 98273))~~

~~((509 Fairview Avenue North))~~
~~((Seattle, WA 98109))~~

~~((600 No. Capitol Way))~~
~~((Olympia, WA 98504))~~

<u>Region 1</u>	<u>North 8702 Division Street</u> <u>Spokane, WA 99218</u>
<u>Region 2</u>	<u>1540 Alder Street N.W.</u> <u>Ephrata, WA 98823</u>
<u>Region 3</u>	<u>2802 Fruitvale Blvd.</u> <u>Yakima, WA 98902</u>
<u>Region 4</u>	<u>509 Fairview Ave. North</u> <u>Seattle, WA 98109</u>
<u>Region 5</u>	<u>5405 N.E. Hazel Dell Ave.</u> <u>Vancouver, WA 98663</u>
<u>Region 6</u>	<u>905 E. Heron</u> <u>Aberdeen, WA 98520</u>

~~((These will be consolidated during the 1973-75 biennium and thereafter operate as district offices.))~~

~~((5405 N.E. Hazel Dell))~~
~~((Vancouver, WA 98663))~~

~~((905 East Heron))~~
~~((Aberdeen, WA 98520))~~

~~((There are two district offices located at:))~~

~~((2925 East Isaacs))~~
~~((Walla Walla, WA 99362))~~

~~((P.O. Box 1612))~~
~~((Wenatchee, WA 98801))~~

~~((which are public information centers and also serve as supply depots for field regions. There are only minimal staffs at the district offices.))~~

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 42, filed 7/19/73)

WAC 232-12-806 OPERATIONS AND PROCEDURES. ~~((The Department of Game is that public service agency whose purpose is to preserve, protect, perpetuate and enhance wildlife through regulations and sound continuing programs, to provide the maximum amount of wildlife-oriented recreation for the people of the state.~~

~~As established in 1933, the present state Game Commission consists of six members appointed by the governor. They serve a term of six years each and terms are so arranged that appointments of two members expire every two years. By law, three commissioners are from eastern Washington and three from western Washington. The commission establishes regulations, sets overall policies, and appoints the Director of Game. The director is in charge of the department and directly responsible to the Game Commission. Aside from director, director's secretary, and commission secretary, all department personnel are hired through the Merit System administered by the state Department of Personnel.~~

~~Organization of the Game Department is of the line and staff type. Two assistant directors aid in operation and administration. Also on the staff are six division chiefs who head up areas of program responsibility. Complementing the staff is a planning group responsible for integrating division activities, evaluating programs and projects, and projecting future need and demand.~~

~~The key line officers are the regional supervisors who head up administration and plan implementation in each of the state's eight management regions. Each regional supervisor maintains a local office and is assisted by a supervisory staff. Regions are divided into districts and a wildlife agent is responsible for all Game Department activities within a particular district.~~

~~The six Game Department divisions which carry out all details necessary to implement a plan for perpetual use of game species are as follows:~~

~~Game Management Division is responsible for direct manipulation of pressure upon game animals and birds, and has management authority over a wide variety of nongame animals and birds, including fur-bearing animals and control of game damage. To carry out field research and provide local game management, there is at least one game biologist stationed in each of the eight management regions.~~

~~Fishery Management Division is responsible for research, propagation and planting of all game fish in Washington. The authority to improve and conserve game fish habitat also falls within their jurisdiction.~~

~~Division of Wildlife Management is charged with community relations and enforcement of all game laws and regulations. Employing about 100 wildlife agents, the primary function of this division's personnel is prevention of game violations and community relations on an individual basis.~~

~~Environmental Management Division is not only responsible for land acquisition and operation of the state's 36 Wildlife Recreation Areas, but also for detailed game and fish species research and mitigation of wildlife losses caused by the construction of hydroelectric projects.~~

~~Engineering and Construction Division is responsible for the design, construction and maintenance of the Game Department's fifty million dollars worth of installations and equipment. Hatcheries, game farms, Wildlife Recreation Area facilities, public access areas, fish protective screens — all of these must be planned, built and maintained so that the department may effectively accomplish its goals.~~

Fiscal and Management Services Division maintains all accounting and bookkeeping records, prepares payrolls, and maintains cost account records for the entire Game Department operation. Public information, environmental education and personnel are also functions under this division. License sales are an important component of departmental functioning since the department's operating revenue come primarily from the sale of hunting and fishing licenses. To properly serve the sporting public, approximately 900 license dealerships are located statewide. All are directly accountable to this division for license sales and receipts.

The organization and management system of the Washington State Game Department under Game Commission policy direction is a team effort that directs all programs and employees toward the common goal of an agency responsive to public need in preserving and enhancing the wildlife resources while providing recreation opportunity.

The Director of Game has two staffs. One consists of divisional chiefs or can be considered his Olympia staff, who develop plans and programs which, after approved, are instituted into field operations. The director's field staff consists of eight regional supervisors, who are responsible for implementation of all departmental plans, programs and policies.

From studies of field personnel, Regional Supervisors make recommendations to the director and state Game Commission regarding hunting and fishing seasons, land acquisitions and local management programs. Altogether, the department employs about 450 permanent, and 60-70 temporary personnel. Seasonal peak needs in game farm and hatchery operations account for most temporary employment.

The Game Commission through public meetings establishes all rules and regulations that govern departmental activities. This includes hunting and fishing seasons, land acquisitions, rules and regulations, local management programs, and coordination with other federal, state, county, or city programs. The Game Commission is required by law to hold four statutory meetings which occur on the first Mondays of January, April, July, and October of each year. In addition, they hold other meetings to meet the needs of the public and will average 12 to 13 meetings per year. These meetings are announced ahead of time as required by law. The additional meetings beyond those required by statute are held in various communities throughout the state to give the commission a broad view of public interest. The composition of the Department of Game is described in RCW 77.04.020, .030, .040, .060, .080 and .090 as revised July 1, 1981. The commission establishes rules, sets overall policies, and appoints the Director of Game. The director is in charge of the department and directly responsible to the Game Commission. Except for eight members of the director's administrative staff, in "exempt" status, all department personnel are hired through the Merit System administered by the state Department of Personnel.

A deputy director, three assistant directors and an administrative assistant constitute an executive policy committee. Five division chiefs are responsible for program development, planning and evaluation in the areas of enforcement, fish management, game management, habitat protection and engineering.

The key line officers are the regional administrators who head up administration and implementation of programs in each of the state's six regions.

The Department of Game operates within the framework of a strategic plan for each activity and wildlife resource category.

The Divisions:

Wildlife Management Division has management authority over game animals, game birds, a wide variety of protected wildlife, state endangered species, predatory wildlife and in some instances nonclassified animals such as coyotes, etc. They are responsible for prevention of wildlife damage, wildlife research, and upland bird production at three game farms. A comprehensive non-game plan has been developed and is funded through the personalized license fund.

Fishery Management Division is responsible for management, research, propagation and planting of all game fish in Washington. Through an annual process of analysis of fish populations in high use waters and the use of chemicals, waters are managed to produce optimum amounts or sizes of game fish.

Division of Wildlife Enforcement is responsible for community relations and enforcement of game laws and regulations. Employing about 100 wildlife agents, the primary function of this division's personnel is prevention of game violations and community relations on an individual basis, plus providing support to the fish, game, habitat, and other programs of the department.

Habitat Management Division is responsible for protection and enhancement of wildlife habitat on all lands and waters throughout the state. An Applied Ecology Section is involved in detailed research and mitigation negotiations with hydro projects. Management of the state's wildlife recreation areas, some 800,000 acres, is also the Habitat Division's responsibility.

Engineering Division is responsible for the design, construction and maintenance of the Game Department's installations and equipment including hatcheries, game farms, wildlife-recreation area facilities, public access areas, and fish protective screens.

A Fiscal Service Section under the supervision of an assistant director maintains accounting and bookkeeping records, prepares payrolls, and maintains cost account records for the entire Game Department operation. Purchasing, Duplicating & Printing, Licenses, involving approximately 900 dealers statewide, Transportation and Warehouse activities are also included.

A public information section is part of the administrative staff.

Through a process of public meetings and discussions with wildlife interest organizations, regional administrators make recommendations regarding hunting and fishing seasons and other matters. These are coordinated by the various divisions and presented by the director to the Game Commission. The Commission holds four statutory public meetings in various areas of the state in January, April, July and October of each year. Additionally meetings are also held in April and August and at other special times as needed.

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

AMENDATORY SECTION (Amending Order 42, filed 7/19/73)

WAC 232-12-810 PUBLIC RECORDS OFFICER. The department public records (~~shall be~~) are in charge of (~~the~~) a public records officer designated by the (~~department~~) director. The person so designated (~~shall be~~) is located in the administrative office of the department (~~:~~), 600 No. Capitol Way, Olympia, Washington. The public records officer (~~shall be~~) is responsible for the following: The implementation of the department's rules and regulations regarding release of public records, regarding the administration or enforcement of chapter 1, Laws of 1973 and these rules, coordinating the staff of the department in this regard, and generally insuring compliance by the staff with the public records and disclosure requirements of chapter 1, Laws of 1973.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 42, filed 7/19/73)

WAC 232-12-814 REQUESTS FOR PUBLIC RECORDS. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the 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 department which shall be available at its administrative office. The form shall be presented to the public records officer, or to any member of the department's staff, if the public records officer is not available, at the administrative office of the department during customary office hours~~) addressed to attention of the Department of Game public records officer. The request shall include the following information:

- (a) The name of the person requesting the record(~~:~~);
- (b) (~~The time of day and~~) The calendar date on which the request was made;
- (c) The nature of the request; and an appropriate description of the record requested.

(~~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 department'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~~) is the obligation of the public records officer or staff member to whom ~~(the)~~ a request is made to assist the member of the public in appropriately identifying the public record requested.

(3) No public record shall be allowed to be removed from a department office by anyone other than an officially authorized person.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 42, filed 7/19/73)

WAC 232-12-820 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) ~~((Any))~~ A 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 written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) ~~((Immediately after))~~ Upon receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall immediately refer it to the director, ~~((of the Department of Game:))~~ The director shall ~~((immediately))~~ consider the matter and within two business days either affirm or reverse such denial. ~~((In any case, the request shall be returned with a final decision, within two business days following the original denial:))~~

~~((3) Administrative remedies shall not be considered exhausted until the department has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first:))~~

(3) The public records officer shall promptly notify the petitioner of the decision and advise the petitioner of his rights pursuant to RCW 47.17.

AMENDATORY SECTION (Amending Order 42, filed 7/19/73)

WAC 232-12-824 RECORDS INDEX. The Department of Game, pursuant to RCW 42.17.260(3) amended at (by) chapter 294, Laws of 1975 1st ex. sess., hereby formally declares that to fully maintain the RCW 42.17.260(2) proscribed current index would unduly burden the agency's operations, ~~((because no))~~ No central or routing file currently exists.

~~((However:))~~ ~~((t))~~ The agency does fully maintain an index describing administrative staff manuals and instructions to staff which affect a member of the public. The ~~((agency does maintain a limited index for:))~~ index includes:

(1) statements of policy and interpretations of policy which have been adopted by the agency

(2) planning policies and goals and interim and final decisions

(3) factual staff reports and studies, factual consultant reports and studies, scientific reports and studies, and other factual information derived from test studies, reports and surveys

(4) correspondence and materials referred to therein by or with the agency relating to ~~((any))~~ regulatory, supervisory or enforcement responsibilities of the agency whereby the agency determines or opines upon or is asked to opine upon the rights of the state, the public, and private parties.

~~((To facilitate identification and production of a public record, the department also maintains an organizational chart with general duties descriptions whereby given the subject matter, the records can be identified and procured by the applicable departmental employee:))~~

Reviser's Note: RCW 34.04.058 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:

(1) WAC 232-12-802 DEFINITIONS

(2) WAC 232-12-808 PUBLIC RECORDS AVAILABLE

(3) WAC 232-12-812 INSPECTION AND COPYING HOURS

(4) WAC 232-12-818 EXEMPTIONS

(5) WAC 232-12-822 PROTECTION OF PUBLIC RECORDS

(6) WAC 232-12-826 ADDRESS FOR REQUEST

WSR 81-17-075

**WITHDRAWAL OF PROPOSED RULES
MEDICAL DISCIPLINARY BOARD**

[Filed August 19, 1981]

Notice is hereby given that the Medical Disciplinary Board withdraws the Notice of Intention to Adopt, Amend, or Repeal Rules concerning the election of board members and the repeal of WAC 320-18-010 as set forth in WSR 81-17-053. The board intends to schedule a new hearing in this matter at a later time. The open public meeting and rules hearing scheduled for September 25, 1981 in Spokane, Washington is cancelled.

Dated: August 19, 1981

By: John H. Keith
Assistant Attorney General
Board Counsel

WSR 81-17-076

**PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Special allocations, instructions and requirements, chapter 392-140 WAC;

that such agency will at 9:00 a.m., Tuesday, September 22, 1981, in the State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 23, 1981, in the Executive Services Conference Room, State Modular Building, 7510 Armstrong Street S.W., Tumwater.

The authority under which these rules are proposed is RCW 28A.41.170.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at 9:00 a.m., Tuesday, September 22, 1981, State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater.

Dated: August 19, 1981

By: Frank B. Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-140 WAC; Finance—Special Allocations, Instructions and Requirements.

Rule Section(s): WAC 392-140-025 through 392-140-035.

Statutory Authority: RCW 28A.41.170.

Purpose of the Rule(s): To provide procedure and establish policy regarding the distribution of state categorical funds for special education.

Summary of the New Rule(s) and/or Amendments: WAC 392-140-025 provides definition of LEAP Document 3; 392-140-026 provides definition of derived base salary; 392-140-027 provides definition of classified average salary; 392-140-028 allocates state funds for certificated staff; 392-140-029 allocates state funds for classified staff; 392-140-030 allocates supplies and material; 392-140-031 allocates state funds on the basis of served eligible handicapped students; 392-140-032 allocates state funds for name and hospital; 392-140-033 allocates state funds for foster care; 392-140-034 provides ratable reductions in certain cases; and 392-140-035 requires certain reports.

Reasons Which Support the Proposed Action(s): Implementation of 1981-83 biennial budget.

Person or Organization Proposing the Rule(s): SPI, Government.

Agency Personnel Responsible For Drafting: Ralph E. Julnes, SPI Building, Room 1500, 753-2298; Implementation: Bob Munson, SPI Building, Room 1000, 753-0512; and Enforcement: Chas. McNurlin, SPI Building, Room 1000, 753-6742.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action or State Court Action: [No information supplied by agency]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): Is necessary to establish agency policy regarding distribution of state funds.

NEW SECTION

WAC 392-140-025 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—LEAP DOCUMENT 3. "LEAP Document 3" shall mean the formula unit worksheet establishing the ratios and percentage distribution of specified handicapping conditions that was developed by the legislative evaluation and accountability program (LEAP) committee on April 20, 1981, at 11:19 a.m.

NEW SECTION

WAC 392-140-026 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—CERTIFICATED DERIVED BASE SALARY. "Derived base salary" shall mean the salary shown in Bulletin 21-81, Financial Services, dated May 22, 1981.

NEW SECTION

WAC 392-140-027 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—DEFINITION—CLASSIFIED AVERAGE SALARY. "Classified average salary" shall mean the salary shown in Bulletin 21-81, Financial Services, dated May 22, 1981.

NEW SECTION

WAC 392-140-028 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—CERTIFICATED DERIVED BASE SALARY. State categorical special education funds shall be allocated using each local district's particular 1980-81 derived base salary and 1981-82 staff mix factor for certificated, special education program employees. The certificated staff mix factor used for certificated employees in each local district shall be determined using the same procedure described in WAC 392-121-121 and 392-121-125. The staff mix factor and average salary computations shall be based upon certificated employees with work assignments in the special education program.

NEW SECTION

WAC 392-140-029 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—CLASSIFIED AVERAGE SALARY. State categorical special education funds shall be allocated using each local district's particular 1980-81 average salary for classified, special education program, employees. The definition of "Full-time-equivalent classified employee" contained in WAC 392-121-115 shall be used to determine each district's special education average classified salary. Only employees with work assignments in the special education program should be included in such calculations.

NEW SECTION

WAC 392-140-030 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—SUPPLIES AND MATERIAL. State categorical special education funds for supplies and materials shall be allocated to school districts for eligible handicapped students served at the maximum distribution rate of \$57 per student per year for the 1981-82 school year and \$63 per student per year for the 1982-83 school year.

NEW SECTION

WAC 392-140-031 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—ELIGIBLE HANDICAPPED STUDENTS. State categorical special education funds shall be allocated in accordance with LEAP Document 3, as defined in WAC 392-140-025, for each served, eligible handicapped student as defined in:

- (1) WAC 392-171-381 (developmentally handicapped preschool students),
- (2) WAC 392-171-396 (orthopedically impaired students),
- (3) WAC 392-171-401 (health impaired students),
- (4) WAC 392-171-421 (mentally retarded students),
- (5) WAC 392-171-431 (multihandicapped students),
- (6) WAC 392-171-436 (deaf students),
- (7) WAC 392-171-441 (hard of hearing students),
- (8) WAC 392-171-446 (visually handicapped students), and
- (9) WAC 392-171-451 (deaf-blind students).

NEW SECTION

WAC 392-140-032 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—HOME AND HOSPITAL. State categorical special education funds shall be allocated to school districts for students eligible under WAC 392-171-486 temporarily requiring home and/or hospital care in 1981-82 and 1982-83 school years at a maximum reimbursement rate of \$45 per student per week or the actual cost per student per week, whichever is lesser, and for travel by school district staff providing such services at the maximum rate per mile that is now or hereafter authorized by law for state employees for the use of private vehicles in connection with state business.

NEW SECTION

WAC 392-140-033 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—FOSTER CARE. State categorical special education funds shall be allocated to school districts for eligible handicapped students served and requiring foster care who do not meet the department of social and health services eligibility standards. These categorical funds shall be allocated according to the following criteria:

(1) For each such eligible handicapped student who is under six years of age the district shall receive a maximum rate of reimbursement of \$219 a month or the actual cost per student per month, whichever is lesser;

(2) For each such eligible handicapped student who is six years of age and under thirteen years of age the district shall receive a maximum rate of reimbursement of \$251 a month or the actual cost per student per month, whichever is lesser;

(3) For each such eligible handicapped student who is thirteen years of age and under twenty-one years of age the district shall receive a maximum rate of reimbursement of \$279 per month or the actual cost per student per month, whichever is lesser; and,

(4) All ages referred to in this section shall be the age of each such eligible handicapped student on September 1 of the current school year.

NEW SECTION

WAC 392-140-034 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—MAXIMUM CONTROL FACTOR—PRORATION. The maximum rates of reimbursement or distribution specified in these sections, WAC 392-140-025 through 392-140-033 shall be allocated by the superintendent of public instruction to school districts unless state appropriations for these programs are insufficient and it is necessary for the superintendent of public instruction to prorate all or a portion of these funds appropriated for allocation to school districts for such programs. All such prorations, if necessary, shall be announced to school districts through official agency bulletins.

NEW SECTION

WAC 392-140-035 1981-83 STATE CATEGORICAL SPECIAL EDUCATION PROGRAM—REPORTING. (1) At such times as are designated by the superintendent of public instruction, each school district shall report the number of eligible handicapped students by each handicapping condition receiving special education according to instructions provided by the superintendent of public instruction.

(2) Each school district shall provide, upon request, such additional data as are necessary to enable the superintendent of public instruction to allocate and substantiate the district's allocation of special education funds.

WSR 81-17-077
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Special allocations, instructions and requirements, chapter 392-140 WAC;

that such agency will at 9:00 a.m., Tuesday, September 22, 1981, in the State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 23, 1981, in the Executive Services Conference Room, State Modular Building, 7510 Armstrong Street S.W., Tumwater.

The authority under which these rules are proposed is RCW 28A.41.170.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at

9:00 a.m., Tuesday, September 22, 1981, State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater.

Dated: August 19, 1981

By: Frank B. Brouillet
 Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-140 WAC Finance—Special Allocations, Instructions and Requirements.

Rule Section(s): WAC 392-140-040 and 392-140-041.

Statutory Authority: RCW 28A.41.170.

Purpose of the Rule(s): To provide procedure and establish policy regarding the distribution of categorical funds for residential schools.

Summary of the New Rule(s) and/or Amendments: Indicates funds shall be allocated to school districts operating residential schools by categorical funds provided by legislature and requires certain reports.

Reasons Which Support the Proposed Action(s): Implementation of 1981-83 biennial budget.

Person or Organization Proposing the Rule(s): SPI, Government.

Agency Personnel Responsible For Drafting: Ralph E. Julnes, SPI Building, Room 1500, 753-2298; Implementation: Bob Munson, SPI Building, Room 1000, 753-0512; and Enforcement: Chas. McNurlin, SPI Building, Room 1000, 753-6742.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action or State Court Action: [No information supplied by agency]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): Is necessary to establish agency policy regarding distribution of state funds.

NEW SECTION

WAC 392-140-040 1981-83 STATE CATEGORICAL RESIDENTIAL EDUCATIONAL PROGRAM—FUNDING. Residential educational programs operated by a school district shall be supported by funds appropriated by the legislature and allocated by the superintendent of public instruction for the exclusive purpose of maintaining and operating residential school program of education pursuant to RCW 28A.58.772.

NEW SECTION

WAC 392-140-041 1981-83 STATE CATEGORICAL RESIDENTIAL EDUCATIONAL PROGRAM—REPORTING. (1) At such times as when designated by the superintendent of public instruction, each school district operating a residential educational program shall report the number of eligible handicapped students by each handicapping condition receiving special education according to instructions provided by the superintendent of public instruction.

(2) Each school district operating a residential educational program shall provide, upon request, such additional data as are necessary to enable the superintendent of public instruction to allocate and substantiate the district's allocation of residential program funds.

**WSR 81-17-078
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**
[Filed August 19, 1981]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): Implements policy changes made by legislature.

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Emergency school closure, chapter 392-129 WAC;

that such agency will at 9:00 a.m., Tuesday, September 22, 1981 in the State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 23, 1981, in the Executive Services Conference Room, State Modular Building, 7510 Armstrong Street S.W., Tumwater.

The authority under which these rules are proposed is RCW 28A.41.170.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at 9:00 a.m., Tuesday, September 22, 1981, State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater.

Dated: August 19, 1981

By: Frank B. Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-129 WAC Finance—Emergency School Closure.

Rule Section(s): WAC 392-129-005, 392-129-010 and 392-129-015.

Statutory Authority: RCW 28A.41.170.

Purpose of the Rule(s): To provide conditions under which 180 day school year is reduced due to emergencies.

Summary of the New Rule(s) and/or Amendments: WAC 392-129-005 amendment strikes obsolete language; 392-129-010 defines meaning of the term "unforeseen conditions"; and 392-129-015 amendment makes technical change.

Reasons Which Support the Proposed Action(s): Implements changes made by 1981 session of legislature.

Person or Organization Proposing the Rule(s): SPI, Government.

Agency Personnel Responsible For Drafting: Ralph E. Julnes, SPI Building, Room 1500, 753-2298; Implementation: Perry G. Keithley, SPI Building, Room 1000, 753-1717; and Enforcement: Chas. McNurlin, SPI Building, Room 1000, 753-6742.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action or State Court Action: [No information supplied by agency]

AMENDATORY SECTION (Amending Order 80-3, filed 3/21/80)

WAC 392-129-005 PURPOSE AND CONSTRUCTION. This chapter shall govern a school district's entitlement to basic education allocation funds pursuant to RCW 28A.41.170 for any school year during which it is unable to conduct the minimum number of school days and/or program hour offerings required by law for the kindergarten program and/or the grade one through twelve program (or that portion offered by a district) by reason of one or more unforeseen ((emergencies)) conditions. The provisions of this chapter shall be narrowly construed by the superintendent of public instruction. ((The February, 1980 amendments to this chapter shall apply to the 1979-80 school year commencing September 1, 1979 and thereafter except as now or hereafter amended.))

AMENDATORY SECTION (Amending Order 80-3, filed 3/21/80)

WAC 392-129-010 DEFINITIONS. As used in this chapter, the term:

(1) "Unforeseen ((emergency)) conditions" shall mean a natural event, including but not necessarily limited to, a fire, flood, explosion, storm, earthquake, epidemic, ((riot, insurrection, community disaster, or act of God, or any combination of the foregoing, which acts as a principal cause for a school district's inability to conduct one or more scheduled school days and/or program hour offerings scheduled pursuant to chapter 180-16 WAC.)) volcanic eruption that has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable; and

An unforeseen mechanical failure or an unforeseen action or inaction by one or more persons, including negligence and threats, that (a) is beyond the control of both a school district board of directors and its employees and (b) has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable. Such actions, inactions, or mechanical failures may include, but are not necessarily limited to, arson, vandalism, riots, insurrections, bomb threats, bombings, delays in the scheduled completion of construction projects, and the discontinuance or disruption of utilities such as heating, lighting and water: PROVIDED, That an unforeseen action or inaction shall not include any labor dispute between a school district board of directors and any employee of the school district.

A condition is foreseeable for the purposes of this subsection to the extent a reasonably prudent person would have anticipated prior to August first of the preceding school year that the condition probably would occur during the ensuing school year because of the occurrence of an event or a circumstance which existed during such preceding school year or a prior school year. A board of directors of a school district if deemed for the purposes of this subsection to have knowledge of events and circumstances which are a matter of common knowledge within the school district and of those events and circumstances which can be discovered upon prudent inquiry or inspection.

(2) A "school day" shall mean a calendar day on which all students enrolled in the pre-school handicapped/kindergarten through twelfth grade program of a school district are scheduled for participation in educational activity which is planned, supervised, and conducted by or under the supervision of the school district certificated staff and on which day all, or any portion, of the students enrolled in the program actually commence participation in such educational activity.

(3) A "reasonable effort" shall, in the case of total district closures, mean the rescheduling and/or extension of the school district's instructional calendar in an effort to attain the minimum number of school days and program hour offerings accruing therefrom required by law by (a) extending the school year to and through at least June fourteenth and (b) the use of scheduled vacation days: PROVIDED, That in no case shall a district be deemed to have made a reasonable effort unless at least three school days and program hour offerings accruing therefrom, which have been lost by all the schools in the entire district by reason of one or more unforeseen ((emergencies)) conditions shall have in fact been made up.

AMENDATORY SECTION (Amending Order 80-3, filed 3/21/80)

WAC 392-129-015 SUPERINTENDENT'S DETERMINATION OF ELIGIBILITY. (1) Total district closures. If a reasonable effort has been made to make up all school days and program hour offerings accruing therefrom lost by all the schools in an entire district by reason of one or more unforeseen ((emergencies)) conditions, but fewer than the minimum number of school days and program hour offerings accruing therefrom required by law have been conducted, the school district will nevertheless be credited with full annual basic education allocation.

(2) Individual school closures. In the event that a district comprising more than one school is unable to operate a school for the minimum number of school days required by law to be conducted, the district may apply to the superintendent of public instruction or his designee for credit for its full annual basic education allocation. Such application shall be granted only upon a conclusive demonstration by the district to the satisfaction of the superintendent that one or more unforeseen ((emergencies)) conditions prevented the district from operating the school. If such conclusive demonstration is provided, the superintendent shall have the discretion to excuse such district from the obligation to make up such school days for that school and the program hours accruing therefrom; however such excuse for that school shall not exceed ((one)) two scheduled school days per incident nor three scheduled school days per school year.

(3) Whenever a district satisfies the definition of a school day specified in WAC 392-129-010(2) it also shall be deemed to have accrued all hours, as originally scheduled for that day, toward meeting its program hour offerings requirements.

AMENDATORY SECTION (Amending Order 80-3, filed 3/31/80)

WAC 392-129-020 RATE OF REDUCTION IN ANNUAL BASIC EDUCATION ALLOCATION. For each school day short of the minimum number of school days required by law which a school district fails to conduct by reason of one or more unforeseen ((emergencies)) conditions, and/or by reason of any other cause, and for which the school district is not entitled to its basic education allocation pursuant to this chapter, the superintendent of public instruction shall reduce the basic education allocation of the district for that school year by one one-hundred and eightieth in the case of total district closures. In the case of individual school closures such one-hundred and eightieth daily reduction in the district's basic education allocation shall be multiplied by that fraction resulting from dividing the full time equivalent student enrollment of such individual school by the full((=))time equivalent student enrollment of the district. Kindergarten and grade one through twelve programs shall be considered separately for the purpose of computing compliance with minimum school day and/or program hour offerings requirements and any loss of basic education allocation.

WSR 81-17-079
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Education of handicapped children, chapter 392-171 WAC;

that such agency will at 9:00 a.m., Tuesday, September 22, 1981 in the State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 23, 1981, in the Executive Services Conference Room, State Modular Building, 7510 Armstrong Street S.W., Tumwater.

The authority under which these rules are proposed is RCW 28A.41.170.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at 9:00 a.m., Tuesday, September 22, 1981, State Modular Building, Conference Rooms A and B, 7510 Armstrong Street S.W., Tumwater.

Dated: August 19, 1981

By: Frank B. Brouillet
 Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-171 WAC Education of Handicapped Children.

Rule Section(s): WAC 392-171-786 Special education program funding and reporting criteria for the 1980-81 school year.

Statutory Authority: RCW 28A.41.170.

Purpose of the Rule(s): Repeal obsolete provision.

Summary of the New Rule(s) and/or Amendments: Repeals rule applicable to 1980-81 school year only.

Reasons Which Support the Proposed Action(s): Rule is obsolete.

Person or Organization Proposing the Rule(s): SPI, Government.

Agency Personnel Responsible For Drafting: Ralph E. Julnes, SPI Building, Room 1500, 743-2298.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action or State Court Action: [No information supplied by agency]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): Will be replaced by new provisions in chapter 392-140 WAC.

REPEALER

Section 392-171-786 of the Washington Administrative Code is repealed as follows:

WAC 392-171-786 Special education program funding and reporting criteria for the 1980-81 school year.

WSR 81-17-080
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
 [Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning Finance—Maintenance and operation levy limits, chapter 392-139 WAC;

that such agency will at 9:00 a.m., Tuesday, September 22, 1981, in the State Modular Building, Conference

Room A and B, 7510 Armstrong Street S.W., Tumwater, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, September 23, 1981, in the Executive Services Conference Room, State Modular Building, 7510 Armstrong Street S.W., Tumwater.

The authority under which these rules are proposed is RCW 84.52.0531.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 22, 1981, and/or orally at 9:00 a.m., Tuesday, September 22, 1981, State Modular Building, Conference Room A and B, 7510 Armstrong Street S.W., Tumwater.

Dated: August 19, 1981

By: Frank B. Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-139 WAC Finance—Maintenance and operation levy limits.

Rule Section(s): WAC 392-139-005, 392-139-010, 392-139-016, 392-139-017, 392-139-018, 392-139-026, 392-139-031, 392-139-036 and 392-139-037.

Statutory Authority: RCW 84.52.0531.

Purpose of the Rule(s): To place limits on school district general fund excess levies in accordance with statute.

Summary of the New Rule(s) and/or Amendments: WAC 392-139-005 limits application of rules to 1982 and 1983; 392-139-010 changes deadline for agency certification to county commissioners in cases in which data from county treasurers' year end reports are not available; 392-139-016 definition clarifications; 392-139-017 definition clarification; 392-139-018 definition clarification and addition of definitions of block grant revenue accounts; 392-139-026 changed requirements of considering mandatory cash reserve in calculation of base for determining levy capacity; 392-139-031 clarification of levy capacity for state categorical programs for levy collections in 1982 and 1983; 392-139-036 limited to transfer of levy capacity from nonresident district to resident district; and 392-139-037—new section setting forth procedures and requirements for transfer of levy capacity from high school district to nonhigh school district.

Reasons Which Support the Proposed Action(s): Legislature enacted chapters 168 and 264, Laws of 1981.

Person or Organization Proposing the Rule(s): SPI, Government.

Agency Personnel Responsible For Drafting: Ralph E. Julnes, SPI Building, Room 1500, 753-2298; Implementation: Perry G. Keithley, SPI Building, Room 1000, 753-

1717; and Enforcement: Chas. McNurlin, SPI Building, Room 1000, 753-6742.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action or State Court Action: [No information supplied by agency]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): [No information supplied by agency]

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-005 PURPOSE. The purpose of WAC 392-139-010 through 392-139-036 is to establish the exclusive means for fixing the maximum dollar amount of taxes which may be levied on property and collected on behalf of any school district in a given tax year for general fund maintenance and operation purposes pursuant to RCW 84.52.053 and 84.52.0531. These rules shall be effective for calculation of taxes collected in (~~1981 and thereafter~~) calendar years 1982 and 1983.

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-010 ESTABLISHMENT OF THE MAXIMUM DOLLAR AMOUNT OF SCHOOL DISTRICT LEVIES—GENERAL. (1) Notwithstanding such larger dollar amount as may be approved by the electorate of a school district pursuant to RCW 84.52.053, the maximum dollar amount which may be levied and collected by or for any school district for general fund maintenance and operation support in a given tax year shall be established annually as follows:

(a) Only figures and data gathered and approved by the superintendent of public instruction, or his or her designee, shall be used.

(b) Pursuant to this chapter, the division of financial services, superintendent of public instruction, shall annually (~~during the month of September~~) prior to the first Wednesday following the first Monday in October in cases where data from county treasurers' reports are complete, and within ten days after the superintendent of public instruction receives complete data from county treasurers' reports, compute and notify school districts of the maximum excess general fund property tax levy capacity of each school district for taxes to be collected during the immediate succeeding calendar year. All definitions of time periods are used in this chapter in the context of such annual (~~September~~) action.

(c) Notice of the levy amount for each school district arrived at pursuant to this chapter shall be provided to each affected school district, county assessor and chairman of the board of county commissioners (~~prior to the date specified in RCW 84.52.020~~) according to the schedule established in (b) above.

(2) The superintendent of public instruction, or his or her designee, shall annually provide all districts with the appropriate calculation procedures for the purposes of this chapter.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-016 DEFINITIONS. As used in this chapter, the terms:

(1) "Accounts 1000, 1030, 1040 and 3170" shall mean general fund revenue classifications as designated in Form F-195 (school district annual budget) published and distributed by the superintendent of public instruction as follows: Account 1000—total local property tax revenue; Account 1030—local property taxes collected from excess levies; Account 1040—joint district local property taxes collected from excess levies; and Account 3170—timber excise tax Fund A.

(2) "County assessor's report" shall mean the report completed by county assessors each year depicting the basic assessed valuation, regular levy senior citizen exemption, one hundred percent timber roll, excess general fund levy senior citizen exemption, and total assessed valuation data for individual school districts. County assessors provide these data annually to the superintendent of public instruction via Report 1038S.

(3) "County treasurer's monthly report" shall mean the financial statement issued to the school districts by the county treasurers each month from September through August. This report includes data concerning the school district general fund consisting of beginning and ending cash balances, investment income and expenditure, warrants outstanding, revenues in the form of cash increases credited to the various accounts and the current balance of the general fund. To determine the prior year's local property tax, joint district property tax and timber tax collections for calculating a school district's additional levy authority, cash increase data are reported in items 20, 21, 22, 23, 24, 25 and 35 of this report for the 1980-81 school year and items 20, 23 and 35 for the 1981-82 school year.

(4) "F-195" (the budget for fiscal year 19__-__) shall mean the annual school district budget document officially adopted by each school district pursuant to chapter 28A.65 RCW for each year's operations. This document contains estimates of revenues to be received from state sources and excess general fund levy revenues to be collected during the school year.

(5) "F-1191" (estimated funding required to guarantee one hundred percent of basic education allocation for 19__-__ school year) shall mean the monthly report prepared and distributed by the superintendent of public instruction which includes the number of basic education allocation formula derived certificated and classified staff units, the compensation entitlement amounts for such staff, the basic education allocation provided for each average annual full-time-equivalent student, the basic education allocation, the amount of state-funded support and any final adjustments made for the current school year for each school district. These data are used to calculate the basic levy limitation amount pursuant to WAC 392-139-021 and the additional levy capacity, if any, pursuant to WAC 392-139-026 for calendar year tax collections.

(6) "R-1191E" (full-time enrollments used to calculate staff units) shall mean the report prepared and distributed by the superintendent of public instruction which includes the number of basic certificated, formula certificated and formula classified staff units computed on the basis of the number of students enrolled in a school district as reported by the district converted to full-time-equivalent (FTE) students. The enrollment data are reported for each of the following grade levels: Kindergarten, grades 1-6, 7-8, and 9-12, excluding secondary vocational students. Vocational secondary FTE students are reported separately for private and public schools. The staff unit calculations provide for an additional number of certificated units due to a significant decrease in student enrollment as provided in the biennial appropriations acts.

(7) "R-1197" (statement of apportionment) shall mean the monthly report prepared and distributed by the superintendent of public instruction which includes the annual allotment of state funds to each school district for each of the state-funded programs which the district operates.

(8) "Spring tax collection percentage" shall mean that portion of property tax payments received by county treasurers for each school district from February 1 through August 31 expressed in terms of a percent. The superintendent of public instruction shall determine an average tax collection percentage based on a three-year period of tax collections. If a school district requests that the superintendent of public instruction review the tax collection percentage, the superintendent may choose another tax collection period on which to base the tax collection percentage.

(9) "Fall tax collection percentage" shall mean that portion of property tax payments received by county treasurers for each school district from September 1 through January 31 of the next ensuing year expressed in terms of a percent. The superintendent of public instruction shall determine an average tax collection percentage based on a three-year period of tax collections. To determine the fall tax collection percentage, the superintendent of public instruction shall subtract the spring tax collection percentage from one hundred percent. If a school district requests that the superintendent of public instruction review the tax collection percentage, the superintendent may choose another tax collection period on which to base the tax collection percentage.

(10) "Total property tax collections" shall mean all property tax payments received by county treasurers for each school district from February 1 through January 31 of the next ensuing year. The sum of the spring tax collection percentage and the fall tax collection percentage shall always equal one hundred percent.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-017 **ADDITIONAL DEFINITIONS.** As used in this chapter, the terms:

(1) "P-213" shall mean the form entitled Report of ((High School)) Students Residing in Nonhigh Districts Enrolled in High School Districts. The P-213 is printed and distributed annually by the superintendent of public instruction to school districts educating students residing in other school districts not maintaining an educational program for grades seven through twelve. Data from this report are used to determine, in part, the amount of excess general fund levy capacity which shall be transferred from the nonresident high school district to the resident nonhigh school district pursuant to WAC 392-139-036.

(2) "P-223NR" shall mean the form entitled Monthly Report of School District Enrollment of Nonresident Students Enrolled in an Approved Interdistrict Cooperative. The P-223NR is printed and distributed annually by the superintendent of public instruction to school districts educating students residing in other school districts. Data from this report are used to determine the authorized levy capacity to be shifted from the nonresident school district to the resident school district.

(3) "Basic education allocation" shall mean the amount of state funds calculated by the superintendent of public instruction which is the basis for the superintendent to distribute funds to school districts for the operation of a basic program of education pursuant to RCW 28A.58.750, et seq., 28A.41.130, 28A.41.140 and chapter 392-121 WAC. This amount is also known as the total guaranteed entitlement for basic education. In cases where a school district operates more than one small high school, the basic education allocation shall be increased by the amount calculated pursuant to the small high school formula set forth in the biennial appropriations act for each of the high schools.

(4) "Average annual full-time equivalent (AAFTE)" shall have the same meaning as this term is given in WAC 392-121-105.

(5) "Enrollment decline" shall have the same meaning as this term is given in WAC 392-121-105.

(6) "Current school year" shall mean the school year which is in session at the time the levy limitation calculations are made pursuant to this chapter and county commissioners certify to the county assessors the amount of taxes to be levied on property pursuant to RCW 84.52.070.

(7) "Prior school year" shall mean the school year immediately preceding the current school year.

(8) "Next tax collection year" shall mean the immediate succeeding calendar year referenced in WAC 392-139-010(1)(b).

(9) "Current tax collection year" shall mean the current calendar year.

(10) "Mandated restricted cash" shall mean an amount of funds from excess general fund levy collections in the fall of calendar year 1979 equal to eight percent of the school district's 1979-80 basic education allocation multiplied by the district's fall tax collection percentage rate or the amount of the district's fall 1979 collections, whichever is less, which shall be held in an unencumbered status for expenditure for excess general fund levy relief in a subsequent school year pursuant to section 107, chapter 270, Laws of 1979 extraordinary session (the biennial appropriations act).

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-018 **ADDITIONAL DEFINITIONS.** As used in this chapter, the terms:

(1) "Account 3020" shall mean the school district general fund budget classification in which are recorded state funds received by school districts for reimbursement for operation of a student transportation program approved by the superintendent of public instruction pursuant to RCW 28A.41.160 and chapter 392-141 WAC.

(2) "Account 3021" shall mean the school district general fund budget classification in which are recorded state funds received by school districts for reimbursement for cost of depreciation of transportation equipment pursuant to RCW 28A.41.160 and chapter 392-141 WAC.

(3) "Account 3030" shall mean the school district general fund budget classification in which are recorded state funds received by school districts for the operation of a program to educate handicapped students, such program approved by the superintendent of public instruction pursuant to chapter 28A.13 RCW, RCW 28A.41.053 and chapter 392-171 WAC.

(4) "Account 3220" shall mean the school district general fund budget classification in which are recorded state ~~((funds)) monies~~ received by school districts for the operation of urban, rural, racial, disadvantaged (URRD) educational programs pursuant to RCW 28A.41.270 and chapter 392-161 WAC for the 1980-81 school year.

(5) "Account 3243" shall mean the school district general fund budget classification in which are recorded state ~~((funds)) monies~~ which a school district receives for the operation of an education program for gifted students, such program approved by the superintendent of public instruction pursuant to RCW 28A.16.020 and WAC 180-68-100 for the 1980-81 school year.

(6) "Account 3244" shall mean the school district general fund budget classification in which are recorded state ~~((funds)) monies~~ received by a school district for the operation of a remedial assistance program pursuant to RCW 28A.41.404 and WAC 392-161-170, et seq., for the 1980-81 school year.

(7) "Account 3245" shall mean the school district general fund budget classification in which are recorded state ~~((funds)) monies~~ received by a school district for the operation of a transitional bilingual instruction program pursuant to RCW 28A.58.810 and chapter 392-160 WAC for the 1980-81 school year.

(8) "Account 3300" shall mean for the 1981-82 and 1982-83 school years the school district general fund budget classification in which are recorded state monies received by a school district for the operation of special instructional programs (block grants pursuant to subsections (1), (2) and (3) of section 100 of chapter 340, Laws of 1981, the biennial appropriations act).

(9) "Account 3343" shall mean for the 1981-82 and 1982-83 school years the school district general fund budget classification in which are recorded state monies received by a school district for the operation of Indochinese refugee educational programs (block grants pursuant to subsection (5) of section 100 of chapter 340, Laws of 1981, the biennial appropriations act).

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-026 DETERMINATION OF ADDITIONAL EXCESS GENERAL FUND LEVY CAPACITY. (1) General. The dollar amount of each school district's general fund excess levy authorized for the next tax collection year may be increased over the amount determined in WAC 392-139-021 to the extent that the total of the estimated basic education allocation for the current school year as of August 31, plus the estimated current school year general fund excess levy property tax collections which would otherwise be placed in accounts 1000 and 3170 as limited pursuant to WAC 392-139-021, ~~((plus the mandated restricted cash))~~, is less than the estimated potential current school year dollar level for basic education as established in subsection (2) of this section.

(2) Establishment of a school district's potential current school year dollar level for basic education for purposes of additional excess general fund levy capacity. The establishment of the potential current school year dollar amount for purposes of determining whether or not a school district is authorized additional general fund excess levy capacity shall be calculated as follows:

(a) Determine the district's current school year dollar level per student by dividing the total of amounts in prior school year general fund revenue accounts 1000 and 3170 plus prior school year basic education allocation as of August 31 ~~((less)) plus~~ mandated restricted cash, if any, for the 1980-81 school year by the prior school year's AAFTE and multiplying the quotient obtained by one hundred six percent.

(b) Determine the district's potential aggregate current school year dollar level by:

(i) Multiplying the district's estimate of current school year's AAFTE by current school year dollar level per student calculated in (a) of this subsection;

(ii) Multiplying the enrollment decline students by the total obtained by adding the prior school year's dollar amounts in general fund revenue accounts 1000 and 3170 plus the prior school year's basic education allocation as of August 31 ~~((less)) plus~~ the mandated restricted cash; and

(iii) Adding the products obtained in (i) and (ii) above.

(c) Determine the district's current school year revenue level in relevant budget accounts without funds from additional levy capacity calculated pursuant to this section by combining the district's estimated total dollars in the current school year's general fund revenue accounts 1000 and 3170 with the district's estimate of current school year basic education allocation as of ~~((October 1 and the mandated restricted cash))~~ September 30.

(d) Determine the district's additional potential current school year dollar level by subtracting the total obtained in (c) of this subsection from the total obtained in (b) of this subsection.

(e) Determine the district's additional excess general fund levy capacity, if any, by dividing the amount obtained in (d) of this subsection, if greater than zero, by the spring tax collection percentage.

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-031 DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY ATTRIBUTABLE TO STATE-FUNDED CATEGORICAL PROGRAMS. (1) For 1982 tax collections, ~~((F))~~ the dollar amount of each school district's general fund excess levy authorized ~~((for the next tax collection year))~~ pursuant to this chapter shall be determined by summing the prior school year's allocations made from the state general fund to the school district by the superintendent of public instruction in school district general fund revenue accounts 3020, 3021, 3030, 3220, 3243, 3244 and 3245 as reported on the August 31 R-1197 and multiplying the total obtained by ten percent.

(2) For 1983 tax collections, the dollar amount of each school district's general fund excess levy authorized pursuant to this chapter shall be determined by summing the prior school year's allocations made from state general fund to each school district by the superintendent of public instruction in school district general fund revenue accounts 3020, 3021, 3030, 3300 and 3343 as reported on the August 31, R-1197 and multiplying the total obtained by ten percent.

AMENDATORY SECTION (Amending Order 80-38, filed 11/26/80)

WAC 392-139-036 DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY TO BE TRANSFERRED FROM THE NONRESIDENT SCHOOL DISTRICT TO THE RESIDENT SCHOOL DISTRICT FOR INTERDISTRICT COOPERATION PROGRAMS. In cases where a student resides in one school district (resident school district) but attends school in another school district (nonresident school district) pursuant to ~~((chapter 28A.44 RCW))~~ RCW 28A.58.075 or 28A.58.245 and chapter 392-135 WAC, the nonresident school district's excess general fund levy capacity for the next tax collection year shall be reduced and the resident school district's general fund excess levy capacity for the next tax collection year shall be increased by the same amount which shall be determined as follows:

(1) Determine the nonresident school district's prior school year basic education allocation per AAFTE as of August 31.

(2) Multiply the amount obtained in subsection (1) of this section by ten percent.

(3) For each AAFTE student enrolled in a nonresident school district, deduct the amount obtained in subsection (2) of this section from the nonresident school district's excess general fund levy capacity for the next tax collection year and add that same amount to the resident school district's excess general fund levy capacity for the next tax collection year.

NEW SECTION

WAC 392-139-037 DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY TO BE TRANSFERRED FROM

THE HIGH SCHOOL DISTRICT TO THE NONHIGH SCHOOL DISTRICT. In cases where a student resides in a nonhigh school district and attends school in a high school district pursuant to chapter 28A.44 RCW, the high school district's excess general fund levy capacity for the next tax collection year shall be reduced and the nonhigh school district's excess general fund levy shall be increased by the same amount which shall be determined as follows:

(1) For levies to be collected in calendar year 1982:

(a) Determine the high school district's 1980-81 school year's basic education allocation as of August 31, 1981, and multiply that amount by ten percent.

(b) Determine the high school district's 1980-81 school year's allocations pursuant to WAC 392-139-031 as of August 31, 1981, and multiply that amount by ten percent.

(c) Determine the high school district's additional levy capacity for 1982 collections, if any, pursuant to WAC 392-139-026.

(d) Sum the amounts determined in subsections (a), (b) and (c) above.

(e) Divide the sum obtained in (d) above by the district's total estimated annual average full-time equivalent (AAFTE) enrollment for 1981-82 as of September 30, 1981, to determine the high school district's amount of levy capacity per AAFTE student.

(f) Multiply the estimated number of students from each nonhigh school district reported for 1981-82 on the Form P-213 by the amount obtained in subsection (e) above.

(2) For levies to be collected in calendar year 1983:

(a) For school districts with no additional levy capacity for 1982 tax collections pursuant to WAC 392-139-026, the following procedure shall be used:

(i) Determine the high school district's 1981-82 school year's estimated basic education allocation as of September 30, 1982, and multiply that amount by ten percent.

(ii) Determine the high school district's 1982-83 school year's estimated allocation for special instructional programs (block grants) as of September 30, 1982, and multiply that amount by ten percent.

(iii) Sum the amounts determined in subsections (i) and (ii) above.

(iv) Divide the sum obtained in subsection (iii) above by the district's total estimated AAFTE enrollment as of September 30, 1982, to determine the high school district's amount of levy capacity per AAFTE student.

(v) Multiply the estimated number of students from each nonhigh school district reported for 1982-83 on the Form P-213 by the amount obtained in subsection (iv) above.

(b) For school districts with additional levy capacity for 1982 tax collections pursuant to WAC 392-139-026, the amount calculated in subsection (1)(e) of this section shall be multiplied by the number of students from each nonhigh district estimated on Form P-213 for the 1982-83 school year.

(c) A positive adjustment shall be made in the amount obtained in (2)(a)(v) above if the actual number of students from each nonhigh school district reported on the appropriate Form P-213 for the 1981-82 school year is greater than the estimated number of such students reported on the prior Form P-213 for that year; or a negative adjustment shall be made in the amount obtained in (2)(a)(v) above if the actual number of students from each nonhigh school district reported on the appropriate Form P-213 for the 1981-82 school year is less than the estimated number of such students reported on the prior Form P-213 for that year.

**WSR 81-17-081
PROPOSED RULES
COMMISSION FOR THE BLIND
[Filed August 19, 1981]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Commission for the Blind intends to adopt, amend, or repeal rules concerning the Washington State Commission for the Blind, new chapter 67.30 WAC Vocational Rehabilitation Services:

- New WAC 67-30-005 Population to be served.
- New WAC 67-30-080 Physical and mental restoration services.

- New WAC 67-30-090 Counseling and guidance.
- New WAC 67-30-100 Vocational training and other training.
- New WAC 67-30-110 Telecommunications, sensory and other technological aids and devices.
- New WAC 67-30-120 Reader services.
- New WAC 67-30-125 Interpreter services for deaf persons.
- New WAC 67-30-150 Services to family members.
- New WAC 67-30-180 Occupational licenses, tools, equipment, initial stocks and supplies.
- New WAC 67-30-185 Transportation.
- New WAC 67-30-190 Evaluation.
- New WAC 67-30-310 Responsibilities of medical consultant.
- New WAC 67-30-320 Other goods and services;

that such agency will at 9:00 a.m., Saturday, October 24, 1981, in the Commission for the Blind Branch Office, 3411 South Alaska Street, Seattle, WA 98118, conduct a hearing relative thereto.

The adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is chapter 74.16 RCW, Rehabilitation Act of 1973, P.L. 93-112, as amended; Code of Federal Regulations, Title 34, Part 361, State Vocational Rehabilitation Services Program.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 23, 1981, and/or orally at 9:00 a.m., Saturday, October 24, 1981, Commission for the Blind Branch Office, 3411 South Alaska Street, Seattle, WA 98118.

Dated: August 19, 1981
By: William K. James
Director

STATEMENT OF PURPOSE

Title: Population to be Served, new section WAC 67-30-005.

Purpose: To specify the particular segment of the disabled population that the Commission for the Blind is established to serve in its vocational rehabilitation program.

Statutory Authority: RCW 74.16.183, 74.16.400 and 74.16.450.

Summary of Rule: The rule ensures that those persons in the state of Washington who have vision problems severe enough to be a vocational handicap will be served by the commission. The rule provides that persons with non-severe vision problems and persons with other disabling conditions who contact the commission or apply for services from the commission will be referred to the Division of Vocational Rehabilitation.

Reason Supporting Proposed Action: The commission is currently serving the population indicated. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the population served by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William

K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is not federally mandated. However, it is promulgated to be consistent with 34 Code of Federal Regulations 361.1(c)(2) which is established under section 12(c) of the Rehabilitation Act of 1973, as amended.

Title: Physical and Mental Restoration Services, new section WAC 67-30-080.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(2), 74-16-181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission may receive physical and mental restoration services when such services will enable individuals to complete their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which physical and mental restoration services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Counseling and Guidance, new section WAC 67-30-090.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive counseling and guidance services as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which counseling and guidance services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Vocational Training and Other Training, new section WAC 67-30-100.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(3), 74.16.400, 74.16.181(8) and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive vocational training and other training services as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which vocational training and other training services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Telecommunications, Sensory and Other Technological Aids and Devices, new section WAC 67-30-110.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive telecommunications, sensory and other technological aids and devices as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the

rules under which telecommunications, sensory and other technological aids and devices are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Reader Services, new section WAC 67-30-120.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(a), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive reader services as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which reader services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Interpreter Services for Deaf Persons, new section WAC 67-30-125.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive interpreter services for deaf persons as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the

rules under which interpreter services for deaf persons are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Services to Family Members, new section WAC 67-30-150.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive services to family members as integral parts of their rehabilitation program.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which services to family members are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Occupational Licenses, Tools, Equipment, Initial Stocks and Supplies, new section WAC 67-30-180.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive occupational licenses, tools, equipment, initial stocks and supplies as integral parts of their rehabilitation program.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a

written public statement delineating the rules under which occupational licenses, tools, equipment, initial stocks and supplies are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Transportation, new section WAC 67-30-185.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive transportation services as integral parts of their rehabilitation program.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which transportation services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Evaluation, new section WAC 67-30-190.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(1), 74.16.181(8), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive evaluation services as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a

written public statement delineating the rules under which evaluation services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

Title: Responsibilities of Medical Consultant, new section WAC 67-30-310.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(1), 74.16.181(2), 74.16.181(8), 74.16.400 and 74.16.450.

Summary of this Rule: The rule provides that clients of the commission will receive medical consultation services as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a written public statement delineating the rules under which medical consultation services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(7)(A).

Title: Other Goods and Services, new section WAC 67-30-320.

Purpose: To delineate the rules under which vocational rehabilitation clients of the commission will receive these services.

Statutory Authority: RCW 74.16.181(1), 74.16.400 and 74.16.450.

Summary of Rule: The rule provides that clients of the commission will receive other goods and services as integral parts of their rehabilitation programs.

Reason Supporting Proposed Action: The commission is currently providing these services. The Region X office of the federal Rehabilitation Services Administration has recommended that the commission develop a

written public statement delineating the rules under which other goods and services are provided by the commission. Further, this rule meets the mandate of RCW 34.04.010(2)(c).

Agency Personnel Responsible for Drafting, Implementation and Enforcement: William K. James, 921 Lakeridge Drive, Room 202, M/S FW-21, Olympia, WA 98504.

The commission, a state agency, is proposing this rule.

This rule is mandated under the Rehabilitation Act of 1973, as amended, section 101(a)(6)(A); section 103(a).

NEW SECTION

WAC 67-30-005 POPULATION TO BE SERVED. (1) Vocational rehabilitation services shall be provided by the commission to persons with visual impairments in accordance with applicable state and federal laws and regulations and who meet the following criteria:

(a) Progressively deteriorating vision which is expected to result in blindness under RCW 74.16.183 within the time the individual could be expected to complete an individualized written rehabilitation program.

(b) No vision or whose vision with corrective lenses is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(2) The commission shall provide vocational rehabilitation services to all applicants who can be expected to complete an individualized written rehabilitation program.

(3) If through physical restoration an individual's vision is restored so as to allow that individual to perform ordinary activities, further services will be limited to those defined in the individualized written rehabilitation program.

(4) Visually impaired persons who do not meet the criteria in paragraphs 1.a and 1.b. above and whose eye disorders are reported as being stable will be referred to the state division of vocational rehabilitation.

(5) All other persons with physical or mental disabilities who have no visual impairment will be referred to the state division of vocational rehabilitation.

NEW SECTION

WAC 67-30-080 PHYSICAL AND MENTAL RESTORATION SERVICES. (1) Physical and mental restoration services will be provided to or arranged for a client under an individualized written rehabilitation program when, in the judgment of the vocational rehabilitation counselor, in consultation with the medical consultant, it can be determined that:

(a) The clinical status of the client is stable or slowly progressive, as evidenced in the diagnostic study; and

(b) Such services may be expected to eliminate or substantially reduce the handicapping condition in terms of employability within a reasonable period of time; or

(c) When such services will maintain or improve functional capabilities consistent with a client's vocational rehabilitation.

(2) Diagnostic and treatment services for clients with any diseases of the eye will be provided by or under the direction of a qualified ophthalmologist to assure that there is no eye disease or other eye condition which needs consideration.

(3) Authorized physical and mental restoration services may be provided by physicians, dentist, and other health-related professionals who are licensed in the state.

(4) The client has the option, when receiving physical and mental restoration services, to choose the physician or other health-related professional and the appropriate facilities from among those licensed in the state. These service providers and the facilities must be willing to accept reimbursement in accordance with the Washington state department of social and health services Schedule of Maximum Allowances and Program Descriptions.

(5) For clients in extended evaluation, restorative services may be provided to stabilize or halt progression of a chronic illness for purposes of determining eligibility.

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

NEW SECTION

WAC 67-30-090 COUNSELING AND GUIDANCE. (1) Counseling and guidance services will be provided by the commission as necessary to:

(a) Assist the individual to understand his/her capacities, aptitudes and interests.

(b) Assist the individual to understand his/her limitations and the health problems, personal problems and social problems which may be encountered during the course of and after completion of the rehabilitation process.

(c) Assist the client to select a suitable and realistic vocational goal.

(d) Assist the individual to understand the services available to him/her from the commission and other community resources and to understand how such resources can best be obtained and utilized in his/her rehabilitation process.

(e) Assist the individual to adjust to situations encountered during the rehabilitation process. This may include but not be limited to control of anxieties concerning physical restoration, development of appropriate study and work habits, improvements in physical appearance, management of finances, preparation for job interviews and tests, and the establishment and maintenance of effective inter-personal relationships.

(f) Family members, relatives and friends of the individual to aid and assist in the rehabilitation process.

(g) Prospective employers to determine whether the individual has chosen a feasible and appropriate vocational goal.

(2) Counseling and guidance will be provided without regard to economic need.

(3) Counseling and guidance is a necessary and key function of the counselors in facilitating the development of the individual being served.

(4) Counseling and guidance is an ongoing process and will continue even though the client may be a student in the commission's rehabilitation center.

(5) Counseling and guidance is an ongoing process and will continue, as necessary, throughout all stages of the client's rehabilitation process regardless of the type of services needed, locations of service providers, and length of time needed to complete the rehabilitation.

NEW SECTION

WAC 67-30-100 VOCATIONAL TRAINING AND OTHER TRAINING. (1) The commission may provide any organized form of instruction which provides the knowledges and skills that are essential for performing the tasks involved in an occupation. Such knowledges and skills may be acquired through training in an institution, on the job, by correspondence, by tutors, or through a combination of these methods. Training may be given for any occupation, except as provided in paragraph #5 below.

(2) The commission will operate and maintain a rehabilitation center for pre-vocational training for those clients for whom such training in the rehabilitation center is determined to be appropriate.

(3) Training or training services in institutions of high education (universities, colleges, community/junior colleges, vocational schools, technical institutes, or hospital schools of nursing) shall not be paid for with rehabilitation funds unless maximum efforts have been made by the commission on the client's behalf to secure grant assistance in whole or in part from other sources to pay for such training or training services.

(4) The commission may provide, assist in providing, or cause to be provided books, tools and other training materials agreed upon in joint planning of the individualized written rehabilitation program between the counselor and the client.

(5) The Washington state constitution forbids the use of public funds to assist an individual in the pursuit of a career or degree in the theology or related areas.

(6) Clients may attend private institutions or out-of-state institutions of higher learning in pursuit of a vocational goal; however, the financial assistance available to any such individual is limited by that amount available to the same individual if education were pursued in a public institution within the state unless the private institution or out-of-state institution provides the only access to the achievement of the individual's vocational goal.

(7) The commission may provide, assist in providing, or cause to be provided financial assistance to clients in pursuit of post-graduate degrees when such degree is clearly necessary to achieve employment in a given field. However, financial assistance will not be provided to clients pursuing graduate programs only to enhance their employability or to achieve upward mobility.

(8) Training will be provided to the extent that it meets the criteria established by the client and the agency in the client's individualized written rehabilitation program and meets the standards of the occupation the client intends to enter.

NEW SECTION

WAC 67-30-110 TELECOMMUNICATIONS, SENSORY AND OTHER TECHNOLOGICAL AIDS AND DEVICES. (1) Telecommunications, sensory and other technological aids and devices may be provided to a client when it can be determined that the client's rehabilitation during extended evaluation, or training, or in job placement will be significantly enhanced.

(2) The client's individualized written rehabilitation program must clearly justify the purchase and use of these devices and services and their relationship to the specific vocational goal of the client, including any ancillary services required.

(3) Purchases of telecommunications, sensory and other technological aids or devices for groups of handicapped individuals is provided for under policies and procedures governing services to groups of blind individuals.

(4) Maintenance of items purchased under this policy is provided for under the policies and procedures governing maintenance and accountability for items of equipment purchased or otherwise provided to clients.

(5) "Telecommunications" means any system of transmission, emission, or reception of signals, written images and sounds of intelligence of any nature by wire, radio, visual, or other electromagnetic systems including any intervening processing and storage.

(6) "Sensory and other technological aids and devices" means electronic or mechanical pieces of hardware intended to improve or substitute for one or more human senses or for impaired mobility or motor coordination.

Reviser's Note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 67-30-120 READER SERVICES. (1) The commission will provide or cause to be provided reader services to those clients under an individualized written rehabilitation program who are engaging in vocational training in institutions of higher learning, business schools, technical or trade schools, and other types of training where significant amounts of reading are essential to the completion of the course and/or the advancement of the client's vocational objective. Reader services may also be provided for clients entering employment where substantial amounts of reading are necessary, but only as it relates to the initial stages of their employment.

(2) Reader services consists of oral reading to the blind individual of ink-print material which is not available through any of the usual, special, non-visual methods of reading used by blind persons.

(3) Reader services may be provided, despite the availability of alternatives to ink-print, when the client's skills in using non-visual methods are not sufficient to fulfill the blind client's immediate rehabilitation needs, progress, or initial adjustment in employment.

(4) The employment and rates of payment will be governed by the commission's procedures for purchase of reader services. Ordinarily, readers will be paid no more than the national minimum wage; however, exceptions may be made under the commission's procedures governing reader services.

(5) The commission's vocational rehabilitation program will encourage clients to make the most efficient use of readers; both as a sound economic practice and for the purpose of having clients learn to make effective use of readers in future employment and/or training settings.

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

NEW SECTION

WAC 67-30-125 INTERPRETER SERVICES FOR DEAF PERSONS. The commission will provide interpreter services for deaf persons needing this service in all stages of involvement with the commission while a client or applicant, or during appeal of a contested decision by an employee of the commission which directly affects the client or applicant.

NEW SECTION

WAC 67-30-150 SERVICES TO FAMILY MEMBERS. (1) Services to family members may be provided to assist a client in successful completion of his/her extended evaluation program or vocational rehabilitation program and subsequent vocational adjustment.

(2) The services provided to family members may include any of the vocational rehabilitation services available to clients of the commission. However, the services must be directly related to the vocational rehabilitation of the client. Family members of any age may be served. Services provided to family members must be documented and justified in ways consistent with agency vocational rehabilitation case documentation procedures and vocational rehabilitation policies.

(3) "Family member" may include any relative by blood or marriage of a client and all other individuals living within the same household where close interpersonal relationships between them and the client characterize a family unit.

(4) Other resources and similar benefits available to the family member(s) who may be served under this policy must be considered under the same rules and conditions as those of the client.

(5) When the service provided to a family member(s) no longer substantially contributes to a client's vocational rehabilitation program or extended evaluation program, it will be terminated.

NEW SECTION

WAC 67-30-180 OCCUPATIONAL LICENSES, TOOLS, EQUIPMENT, INITIAL STOCKS AND SUPPLIES. (1) The commission may provide or cause to be provided initial stocks and supplies as required in the client's individualized written rehabilitation program.

(a) Occupational licenses will include any license, permit or other written authority required by a state, city, or other government unit to be obtained in order to enter an occupation or enter a small business.

(b) Occupational tools will include those customarily required for a worker to perform efficiently on the job and normally provided by workers in the same or similar trade or profession, and may also include specialized tools adapted to use for blind persons or any accompanying disabling condition the client may have. Any tools provided must be directly applicable and significantly useful in the employment or training of the client.

(c) Occupational equipment will include occupational fixtures normally found in places of business. These may consist of apparatuses, machinery, and appliances that are usually of a stationary nature during the time of utilization in a particular business trade or profession. However, self-powered vehicles may be provided under this policy.

(d) Initial stocks will include the initial inventory of merchandise or goods necessary for a client entering self-employment. It may also include the initial purchase of livestock as a base stock and stocks of seed, fertilizer, fuel, etc., for farming or agricultural self-employment.

(e) Initial supplies will include expendable items necessary to enable the client to carry out the day-to-day operations and which are consumed on the premises in the course of the client's self-employment business.

(2) Occupational tools and equipment will be provided only when provision of such items becomes central to the effective training of a client for a specific occupation or trade and/or effective placement in and employment, self-employment, or post-employment setting where the items will be used.

(3) Initial stocks and supplies will be provided only when a client enters a self-employment business.

(4) The specific kinds of items and the particular methods by which they may be provided under this section are addressed in detail in the commission's procedures governing their provision.

(5) The matters of accountability, legal title, insurance, maintenance and similar considerations with regard to occupational tools, equipment, initial stocks and supplies are addressed in detail in the commission's procedures governing their provision.

(6) In the provision of items under this section, thorough consideration will be given to similar benefits and resources available to the client.

NEW SECTION

WAC 67-30-185 TRANSPORTATION. (1) The commission will provide or cause to be provided necessary travel and related expenses required to transport clients, thereby enabling them to receive services necessary for the achievement of vocational rehabilitation objectives.

(2) Transportation may include:

(a) Fares or travel costs associated with using public or private conveyances.

(b) Food and/or lodging while in travel status.

(c) Attendants or escorts for severely handicapped clients and the attendants' or escorts' travel costs.

(d) Reimbursement for relocation and moving expenses when a satisfactory adjustment to a job has been made and job security has been established.

NEW SECTION

WAC 67-30-190 EVALUATION. (1) The commission will provide and document a preliminary diagnostic study for each applicant for vocational rehabilitation services to determine whether or not:

(a) The individual has a visual disability which for such individual constitutes or results in a substantial handicap to employment, and any other physical or mental disability, and;

(b) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, or whether an extended evaluation of rehabilitation potential is necessary to make such a determination.

(2) The preliminary diagnostic study will include:

(a) A ophthalmological examination and study or an optometric examination and study, whichever the individual may select.

(b) An appraisal of current health status of the individual in all cases.

(c) In all cases of mental or emotional disorder an examination by a physician skilled in the diagnosis and treatment of such disorders, or by a psychologist licensed in accordance with Washington state laws and regulations.

(d) Any additional pertinent medical, social and related information deemed necessary in the determination of eligibility.

(3) The commission will provide and document an evaluation of rehabilitation potential for those persons the commission determines to be eligible for vocational rehabilitation services.

(4) The commission will provide and document a thorough diagnostic study to:

(a) Determine the nature and scope of services needed by the individual, and which will consist of a comprehensive evaluation of pertinent ophthalmological or optometric, medical, psychological, vocational, educational, and other related factors which bear on the individual's handicap to employment and rehabilitation needs.

(b) Determine the vocational rehabilitation services necessary to attain the vocational goals of the individual. The findings of such study will be recorded in the individualized written rehabilitation program.

(c) Assess to the degree needed the client's intelligence level; educational achievement; work experience; personal, vocational, social adjustment; employment opportunities; patterns of work behavior; ability to acquire occupational skills; capacity for successful job performance which may include trial work situations (simulated or real) to assess capabilities to perform adequately in a work environment; and an appraisal of the individual's personality.

NEW SECTION

WAC 67-30-310 RESPONSIBILITIES OF MEDICAL CONSULTANT. (1) The commission shall provide or cause to be provided the time of a medical consultant to ensure availability of regular, systematic consultation, at least weekly, to the counseling staff, on a face-to-face basis.

(2) The medical consultant will take an active part in planning with and advising the counselor in cases when physical or mental restoration is being considered.

(3) The medical consultant will be actively involved in the planning when use of unusual, non-traditional, long-term or very costly procedures are being seriously considered.

(4) The medical consultant will keep fully informed about the progress of all clients undergoing physical or mental restoration services by reviewing all related progress reports as they are received, and by discussing future planning with the client's counselor.

(5) Upon request of the director or his/her designee, the medical consultant will periodically assess the effectiveness of the services provided by selected vendors and facilities, so that these findings can be given appropriate consideration when planning with future clients.

(6) The medical consultant will develop and maintain appropriate relationships with the medical community and identify medical resources.

(7) Upon request by the director or his/her designee, the medical consultant will provide technical assistance regarding medical devices and techniques.

(8) Upon request by the director or his/her designee, the medical consultant will provide in-service training for commission staff.

NEW SECTION

WAC 67-30-320 OTHER GOODS AND SERVICES. The commission may provide other goods and services: (1) To determine the nature of an applicant's handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability.

(2) To maintain the individual in the rehabilitation plan, or to enable him/her fit to engage in a gainful occupation.

(3) In the case of intercurrent illnesses, unforeseen accidents, and other interruptions not necessarily related to the disability, but which could constitute a hazard to the evaluation of rehabilitation potential or to the achievement of the vocational objective.

(4) Which are not otherwise described in commission policies, but which are essential to the success of the rehabilitation plan of an individual.

WSR 81-17-082

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 81-90—Filed August 19, 1981]

I, Rolland A. Schmitten, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Rolland A. Schmitten, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is scheduled fisheries in Areas 4B, 5, 6, 6A, 6C, 7, 7A and 7D are currently under IPSFC control. Scheduled fishery in Area 7B allows harvest of chinook salmon, with a mesh restriction imposed by IPSFC. Fisheries in Area 8 and 8A allow a harvest of pink salmon. All other Puget Sound areas are closed to all-citizen commercial fishing to prevent over harvest of salmon stocks.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 19, 1981.

By W. R. Wilkerson
for Rolland A. Schmitt
Director

NEW SECTION

WAC 220-47-609 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY—WEEK OF AUGUST 16, 1981—SECOND UPDATE. Notwithstanding the provisions of WAC 220-47-403, effective August 19 through August 22, 1981, it is unlawful to take, fish for or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

Areas 4B, 5 and 6 - Closed except under International Pacific Salmon Fisheries Commission (IPSFC) and United States Department of Commerce (USDOC) rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Areas 6A - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open, and purse seines must release all chinook salmon over 28 inches in length when open.

Area 6B - Closed.

Area 6C - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Areas 6D - Closed.

Areas 7 and 7A - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

* Areas 7B - Closed except gill nets may fish Sunday, Monday, Tuesday, and Wednesday nights from 6:00 p.m. to 9:00 a.m. IPSFC and WDF restrict gill nets to 7-1/2-inch minimum mesh Sunday, Monday, Tuesday, and Wednesday nights. The Fidalgo Bay Salmon Preserve is closed as provided in WAC 220-47-307.

Area 7C - Closed.

Area 7D - Closed except under IPSFC and USDOC rules set forth in Emergency Orders 81-48 and 81-88. Gill nets restricted to 5-7/8-inch maximum mesh size when open.

Areas 8 and 8A - Closed except gill nets may fish Sunday and Monday nights from 6:00 p.m. to 9:00 a.m. with 5-inch minimum to 6-inch maximum mesh. The Skagit Bay, Port Susan, and Port Gardner Salmon preserves are closed as provided in WAC 220-47-307.

Areas 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-608 Puget Sound All-Citizen Commercial Salmon Fishery—Week of August 16, 1981—Update. (81-89).

WSR 81-17-083

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning:

New	WAC 314-16-122	Licensee—Employees—Prohibited conduct with patrons.
Amd	WAC 314-16-125	Suggestive, lewd and/or obscene conduct on licensed premises;

that such agency will at 9:30 a.m., Thursday, September 24, 1981, in the Olympia City Hall, Council Chambers, 8th and Plum, Olympia, Washington, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Thursday, September 24, 1981, in the Olympia City Hall, Council Chambers, 8th and Plum, Olympia, Washington.

The authority under which these rules are proposed is RCW 66.08.030, 66.98.070 and Title 34 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 24, 1981, and/or orally at 9:30 a.m., Thursday, September 24, 1981, Olympia City Hall, Council Chambers, 8th and Plum, Olympia, Washington.

Dated: August 19, 1981

By: Leroy M. Hittle
Chairman

STATEMENT OF PURPOSE

The new and amendatory rule described herein and set forth in the notice will, for ease of reference, be assigned the following number designations: WAC 314-16-122 and 314-16-125, and the information relating to purpose and implementation will be submitted in sequence, utilizing the arabic number designation assigned to each of the above rules.

Title: Licensee—Employees—Prohibited Conduct With Patrons; and Suggestive, Lewd and/or Obscene Conduct on Licensed Premises.

Description of Purpose: (1) To prohibit a retail liquor licensee, and his employees or

agents from: (a) soliciting beverages of any kind from a patron for compensation. The rule would apply to both sexes, although historically the type of conduct which will be proscribed by this rule has been commonly referred to as "B-Girl" activity; (b) dancing or spending time with a patron for compensation. The type of conduct proscribed by this aspect of the rule has commonly been referred to as "Taxi Dancing."

(2) Would prohibit dancer-entertainers from "table dancing" for patrons and require that performances by such dancer-entertainers not occur unless the dancer-entertainer is at least six feet away from the nearest patron.

Statutory Authority for the Rules: RCW 66.08.030, 66.98.070 and Title 34 RCW.

Summary: (1) Would eliminate drink solicitation, fraternization, or dancing for compensation in liquor licensed premises; and gives a broad meaning to the terms "employee," "servant" and "agent." (2) Adds a new section to rule proscribing suggestive, lewd and/or obscene conduct on licensed premises which would prohibit an activity, that has commonly been referred to as "table dancing," that is dancer-entertainers dancing for customers at the customer's booth, table, etc.

Reasons Supporting Proposed Action: (1) The Liquor Control Board has reason to believe: (a) that such practices and activities, in premises where liquor is sold and served, are conducive to an atmosphere where arrangements for prostitution are likely to occur; (b) that such practices and activities, in premises where liquor is sold and served, tend to encourage intoxication, over-service, which in turn consistently leads to disorderly conduct; and (c) that such practices and activities, in premises where liquor is sold and served, require enforcement personnel, both local authorities and board enforcement personnel, to spend a disproportionate amount of time at such premises which results in an unwarranted expenditure of resources. (2) The Liquor Control Board has determined: (a) that most infractions of the lewd conduct rule, WAC 314-16-125 have involved "table dancing" performances. Conduct that frequently has occurred when the dancer-entertainer performs in close proximity to the patron, consisting of such practices as rubbing a patron's groin area with the dancer-entertainer's buttocks; rubbing and/or allowing the touching of the breasts of the entertainer; rubbing the entertainer's breasts or other parts of the dancer's anatomy in the patron's face; fondling the private areas of the patron and/or allowing the patron to

engage in such activities with the entertainer; and exposing, contrary to the rule, parts or areas of the body to the patron; (b) that the type of activities described in section 2.(a) may and often are contrary to the oral or written instructions of licensees, but are the most difficult to monitor or curtail; and (c) that the type of activities described in section 2.(a) have required enforcement personnel, both local authorities and board enforcement personnel, to spend a disproportionate amount of time at premises allowing table dancing, which results in an unwarranted expenditure of resources.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Ray Hensel, Supervisor, License Division, Capital Plaza Bldg., Olympia, 753-6259; Bob Obenland, Chief Enforcement Officer, Same Location, 753-6270; and Paul D. Solomon, Ass't Attorney General, Same Location, 753-6283.

Person or Organization Proposing Rules: The proposed rules are proposed by a majority of the Washington State Liquor Control Board.

Agency Comments: A majority of the board recommends approval of the above rules.

Necessity for Rules: None of the above rules are initiated as a result of federal law or federal or state court action.

NEW SECTION

WAC 314-16-122 LICENSEE-EMPLOYEES—PROHIBITED CONDUCT WITH PATRONS. (1) No retail licensee, and no servant, agent or employee thereof shall employ or contract with any person to solicit a patron for any beverage and/or to accept any beverage from a patron in or upon the licensed premises and to receive therefor, either directly or indirectly, any commission, remuneration or compensation.

(2) No retail licensee, and no servant, agent or employee thereof shall employ or contract with any person for the purpose of having such person dance with a patron, or for the purpose of having such person spend time with a patron in or upon the licensed premises and for which said servant, agent or employee is to receive, either directly or indirectly, any commission, remuneration, or compensation.

(3) As used in subsections (1) and (2) of this section, the terms "employee," "servant," and "agent" are intended to have a broad and general meaning so as to include any person performing services in or on a retail liquor licensed premises and whose work is under some control and/or direction of the licensee.

AMENDATORY SECTION (Amending Order 34, filed 6/24/75)

WAC 314-16-125 SUGGESTIVE, LEWD AND/OR OBSCENE CONDUCT ON LICENSED PREMISES. The following acts or conduct on licensed premises are prohibited:

(1) To employ or use any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.

(2) To employ or use the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume or clothing as described in paragraph (1) above.

(3) To encourage or permit any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.

(4) To permit any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.

(5) To permit any person to perform acts of or acts which simulate:

(a) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(b) The touching, caressing or fondling of the breast, buttocks, anus or genitals.

(c) The displaying of the pubic hair, anus, vulva or genitals.

(6) Subject to paragraph (5) herein, to permit entertainers whose breast and/or buttocks are exposed to view to perform elsewhere on the licensed premises except upon a stage at least eighteen inches above the immediate floor level and removed at least six feet from the nearest patron.

(7) Subject to paragraph (5) herein, to permit any dancer-entertainer to perform on the licensed premises except when removed at least six feet from the nearest patron.

(8) To permit any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.

~~((+))~~ (9) To permit any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.

~~((+))~~ (10) To permit the showing of film, still pictures, electronic reproduction, or other visual reproductions depicting:

(a) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(b) Any person being touched, caressed or fondled on the breast, buttocks, anus or genitals.

(c) Scenes wherein a person displays the vulva or the anus or the genitals.

(d) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above.

~~((+))~~ (11) Nothing in this rule is intended to modify the provisions of RCW 66.28.080 concerning city or county dancing or music permits.

~~((+))~~ (12) Notwithstanding any of the provisions of this rule, no licensee shall employ, use the services of, or permit upon his licensed premises, any entertainment or person whose attire or conduct is in violation of any city or county ordinance.

~~((+))~~ (13) The occurrence of any of the above acts or conduct, whether permitted on the part of a licensee or his employees or agents or any other persons under the control or direction of the licensee or his employees or agents, shall constitute good and sufficient cause for cancellation of license privileges.

~~((+))~~ (14) If any provision of this rule or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are severable.

Board, 5th Floor, Capitol Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Wednesday, September 23, 1981, in the Office of the Liquor Control Board, 5th Floor, Capitol Plaza Building, 1025 East Union Avenue, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 66.08.030, 66.98.070 and Title 34 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 23, 1981, and/or orally at 9:30 a.m., Wednesday, September 23, 1981, Office of the Liquor Control Board, 5th Floor, Capitol Plaza Building, 1025 East Union Avenue, Olympia, WA 98504.

Dated: August 19, 1981

By: Leroy M. Hittle
Chairman

STATEMENT OF PURPOSE

The new and amendatory rules described herein and set forth in the notice will, for ease of reference, be assigned the following number designations: WAC 314-08-160, 314-08-180, 314-62-010, 314-62-020 and 314-78-010, and the information relating to purpose and implementation will be submitted in sequence, utilizing the arabic number designation assigned to each of the above rules.

Title: Subpoenas—Issuance, Subpoenas—Fees, Liquor Law Pamphlets, Annual Reports and Official Board Seal.

Description of Purpose: 1.(a) Authorizes attorneys in contested cases to issue subpoenas over their own signature; (b) Provides that the board may, at the request of licensees who are not represented, issue subpoenas. 2. Provides that witnesses shall be allowed witness fees and mileage rates as authorized by the Administrative Procedure Act, RCW 34.04.105. 3. To eliminate the current specific price information and allow board to set a price based upon costs of printing and handling liquor law pamphlets. 4. To eliminate the current specific price information and allow board to set a price based upon costs of printing and handling annual reports. 5. To adopt the new design of its official seal by formal rule as authorized by RCW 66.08.030(2)(g).

Statutory Authority for the Rules: RCW 66.08.030, 66.98.070 and Title 34 RCW.

Summary: 1. Authorizes attorneys for licensees in contested cases to issue subpoenas over their own signature. The board will issue subpoenas at the request of licensees who are not represented. 2. Provides for witness fees and mileage rates for witnesses in contested case proceedings. 3. Pamphlets containing the liquor laws and board rules

WSR 81-17-084

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning:

Amd	WAC 314-08-160	Subpoenas—Issuance.
Amd	WAC 314-08-180	Subpoenas—Fees.
Amd	WAC 314-62-010	Liquor law pamphlets.
Amd	WAC 314-62-020	Annual reports.
New	WAC 314-78-010	Official board seal;

that such agency will at 9:30 a.m., Wednesday, September 23, 1981, in the Office of the Liquor Control

are to be distributed to the public, at a cost directed by the board, and free to certain designated organizations. 4. Annual Reports of the board operations are to be available to the public at a cost directed by the board, and free to certain designated organizations. 5. Adopts the design of board's official seal. Reasons Supporting Proposing Action: 1. Allows an attorney of record to issue subpoenas over his own signature which is a practice authorized by the Administrative Procedure Act, RCW 34.04.105(2)(a), and avoids the necessity of making application to the board. 2. Brings the witness fees and mileage rates in line with those authorized for witnesses in superior court proceedings. 3. Eliminates the necessity for changing rule every time a price change based upon costs occurs. 4. The board's official seal adopted in 1934 was a profile view of President Washington. The logo-design in use by the board on stationery and decals at state stores and agencies in a full face view of President Washington. For uniformity, have one design serve for all uses.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Dick Scott, Hearing Examiner, Capital Plaza Bldg., Olympia, 753-3790; Paul D. Solomon, Ass't Atty. General, Same Location, 753-6283; Bob Obenland, Chief Enforcement Officer, Same Location, 753-6270; and Stan Sanders, Supervisor, Central Office Services, Same Location, 753-3775.

Person or Organization Proposing Rules: All of the above rules are proposed by the Washington State Liquor Control Board.

Agency Comments: The board recommends approval of all of the above rules.

Necessity for Rules: None of the above rules are initiated as a result of federal law or federal or state court action.

AMENDATORY SECTION (Amending Resolution No. 2, Rule 08.160, filed 6/13/63)

WAC 314-08-160 SUBPOENAS—ISSUANCE TO PARTIES. (1) Upon application of counsel or other representative appearing before the board pursuant to WAC 314-08-010(3) (~~of these rules;~~) for any party to a contested case, there shall be issued to such party subpoenas requiring the attendance and testimony of witnesses or the production of evidence in such proceeding: **PROVIDED, HOWEVER, That such subpoenas may be issued with like effect by the attorney of record of the party to the contested case in whose behalf the witness is required to appear, and the form of such subpoena in each case may be the same as when issued by the board except that it shall only be subscribed by the signature of such attorney.**

(2) The board may issue subpoenas to (~~parties not so represented~~) licensees in contested case proceedings who are not represented by counsel or other representative upon request and or upon a showing of

general relevance and reasonable scope of the testimony or evidence sought.

AMENDATORY SECTION (Amending Resolution No. 2, Rule 08.180, filed 6/13/63)

WAC 314-08-180 SUBPOENAS—FEES. As provided by RCW 66.24.010(3), witnesses (~~may, in the discretion of the board;~~) shall be allowed fees (~~at the rate of two dollars per day, plus five cents per mile each way~~) and mileage each way to and from any such inquiry, investigation, hearing, or proceeding at the rate authorized by RCW 34.04.105, as now or hereafter amended. Fees need not be paid in advance of appearance of witnesses to testify or to produce books, records, or other legal evidence.

AMENDATORY SECTION (Amending Order 63, filed 1/17/78)

WAC 314-62-010 LIQUOR LAW PAMPHLETS. Pursuant to RCW 66.08.030 as amended by section 1, chapter 115, Laws of 1977 ex. sess., pamphlets containing the liquor laws (Title 66 RCW and other liquor related statutes) and the revised rules and regulations of the board shall be made available through the Board's Central Office Services Division, 1025 East Union Avenue, Olympia, Washington 98504, for distribution, upon request, to any member of the public. An updating service covering amendments to the Liquor Act and the Revised Rules and Regulations of the Board shall also be available for such distribution. Charges shall be made for these items as (~~follows:~~

Liquor Laws and Regulations _____ \$1.50
Update Service _____ \$3.50))
 directed by the board from time to time to cover the costs of printing and handling.

PROVIDED, HOWEVER, That copies of the liquor laws and regulations and the update service shall be provided without charge as follows: (1) To the secretary of the senate for use of senate committees, fifteen copies; (2) to the chief clerk of the house for use of house committees, twenty copies; (3) to the state library, two copies; (4) to the state law library, two copies; (5) to licensees of the board, one copy each; (6) to recognized news reporting services maintaining permanent offices at the capitol, one copy each. One copy shall also be provided without charge, upon request, to legislators, governmental and non-profit organizations, academic research students, libraries, and alcoholism information and treatment centers.

AMENDATORY SECTION (Amending Order 65, Resolution 74, filed 4/6/78)

WAC 314-62-020 ANNUAL REPORTS. Pursuant to RCW 66.08.028, the board makes annual reports to the governor covering the administration and enforcement of the Liquor Act during the preceding fiscal year. Copies of this report shall be available through the Board's Central Office Services Division, 1025 East Union Avenue, Olympia, Washington 98504, for distribution, upon request, to any member of the public. A charge (~~of \$2.80~~) as directed by the board from time to time to cover the costs of printing and handling shall be made for each copy of this report: **PROVIDED, HOWEVER,** That copies of the annual report shall be provided without charge as follows: (1) To the secretary of the senate for use of senate committees, fifteen copies; (2) to the chief clerk of the house for use of house committees, twenty copies; (3) to the state library, two copies; (4) to the state law library, two copies; (5) to licensed agents of suppliers of liquor with whom the board does business, one copy each; (6) to recognized news reporting services maintaining permanent offices at the capitol, one copy each. One copy of the annual report shall also be provided without charge, upon request, to legislators, governmental and nonprofit organizations, academic research students, libraries, and alcoholism information and treatment centers.

NEW SECTION

WAC 314-78-010 OFFICIAL SEAL OF THE BOARD. Pursuant to the authority of RCW 66.08.030(2)(g) the board adopts the following design as and for its official seal:



WSR 81-17-085
EMERGENCY RULES
DEPARTMENT OF LICENSING
(Securities Division)
 [Order SDO-81-81—Filed August 19, 1981]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at the Highways-Licenses Building, Olympia, Washington 98504, the annexed rules relating to the regulation of securities broker-dealers, salespersons and investment advisers. Salespersons examinations, amending WAC 460-20A-220; Broker-dealer examinations, WAC 460-20A-230; and Investment adviser examinations, WAC 460-24A-050.

I, John Gonzalez, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is to implement rules regulating broker-dealers, investment advisers, and sales agents pursuant to chapter 272, Laws of 1981, effective July 26, 1981. Under chapter 272, the department is without registration and examination procedures until these rules are adopted.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 21.20.450 which directs that the Director of the Department of Licensing has authority to implement the provisions of chapter 21.20 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED August 19, 1981.

By John Gonzalez
 Director

AMENDATORY SECTION (Amending Order SDO-37-80, filed 3/19/80)

WAC 460-20A-220 SALESPERSON REGISTRATION AND EXAMINATION((S)). (1) Every applicant for registration as a securities salesperson, unless exempt as provided herein, shall pass the

((Washington state securities salesperson)) following examinations with a score of 70% or better and complete the NASD Form U-4. ((Every applicant shall pass such examination unless such applicant.))

(a) ((Has within the preceding five years passed a National Association of Securities Dealers (N.A.S.D.) series 1, series 7, series 40 or nonmember test series 1 examination and has been continuously employed as a securities salesperson since such passage by broker-dealers who were at the time of said employment members of N.A.S.D. or were registered brokers with the state of Washington; or)) For a salesperson's license to effect or attempt to effect sales of general securities, the individual shall pass the NASD Uniform Securities Agent State Law Examination and either the SECO/NASD Non-Member General Securities Representative Examination or the General Securities Representative Examination.

(b) ((Has within the preceding five years passed the Uniform Securities Agent State Law Exam (U.S.A.S.L.E.) series 63 and has been continuously employed as a securities salesperson since such passage by broker-dealers who were at the time of said employment members of N.A.S.D. or were registered brokers with the state of Washington; PROVIDED, That in addition to such passage of U.S.A.S.L.E. such applicant shall demonstrate proof of passage of a general securities exam conducted by N.A.S.D.; or)) For a limited salesperson's license to effect or to attempt to effect sales of investment company securities, variable contracts or mutual funds, the individual shall pass the NASD Investment Company Products/Variable Contracts Representative Examination and the Uniform Securities Agent State Law examination.

(c) ((Is exempt under the original offering provision of RCW 21.20.070.)) For a limited salesperson's license to effect or to attempt to effect sales of limited partnership interests and interests in tax shelters, the individual shall pass the NASD Direct Participation Program Representative Examination and the Uniform Securities Agent State Law Examination.

(d) For a limited salesperson's license to effect or to attempt to effect sales of municipal bonds, the individual shall pass the NASD Municipal Securities Representative Examination and the Uniform Securities Agent State Law Examination.

(2) ((Employment with broker-dealers who are members of N.A.S.D. or registered with the state of Washington as required in (1)(a) and (b) shall be deemed continuous if the securities salesperson has been absent from securities sales employment for no more than two years.)) Any individual out of the business of effecting transactions in securities for less than two years and who has previously passed the required examinations in (a), (b) or (c) above or the Washington State Securities Examination shall not be required to retake the examination(s) to be eligible to be relicensed upon application.

(3) ((The time and place for the Washington state securities salesperson examination will be available from the division upon request. Applications for examination must be received in the division at least two weeks prior

to the examination date in order to be scheduled for that examination. If the applicant fails to show up for a scheduled examination he will automatically be rescheduled for the next examination. Unexcused failure to show up for two scheduled examinations will result in the application being denied. In order to reapply it will be necessary for the applicant to submit a new application along with the appropriate fees.) Upon written application and approval, the director may exempt the following persons from the testing requirements in Subsection (1) above:

(a) For a particular original offering of an issuer's securities, not more than two officers of an issuer or corporate general partner or two individual general partners. No such person may again register within five years as a salesperson without passing the written examinations.

(b) A salesperson engaged exclusively in the sale of condominium securities provided that written notice is given to the director five days prior to the exercise of the exemption and that such salesperson submit his/her current Washington real estate license to the director. If that license is cancelled, suspended or revoked, the exemption will not apply to any further transaction.

(4) The licenses in Section (1) shall be effective until December 31 of the year of passage at which time it shall be renewed or delinquent. The renewal fee for 1981 shall be \$12.50. For all years thereafter, the renewal fee shall be \$15.00. For any renewal application postmarked after December 31 but before March 1, the fee shall be \$40.00. No renewal applications will be accepted after March 1. Such licensees must submit a new application and filing fee. The fee for transfers shall be \$25.00. For reinstatements prior to December 1, the fee shall be \$50.00 and shall be valid until December 31 of the year of reinstatement. Thereafter effectiveness shall run through the next renewal period.

(5) Any applicant not completing the salesperson application in full shall be issued a deficiency letter. The deficiency must be corrected within the subsequent six-month period. If not so completed, one-half the filing fee shall be returned to the applicant. A new application and filing fee must then be filed in order to initiate application.

AMENDATORY SECTION (Amending Order 342, filed 9/29/75)

WAC 460-20A-230 BROKER-DEALER REGISTRATION AND EXAMINATION((S)) ((The time and places for examination will be available from the Division upon request. Applications for examination must be received in the division at least two weeks prior to examination date in order to be scheduled for that examination. If the applicant fails to show up for a scheduled examination, he will automatically be rescheduled for the next examination. Unexcused failure to show up for two scheduled examinations will result in the application being denied. In order to reapply it will be necessary for the applicant to submit a new application along with the appropriate fees.

If the applicant is an individual then he must successfully pass the Washington Broker-Dealer examination:

If the applicant is a corporation then an officer must successfully pass the Washington Broker-Dealer examination. If the individual who takes the examination on behalf of a corporate applicant ceases to be employed by that corporation then a substitute officer must successfully pass the Washington Broker-Dealer examination within two months in order to maintain the Broker-Dealer license.

If the applicant is a partnership then one of the general partners must successfully pass the Washington Broker-Dealer examination. If the general partner who takes the examination ceases to be a general partner of the partnership then a substitute general partner must successfully pass the Washington Broker-Dealer examination within two months in order to maintain the Broker-Dealer license.) (1) In order to be licensed in this state as a broker-dealer the individual applicant, an officer if the applicant is a corporation, or a general partner if the applicant is a partnership shall pass the following examination with a score of 70% or better and complete the NASD Form B/D including Schedule F as it pertains to Washington State.

(a) For a broker-dealers license to effect transactions in general securities one individual, officer or general partner shall pass the NASD General Securities Principal Examination, the Uniform Securities Agent State Law Examination, and the Financial and Operations Principal Examination.

(b) For a limited broker-dealer license to effect transactions in investment company securities, variable contracts or mutual funds one individual, officer shall pass the NASD Investment Company Products/Variable Contracts Principal Examination and the Uniform Securities Agent State Law Examination.

(c) For a limited broker-dealers license to effect transactions in limited partnership interests and interests in tax shelters one individual, officer or general partner shall pass the NASD Direct Participation Programs Principal Examination and the Uniform Securities Agent State Law Examination.

(d) For a limited broker-dealer's license to effect transactions in municipal bonds, one individual, officer or general partner shall pass the NASD Municipal Securities Principal Examination and the Uniform Securities Agent State Law Examination.

(2) The director may upon application waive the Financial and Operations Examination required in (a) above for brokerage firms using another broker-dealer as a clearing agent, provided that the broker-dealer acting as the clearing agent has passed the examination.

(3) If the individual officer who takes the examination on behalf of a corporate applicant or the individual general partner who takes the examination on behalf of a partnership ceases to be an officer or general partner, then a substitute officer or general partner must pass the same category of examination specified in (a), (b) or (c) above within two months in order to maintain the broker-dealers license.

(4) The licenses in (a), (b) or (c) shall be effective until December 31 of the year of passage at which time it shall be renewed or be delinquent. The renewal fee for

1981 shall be \$62.50. For all years thereafter, the renewal fee shall be \$75.00. For any renewal application postmarked after December 31 but before March 1, the fee shall be \$175.00. No renewal applications will be accepted after March 1. Such licensee must submit a new application and filing fee.

(5) Any applicant not completing the broker-dealer application in full shall be issued a deficiency letter. The deficiency must be corrected within the subsequent six-month period. If not so completed, one-half the filing fee shall be returned to the applicant. A new application and filing fee must then be filed in order to initiate application.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order SD-131-77, filed 11/23/77)

WAC 460-24A-050 INVESTMENT ADVISER & INVESTMENT ADVISOR SALESPERSON (REPRESENTATIVE) REGISTRATION AND EXAMINATIONS. ((The time and place for examination will be available from the division upon request. Applications for examination must be received in the division at least two weeks prior to examination date in order to be scheduled for that examination. If the applicant fails to show up for a scheduled examination, he will automatically be rescheduled for the next examination. Unexcused failure to show up for two scheduled examinations will result in the application being denied. In order to reapply it will be necessary for the applicant to submit a new application along with the appropriate fees.

If an applicant is an individual then he must successfully pass the Washington investment adviser examination.

If the applicant is a corporation an officer must successfully pass the Washington investment adviser examination. If the individual who takes the examination on behalf of a corporate applicant ceases to be an officer of that corporation then a substitute officer must successfully pass the Washington investment adviser examination within two months in order to maintain the investment adviser license.

If the applicant is a partnership then one of the general partners must successfully pass the Washington investment adviser examination. If the general partner who takes the examination ceases to be a general partner of the partnership then a substitute general partner must successfully pass the Washington investment adviser examination within two months in order to maintain the investment adviser license.))

(1) In order to be licensed in this state as an investment advisor the individual applicant, the officer if the applicant is a corporation or a general partner if the applicant is a partnership shall pass the NASD General Securities Principal Examination with a score of 70% or better and complete the NASD Form ADV.

(2) If the individual officer who takes the examination on behalf of a corporate applicant or the individual general partner who takes the examination on behalf of a

partnership ceases to be an officer or general partner, then a substitute officer or general partner must pass the NASD General Securities Principal Examination within two months in order to maintain the investment advisor license.

(3) In order to be licensed in this state as an investment advisor salesperson (representative) the individual applicant shall pass the General Securities Representative Examination and the Uniform Securities Agent State Law Examination with a score of seventy percent (70%) or better and complete the NASD Form U-4.

(4) Any individual who has been retained or employed by an investment advisor to solicit clients or offer the services of the investment advisor or manage the accounts of said clients any time during the two years prior to application and who has previously passed the required examination in section (3) of the Washington State Investment Advisors Examination shall not be required to retake the examination(s) to be eligible to be relicensed as an investment advisor salesperson (representative) upon application.

WSR 81-17-086
PROPOSED RULES
DEPARTMENT OF LICENSING
(Securities Division)
 [Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning the regulation of securities broker-dealers, salespersons and investment advisers. The amending of WAC 460-20A-100, Minimum net capital requirement for broker-dealers; 460-20A-220, Salespersons examinations; 460-20A-230, Broker-dealer examinations; 460-24A-050, Investment adviser examination; and 460-24A-170, Capital requirements;

that such agency will at 10:00 a.m., Tuesday, October 6, 1981, in Conference Room A, 4th Floor, Highways-Licenses Building, Olympia, Washington 98504, conduct a hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Friday, October 9, 1981, in the Securities Division, Department of Licensing, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 21.20.450.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1981, and/or orally at 10:00 a.m., Tuesday, October 6, 1981, Conference Room A, 4th Floor, Highways-Licenses Building, Olympia, Washington or Securities Division, P.O. Box 648, Olympia, WA 98504.

Dated: August 19, 1981
 By: John Gonzalez
 Director

STATEMENT OF PURPOSE

Name of Agency: Department of Licensing.
 General Purpose of Rule: The rules shown below are being adopted as Emergency rules and Notice of Intention to adopt the rules as permanent is being filed to implement the provisions of sections 1 through 4 of SB 3780, chapter 272, Laws of 1981. The purpose of the rules is to provide for the registration and examination of broker-dealers, salespersons and investment advisers and to provide greater protection to investors by bonding broker-dealers and investment advisers.

Description, Summary and Statutory Authority for Rule: Chapter 460-20A WAC, Broker-dealer and salespersons, amending WAC 460-20A-100 Minimum net capital requirement for broker-dealers, to impose a bond requirement on all broker-dealers to protect investors. RCW 21.20.450; Chapter 460-20A WAC, Broker-dealers and salespersons, amending WAC 460-20A-220 Salespersons examinations, to set forth salespersons registration and examination procedures requiring passage of examinations by the National Association of Securities Dealers ("NASD"). RCW 21.20.450; Chapter 460-20A WAC, Broker-dealer and salespersons, amending WAC 460-20A-230 Broker-dealer examinations; to set forth broker-dealer registration and examination procedures requiring passage of examinations by the NASD. RCW 21.20.450; Chapter 460-20A WAC, Investment advisers, amending WAC 460-24A-050 Investment adviser examination, to set forth investment adviser registration and examination procedures requiring passage of examinations by the NASD. RCW 21.20.450; and Chapter 460-24A WAC, Investment advisers, amending WAC 460-24A-170 Capital requirements, to impose bond requirements on investment advisers to protect investors. RCW 21.20.450.

Responsible Department Personnel: In addition to the Director of the Department of Licensing, the following agency personnel have responsibility for drafting, implementing and enforcing these rules: Cheryl Lux Duryea, Asst. Director, Prof. Licensing, 6th Floor, Hwys-Licenses Bldg., 234-1369 (Scan), 753-6928; and Ralph R. Smith, Administrator, Securities Div., 6th Floor, Hwys-Licenses Bldg., 234-6928 (Scan), 753-6928.

Agency Proposing Rules: These rules were proposed by the Department of Licensing, Securities Division.

Agency Comments: The agency believes the amendments to the rules to be self-explanatory.

Whether the Rules are Necessary as the Result of Federal Law or Federal or State Court Action: These rules are not necessary as the result of any federal law or federal or state court actions.

AMENDATORY SECTION (Amending Order 304, filed 2/28/75)

WAC 460-20A-100 ((MINIMUM NET CAPITAL)) BOND REQUIREMENTS FOR BROKER-DEALERS. (1) Every ((licensed)) broker-dealer licensed in this state shall ((meet the minimum net capital requirements required by the United State Securities and Exchange Commission as now in effect. Copies of these requirements may be obtained from the Securities Division:)) be required to post a surety bond in the amount of \$5,000. Any broker-dealer who retains custody of his client's funds or securities and is not a member of the NASD shall be required to post an additional surety bond in the amount of \$25,000. Any appropriate deposit of cash or securities may be accepted in lieu of any bond so required. Every bond shall provide for suit thereon by any person who has a cause of action under 21.20.430 against such broker-dealer.

(2) Upon application, the director may waive the bond requirements under Section (1) for any broker-dealer who is a member of the Securities Investor Protection Corporation and provides the director of proof thereof.

AMENDATORY SECTION (Amending Order SDO-37-80, filed 3/19/80)

WAC 460-20A-220 SALESPERSON REGISTRATION AND EXAMINATION((S)). (1) Every applicant for registration as a securities salesperson, unless exempt as provided herein, shall pass the ((Washington state securities salesperson)) following examinations with a score of 70% or better and complete the NASD Form U-4. ((Every applicant shall pass such examination unless such applicant:))

(a) ((Has within the preceding five years passed a National Association of Securities Dealers (N.A.S.D.) series 1, series 7, series 40 or nonmember test series 1 examination and has been continuously employed as a securities salesperson since such passage by broker-dealers who were at the time of said employment members of N.A.S.D. or were registered with the state of Washington; or)) For a salesperson's license to effect or attempt to effect sales of general securities, the individual shall pass the NASD Uniform Securities Agent State Law Examination and either the SECO/NASD Non-Member General Securities Representative Examination or the General Securities Representative Examination.

(b) ((Has within the preceding five years passed the Uniform Securities Agent State Law Exam (U.S.A.S.L.E.) series 63 and has been continuously employed as a securities salesperson since such passage by broker-dealers who were at the time of said employment members of N.A.S.D. or were registered brokers with the state of Washington; PROVIDED, That in addition to such passage of U.S.A.S.L.E. such applicant shall demonstrate proof of passage of a general securities exam conducted by N.A.S.D.; or)) For a limited salesperson's license to effect or to attempt to effect sales of investment company securities, variable contracts or mutual funds, the individual shall pass the NASD Investment Company Products/Variable Contracts Representative Examination and the Uniform Securities Agent State Law examination.

(c) ((Is exempt under the original offering provision of RCW 21.20.070:)) For a limited salesperson's license to effect or to attempt to effect sales of limited partnership interests and interests in tax shelters, the individual shall pass the NASD Direct Participation Program Representative Examination and the Uniform Securities Agent State Law Examination.

(d) For a limited salesperson's license to effect or to attempt to effect sales of municipal bonds, the individual shall pass the NASD Municipal Securities Representative Examination and the Uniform Securities Agent State Law Examination.

(2) ((Employment with broker-dealers who are members of N.A.S.D. or registered with the state of Washington as required in (1)(a) and (b) shall be deemed continuous if the securities salesperson has been absent from securities sales employment for no more than

two years:)) Any individual out of the business of effecting transactions in securities for less than two years and who has previously passed the required examinations in (a), (b) or (c) above or the Washington State Securities Examination shall not be required to re-take the examination(s) to be eligible to be relicensed upon application.

(3) ((The time and place for the Washington state securities salesperson examination will be available from the division upon request. Applications for examination must be received in the division at least two weeks prior to the examination date in order to be scheduled for that examination. If the applicant fails to show up for a scheduled examination he will automatically be rescheduled for the next examination. Unexcused failure to show up for two scheduled examinations will result in the application being denied. In order to reapply it will be necessary for the applicant to submit a new application along with the appropriate fees:)) Upon written application and approval, the director may exempt the following persons from the testing requirements in Subsection (1) above:

(a) For a particular original offering of an issuer's securities, not more than two officers of an issuer or corporate general partner or two individual general partners. No such person may again register within five years as a salesperson without passing the written examinations.

(b) A salesperson engaged exclusively in the sale of condominium securities provided that written notice is given to the director five days prior to the exercise of the exemption and that such salesperson submit his/her current Washington real estate license to the director. If that license is cancelled, suspended or revoked, the exemption will not apply to any further transaction.

(4) The licenses in Section (1) shall be effective until December 31 of the year of passage at which time it shall be renewed or delinquent. The renewal fee for 1981 shall be \$12.50. For all years thereafter, the renewal fee shall be \$15.00. For any renewal application postmarked after December 31 but before March 1, the fee shall be \$40.00. No renewal applications will be accepted after March 1. Such licensees must submit a new application and filing fee. The fee for transfers shall be \$25.00. For reinstatements prior to December 1, the fee shall be \$50.00 and shall be valid until December 31 of the year of reinstatement. Thereafter effectiveness shall run through the next renewal period.

(5) Any applicant not completing the salesperson application in full shall be issued a deficiency letter. The deficiency must be corrected within the subsequent six-month period. If not so completed, one-half the filing fee shall be returned to the applicant. A new application and filing fee must then be filed in order to initiate application.

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

AMENDATORY SECTION (Amending Order 342, filed 9/29/75)

WAC 460-20A-230 BROKER-DEALER REGISTRATION AND EXAMINATION((S)) ((The time and places for examination will be available from the Division upon request. Applications for examination must be received in the division at least two weeks prior to examination date in order to be scheduled for that examination. If the applicant fails to show up for a scheduled examination, he will automatically be rescheduled for the next examination. Unexcused failure to show up for two scheduled examinations will result in the application being denied. In order to reapply it will be necessary for the applicant to submit a new application along with the appropriate fees.

If the applicant is an individual then he must successfully pass the Washington Broker-Dealer examination.

If the applicant is a corporation then an officer must successfully pass the Washington Broker-Dealer examination. If the individual who takes the examination on behalf of a corporate applicant ceases to be employed by that corporation then a substitute officer must successfully pass the Washington Broker-Dealer examination within two months in order to maintain the Broker-Dealer license.

If the applicant is a partnership then one of the general partners must successfully pass the Washington Broker-Dealer examination. If the general partner who takes the examination ceases to be a general partner of the partnership then a substitute general partner must successfully pass the Washington Broker-Dealer examination within two months in order to maintain the Broker-Dealer license:)) (1) In order to be licensed in this state as a broker-dealer the individual applicant, an officer if the applicant is a corporation, or a general partner if the applicant is a partnership shall pass the following examination with a

score of 70% or better and complete the NASD Form B/D including Schedule F as it pertains to Washington State.

(a) For a broker-dealers license to effect transactions in general securities one individual, officer or general partner shall pass the NASD General Securities Principal Examination, the Uniform Securities Agent State Law Examination, and the Financial and Operations Principal Examination.

(b) For a limited broker-dealer license to effect transactions in investment company securities, variable contracts or mutual funds one individual, officer shall pass the NASD Investment Company Products/Variable Contracts Principal Examination and the Uniform Securities Agent State Law Examination.

(c) For a limited broker-dealers license to effect transactions in limited partnership interests and interests in tax shelters one individual, officer or general partner shall pass the NASD Direct Participation Programs Principal Examination and the Uniform Securities Agent State Law Examination.

(d) For a limited broker-dealer's license to effect transactions in municipal bonds, one individual, officer or general partner shall pass the NASD Municipal Securities Principal Examination and the Uniform Securities Agent State Law Examination.

(2) The director may upon application waive the Financial and Operations Examination required in (a) above for brokerage firms using another broker-dealer as a clearing agent, provided that the broker-dealer acting as the clearing agent has passed the examination.

(3) If the individual officer who takes the examination on behalf of a corporate applicant or the individual general partner who takes the examination on behalf of a partnership ceases to be an officer or general partner, then a substitute officer or general partner must pass the same category of examination specified in (a), (b) or (c) above within two months in order to maintain the broker-dealers license.

(4) The licenses in (a), (b) or (c) shall be effective until December 31 of the year of passage at which time it shall be renewed or be delinquent. The renewal fee for 1981 shall be \$62.50. For all years thereafter, the renewal fee shall be \$75.00. For any renewal application postmarked after December 31 but before March 1, the fee shall be \$175.00. No renewal applications will be accepted after March 1. Such licensee must submit a new application and filing fee.

(5) Any applicant not completing the broker-dealer application in full shall be issued a deficiency letter. The deficiency must be corrected within the subsequent six-month period. If not so completed, one-half the filing fee shall be returned to the applicant. A new application and filing fee must then be filed in order to initiate application.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order SD-131-77, filed 11/23/77)

WAC 460-24A-050 INVESTMENT ADVISER & INVESTMENT ADVISOR SALESPERSON (REPRESENTATIVE) REGISTRATION AND EXAMINATIONS. ((The time and place for examination will be available from the division upon request. Applications for examination must be received in the division at least two weeks prior to examination date in order to be scheduled for that examination. If the applicant fails to show up for a scheduled examination, he will automatically be rescheduled for the next examination. Unexcused failure to show up for two scheduled examinations will result in the application being denied. In order to reapply it will be necessary for the applicant to submit a new application along with the appropriate fees.

If an applicant is an individual then he must successfully pass the Washington investment adviser examination.

If the applicant is a corporation an officer must successfully pass the Washington investment adviser examination. If the individual who takes the examination on behalf of a corporate applicant ceases to be an officer of that corporation then a substitute officer must successfully pass the Washington investment adviser examination within two months in order to maintain the investment adviser license.

If the applicant is a partnership then one of the general partners must successfully pass the Washington investment adviser examination. If the general partner who takes the examination ceases to be a general partner of the partnership then a substitute general partner must successfully pass the Washington investment adviser examination

~~within two months in order to maintain the investment advisor license.))~~

~~(1) In order to be licensed in this state as an investment advisor the individual applicant, the officer if the applicant is a corporation or a general partner if the applicant is a partnership shall pass the NASD General Securities Principal Examination with a score of 70% or better and complete the NASD Form ADV.~~

~~(2) If the individual officer who takes the examination on behalf of a corporate applicant or the individual general partner who takes the examination on behalf of a partnership ceases to be an officer or general partner, then a substitute officer or general partner must pass the NASD General Securities Principal Examination within two months in order to maintain the investment advisor license.~~

~~(3) In order to be licensed in this state as an investment advisor salesperson (representative) the individual applicant shall pass the General Securities Representative Examination and the Uniform Securities Agent State Law Examination with a score of seventy percent (70%) or better and complete the NASD Form U-4.~~

~~(4) Any individual who has been retained or employed by an investment advisor to solicit clients or offer the services of the investment advisor or manage the accounts of said clients any time during the two years prior to application and who has previously passed the required examination in section (3) of the Washington State Investment Advisors Examination shall not be required to retake the examination(s) to be eligible to be relicensed as an investment advisor salesperson (representative) upon application.~~

AMENDATORY SECTION (Amending Order 304, filed 2/28/75)

~~WAC 460-24A-170 ((CAPITAL BOND REQUIREMENT((S)) FOR INVESTMENT ADVISORS. (1) ((Any)) Every investment advisor ((who takes any power of attorney from any investment advisory client to execute transactions or has custody of any or [of] his investment advisory clients' securities or funds is subject to the minimum capital requirement and the requirement regarding the ratio of net capital to aggregate indebtedness, in accordance with WAC 460-20A-100 of these rules:)) registered in this state shall be required to post a surety bond in the amount of \$5,000. Any investment advisor who takes any power of attorney from any client to execute transactions or retains custody of any of his client's securities or funds shall be required to post an additional surety bond in the amount of \$25,000. Any appropriate deposit of cash or securities may be accepted in lieu of any bond so required. Every bond shall provide for suit thereon by any person who has a cause of action under RCW 21.20.430 against such investment advisor.~~

~~((2) The administrator may, upon written application, exempt from the provisions of this section, either unconditionally or on specified terms and conditions, any investment advisor who satisfies the administrator that, because of the special nature of his business, his financial position, and the safeguards he has established for the protection of customers' funds and securities, it is not necessary in the public interest or for the protection of investors to subject the particular investment advisor to the provisions of this section:))~~

Reviser's Note: RCW 34.04.058 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 81-17-087
PROPOSED RULES
DEPARTMENT OF LICENSING
(Securities Division)
[Filed August 19, 1981]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Licensing intends to adopt, amend, or repeal rules concerning the regulation of securities, Exempt Transactions; including non-public and limited offerings, non-issuer isolated transactions and mortgages when offered and sold as a unit, amending WAC 460-44A-010, 460-44A-020, 460-44A-030, 460-44A-041, adopting 460-

44A-025, 460-45A-010 through 460-45A-110, 460-46A-010 through 460-46A-155, 460-47A-010, 460-47A-020 and repealing 460-44A-045, 460-44A-050, 460-44A-060, 460-44A-065, 460-44A-070 and 460-44A-075;

that such agency will at 10:00 a.m., Tuesday, October 6, 1981, in Conference Room A, 4th Floor, Highways-Licenses Building, Olympia, Washington 98504, conduct a hearing relative thereto.

The formal adoption, amendment or repeal of such rules will take place at 10:00 a.m., Friday, October 9, 1981, in the Securities Division, Department of Licensing, Highways-Licenses Building, Olympia, Washington 98504.

The authority under which these rules are proposed is RCW 21.20.450.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to October 6, 1981, and/or orally at 10:00 a.m., Tuesday, October 6, 1981, Conference Room A, 4th Floor, Highways-Licenses Building, Olympia, or Securities Division, P.O. Box 648, Olympia, WA 98504.

Dated: August 19, 1981

By: John Gonzalez
Director

STATEMENT OF PURPOSE

Name of Agency: Department of Licensing.
General Purpose of Rule: The attached rules are proposed to implement the provisions of sections 6(1) and (9) and 7(11), chapter 272, Laws of 1981, and further define the private and limited offering exemptions of RCW 21.20.320(1) and (9). New chapters are created for the convenience of the public.

Description, Summary and Statutory Authority for Rule:

Chapter 460-44A WAC, Exempt Transactions, amending the non-public offering exemption rules WAC 460-44A-010, 460-44A-020, 460-44A-030 and 460-44A-041 to require filing of notification of proposed sales, to delete report of sales and financial suitability requirements. RCW 21.20.450, implementing sections 6 and 7, chapter 272, Laws of 1981.

Chapter 460-44A WAC, Exempt Transactions, adopting WAC 460-44A-025 defining knowledge and experience required for investors in private offerings under the rules. RCW 21.20.320(1) and 21.20.450.

Chapter 460-45A WAC, Washington State Non-Public Offering Safe Harbor, adopting WAC 460-45A-010 through 460-45A-110 creating additional private offering exemption without filing with the Securities Division requiring certain attorneys' opinions and financial suitability requirements. RCW 21.20.320(1) and 21.20.450.

Chapter 460-46A WAC, Washington State Limited Offering Exemption, adopting

WAC 460-46A-010 through 460-46A-155 creating limited offering exemption without filing with Securities Division if the prescribed form and conditions are followed. RCW 21.20.450, implementing section 6, chapter 272, Laws of 1981.

Chapter 460-47A WAC, Other Exempt Transactions, adopting WAC 460-47A-010 and 460-47A-020 repealed from WAC 460-44A-050 and 460-44A-075 respectively. RCW 21.20.450.

Responsible Department Personnel: In addition to the Director of the Department of Licensing, the following agency personnel have responsibility for drafting, implementing and enforcing these rules: Cheryl Lux Duryea, Asst. Director, Prof. Licensing, 6th Floor, Hwys-Licenses Bldg., 234-1369 (Scan), 753-1369; and Ralph R. Smith, Administrator, Securities Div., 6th Floor, Hwys-Licenses Bldg., 234-6928 (Scan), 753-6928.

Agency Proposing Rules: These rules are proposed by the Department of Licensing, Securities Division.

Agency Comments: The agency believes the proposed rules and amendments to the rules to be self-explanatory.

Whether the Rules are Necessary as the Result of any Federal Law or Federal or State Court Action: The proposed rules are not necessary as the result of any federal law or federal or state court action.

Reviser's Note: The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- REP = Repeal of existing section
- AM/DE = Amendment and Decodification of existing section
- RECOD = Recodification of previously codified section
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RES = Restoration of section to previous form
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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1-12-020	AMD-P	81-11-069	16-54-071	AMD-P	81-07-055
1-12-020	AMD	81-14-021	16-54-071	AMD	81-10-047
1-12-030	AMD-P	81-11-069	16-54-082	AMD-P	81-07-055
1-12-030	AMD	81-14-021	16-54-082	AMD	81-10-047
1-12-032	AMD-P	81-11-069	16-86-015	AMD-P	81-07-054
1-12-032	AMD	81-14-021	16-86-015	AMD	81-10-048
1-12-033	AMD-P	81-11-069	16-86-015	AMD-P	81-11-050
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1-12-034	NEW	81-14-021	16-86-095	AMD-P	81-07-054
1-12-035	AMD-P	81-11-069	16-86-095	AMD	81-10-049
1-12-035	AMD	81-14-021	16-86-095	REP-E	81-10-050
1-12-190	AMD-P	81-11-069	16-96-130	AMD-P	81-15-091
1-12-190	AMD	81-14-021	16-200-001	REP-P	81-15-084
1-12-210	AMD-P	81-11-069	16-200-002	REP-P	81-15-084
1-12-210	AMD	81-14-021	16-200-006	REP-P	81-15-084
1-12-910	AMD-P	81-11-069	16-200-007	REP-P	81-15-084
1-12-910	AMD	81-14-021	16-200-805	NEW-E	81-14-068
1-12-930	AMD-P	81-11-069	16-200-805	NEW-P	81-15-084
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1-12-950	NEW	81-14-021	16-224-002	REP	81-15-057
1-13-005	AMD-P	81-11-069	16-224-003	REP-P	81-12-051
1-13-005	AMD	81-14-021	16-224-003	REP	81-15-057
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1-13-010	AMD	81-14-021	16-224-020	NEW-P	81-12-051
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118-03-150	NEW-E	81-09-051	131-36-300	NEW-P	81-16-021	132B-12-108	REP	81-10-008
118-03-150	AMD-E	81-09-065	132A-104-005	REP-P	81-06-031	132B-12-111	REP-P	81-04-005
118-03-150	AMD-P	81-11-067	132A-104-005	REP	81-10-039	132B-12-111	REP	81-10-008
118-03-150	NEW	81-15-012	132B-12-003	REP-P	81-04-005	132B-12-114	REP-P	81-04-005
118-03-150	NEW-E	81-15-013	132B-12-003	REP	81-10-008	132B-12-114	REP	81-10-008
118-03-170	NEW-E	81-09-051	132B-12-006	REP-P	81-04-005	132B-12-117	REP-P	81-04-005
118-03-170	AMD-E	81-09-065	132B-12-006	REP	81-10-008	132B-12-117	REP	81-10-008
118-03-170	AMD-P	81-11-067	132B-12-009	REP-P	81-04-005	132B-12-120	REP-P	81-04-005
118-03-170	NEW	81-15-012	132B-12-009	REP	81-10-008	132B-12-120	REP	81-10-008
118-03-170	NEW-E	81-15-013	132B-12-012	REP-P	81-04-005	132B-12-123	REP-P	81-04-005
118-03-190	NEW-E	81-09-051	132B-12-012	REP	81-10-008	132B-12-123	REP	81-10-008
118-03-190	NEW-P	81-11-067	132B-12-015	REP-P	81-04-005	132B-12-126	REP-P	81-04-005
118-03-190	NEW	81-15-012	132B-12-015	REP	81-10-008	132B-12-126	REP	81-10-008
118-03-190	NEW-E	81-15-013	132B-12-018	REP-P	81-04-005	132B-12-129	REP-P	81-04-005
118-03-210	NEW-E	81-09-051	132B-12-018	REP	81-10-008	132B-12-129	REP	81-10-008
118-03-210	NEW-P	81-11-067	132B-12-021	REP-P	81-04-005	132B-12-132	REP-P	81-04-005
118-03-210	NEW	81-15-012	132B-12-021	REP	81-10-008	132B-12-132	REP	81-10-008
118-03-210	NEW-E	81-15-013	132B-12-024	REP-P	81-04-005	132B-12-135	REP-P	81-04-005
118-03-230	NEW-E	81-09-051	132B-12-024	REP	81-10-008	132B-12-135	REP	81-10-008
118-03-230	AMD-E	81-09-065	132B-12-027	REP-P	81-04-005	132B-12-138	REP-P	81-04-005
118-03-230	AMD-P	81-11-067	132B-12-027	REP	81-10-008	132B-12-138	REP	81-10-008
118-03-230	NEW	81-15-012	132B-12-030	REP-P	81-04-005	132B-12-141	REP-P	81-04-005
118-03-230	NEW-E	81-15-013	132B-12-030	REP	81-10-008	132B-12-141	REP	81-10-008
118-03-250	NEW-E	81-09-051	132B-12-033	REP-P	81-04-005	132B-12-144	REP-P	81-04-005
118-03-250	NEW-P	81-11-067	132B-12-033	REP	81-10-008	132B-12-144	REP	81-10-008
118-03-250	NEW	81-15-012	132B-12-036	REP-P	81-04-005	132B-12-147	REP-P	81-04-005
118-03-250	NEW-E	81-15-013	132B-12-036	REP	81-10-008	132B-12-147	REP	81-10-008
118-03-270	NEW-E	81-09-051	132B-12-039	REP-P	81-04-005	132B-12-150	REP-P	81-04-005
118-03-270	NEW-P	81-11-067	132B-12-039	REP	81-10-008	132B-12-150	REP	81-10-008
118-03-270	NEW	81-15-012	132B-12-042	REP-P	81-04-005	132B-12-153	REP-P	81-04-005
118-03-270	NEW-E	81-15-013	132B-12-042	REP	81-10-008	132B-12-153	REP	81-10-008
118-03-290	NEW-E	81-09-051	132B-12-045	REP-P	81-04-005	132B-12-156	REP-P	81-04-005
118-03-290	NEW-P	81-11-067	132B-12-045	REP	81-10-008	132B-12-156	REP	81-10-008
118-03-290	NEW	81-15-012	132B-12-048	REP-P	81-04-005	132B-12-159	REP-P	81-04-005
118-03-290	NEW-E	81-15-013	132B-12-048	REP	81-10-008	132B-12-159	REP	81-10-008
118-03-310	NEW-E	81-09-051	132B-12-051	REP-P	81-04-005	132B-12-162	REP-P	81-04-005
118-03-310	NEW-P	81-11-067	132B-12-051	REP	81-10-008	132B-12-162	REP	81-10-008
118-03-310	NEW	81-15-012	132B-12-054	REP-P	81-04-005	132B-12-165	REP-P	81-04-005
118-03-310	NEW-E	81-15-013	132B-12-054	REP	81-10-008	132B-12-165	REP	81-10-008
118-03-330	NEW-E	81-09-051	132B-12-057	REP-P	81-04-005	132B-12-168	REP-P	81-04-005
118-03-330	NEW-P	81-11-067	132B-12-057	REP	81-10-008	132B-12-168	REP	81-10-008
118-03-330	NEW	81-15-012	132B-12-060	REP-P	81-04-005	132B-12-171	REP-P	81-04-005
118-03-330	NEW-E	81-15-013	132B-12-060	REP	81-10-008	132B-12-171	REP	81-10-008
118-10-010	NEW-P	81-10-040	132B-12-063	REP-P	81-04-005	132B-12-174	REP-P	81-04-005
118-10-010	NEW-P	81-13-007	132B-12-063	REP	81-10-008	132B-12-174	REP	81-10-008
118-10-010	NEW	81-15-015	132B-12-066	REP-P	81-04-005	132B-12-177	REP-P	81-04-005
118-10-020	NEW-P	81-10-040	132B-12-066	REP	81-10-008	132B-12-177	REP	81-10-008
118-10-020	NEW-P	81-13-007	132B-12-069	REP-P	81-04-005	132B-12-180	REP-P	81-04-005
118-10-020	NEW	81-15-015	132B-12-069	REP	81-10-008	132B-12-180	REP	81-10-008
118-10-030	NEW-P	81-10-040	132B-12-072	REP-P	81-04-005	132B-12-183	REP-P	81-04-005
118-10-030	NEW-P	81-13-007	132B-12-072	REP	81-10-008	132B-12-183	REP	81-10-008
118-10-030	NEW	81-15-015	132B-12-075	REP-P	81-04-005	132B-12-186	REP-P	81-04-005
131-28-025	AMD-E	81-14-022	132B-12-075	REP	81-10-008	132B-12-186	REP	81-10-008
131-28-025	AMD-P	81-16-071	132B-12-078	REP-P	81-04-005	132B-12-189	REP-P	81-04-005
131-28-026	AMD-E	81-14-022	132B-12-078	REP	81-10-008	132B-12-189	REP	81-10-008
131-28-026	AMD-P	81-16-071	132B-12-081	REP-P	81-04-005	132B-12-192	REP-P	81-04-005
131-32-010	NEW-P	81-11-062	132B-12-081	REP	81-10-008	132B-12-192	REP	81-10-008
131-32-010	NEW-E	81-12-006	132B-12-084	REP-P	81-04-005	132B-12-195	REP-P	81-04-005
131-32-010	NEW	81-14-023	132B-12-084	REP	81-10-008	132B-12-195	REP	81-10-008
131-32-020	NEW-P	81-11-062	132B-12-087	REP-P	81-04-005	132B-12-198	REP-P	81-04-005
131-32-020	NEW-E	81-12-006	132B-12-087	REP	81-10-008	132B-12-198	REP	81-10-008
131-32-020	NEW	81-14-023	132B-12-090	REP-P	81-04-005	132B-12-201	REP-P	81-04-005
131-36-010	NEW-E	81-14-024	132B-12-090	REP	81-10-008	132B-12-201	REP	81-10-008
131-36-010	NEW-P	81-16-021	132B-12-093	REP-P	81-04-005	132B-12-204	REP-P	81-04-005
131-36-050	NEW-P	81-16-021	132B-12-093	REP	81-10-008	132B-12-204	REP	81-10-008
131-36-100	NEW-E	81-14-024	132B-12-096	REP-P	81-04-005	132B-12-207	REP-P	81-04-005

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132B-12-210	REP-P	81-04-005	132B-12-321	REP-P	81-04-005	132F-104-815	AMD-P	81-07-008
132B-12-210	REP	81-10-008	132B-12-321	REP	81-10-008	132F-104-815	AMD-P	81-10-062
132B-12-213	REP-P	81-04-005	132B-12-324	REP-P	81-04-005	132F-104-815	AMD-P	81-11-056
132B-12-213	REP	81-10-008	132B-12-324	REP	81-10-008	132F-104-815	AMD	81-14-073
132B-12-216	REP-P	81-04-005	132B-12-327	REP-P	81-04-005	132F-104-818	AMD-P	81-07-008
132B-12-216	REP	81-10-008	132B-12-327	REP	81-10-008	132F-104-818	AMD-P	81-10-062
132B-12-219	REP-P	81-04-005	132B-12-330	REP-P	81-04-005	132F-104-818	AMD-P	81-11-056
132B-12-219	REP	81-10-008	132B-12-330	REP	81-10-008	132F-104-818	AMD	81-14-073
132B-12-222	REP-P	81-04-005	132B-12-333	REP-P	81-04-005	132F-104-819	AMD-P	81-07-008
132B-12-222	REP	81-10-008	132B-12-333	REP	81-10-008	132F-104-819	AMD-P	81-10-062
132B-12-225	REP-P	81-04-005	132B-12-336	REP-P	81-04-005	132F-104-819	AMD-P	81-11-056
132B-12-225	REP	81-10-008	132B-12-336	REP	81-10-008	132F-104-819	AMD	81-14-073
132B-12-228	REP-P	81-04-005	132B-12-339	REP-P	81-04-005	132F-136-020	AMD-P	81-07-023
132B-12-228	REP	81-10-008	132B-12-339	REP	81-10-008	132F-136-020	AMD-P	81-10-064
132B-12-231	REP-P	81-04-005	132B-12-342	REP-P	81-04-005	132F-136-020	AMD	81-12-008
132B-12-231	REP	81-10-008	132B-12-342	REP	81-10-008	132F-136-040	AMD-P	81-07-023
132B-12-234	REP-P	81-04-005	132B-12-345	REP-P	81-04-005	132F-136-040	AMD-P	81-10-064
132B-12-234	REP	81-10-008	132B-12-345	REP	81-10-008	132F-136-040	AMD	81-12-008
132B-12-237	REP-P	81-04-005	132B-12-348	REP-P	81-04-005	132F-136-050	AMD-P	81-07-023
132B-12-237	REP	81-10-008	132B-12-348	REP	81-10-008	132F-136-050	AMD-P	81-10-064
132B-12-240	REP-P	81-04-005	132B-12-351	REP-P	81-04-005	132F-136-050	AMD	81-12-008
132B-12-240	REP	81-10-008	132B-12-351	REP	81-10-008	132H-105-010	AMD-P	81-15-058
132B-12-243	REP-P	81-04-005	132B-12-354	REP-P	81-04-005	132H-120-060	AMD-P	81-08-065
132B-12-243	REP	81-10-008	132B-12-354	REP	81-10-008	132H-120-060	AMD-P	81-11-012
132B-12-246	REP-P	81-04-005	132B-12-357	REP-P	81-04-005	132H-120-060	AMD-P	81-13-008
132B-12-246	REP	81-10-008	132B-12-357	REP	81-10-008	132H-120-200	AMD-P	81-03-077
132B-12-249	REP-P	81-04-005	132B-12-360	REP-P	81-04-005	132H-120-200	AMD	81-07-034
132B-12-249	REP	81-10-008	132B-12-360	REP	81-10-008	132H-160-020	REP-P	81-08-066
132B-12-252	REP-P	81-04-005	132B-12-363	REP-P	81-04-005	132H-160-020	REP	81-11-013
132B-12-252	REP	81-10-008	132B-12-363	REP	81-10-008	132H-160-030	REP-P	81-08-066
132B-12-255	REP-P	81-04-005	132B-128-020	AMD-P	81-04-005	132H-160-030	REP	81-11-013
132B-12-255	REP	81-10-008	132B-128-020	AMD	81-10-008	132H-160-040	AMD-P	81-08-066
132B-12-258	REP-P	81-04-005	132B-276-040	AMD-P	81-04-005	132H-160-040	AMD	81-11-013
132B-12-258	REP	81-10-008	132B-276-040	AMD	81-10-008	132H-160-040	AMD-E	81-13-004
132B-12-261	REP-P	81-04-005	132F-08-001	AMD-P	81-07-007	132H-160-040	AMD-P	81-14-002
132B-12-261	REP	81-10-008	132F-08-001	AMD-P	81-10-063	132H-160-050	AMD-P	81-08-066
132B-12-264	REP-P	81-04-005	132F-08-001	AMD-P	81-11-058	132H-160-050	AMD	81-11-013
132B-12-264	REP	81-10-008	132F-08-001	AMD	81-14-072	132H-160-050	AMD-E	81-13-004
132B-12-267	REP-P	81-04-005	132F-08-080	AMD-P	81-07-007	132H-160-050	AMD-P	81-14-002
132B-12-267	REP	81-10-008	132F-08-080	AMD-P	81-10-063	132H-160-110	REP-P	81-08-066
132B-12-270	REP-P	81-04-005	132F-08-080	AMD-P	81-11-058	132H-160-110	REP	81-11-013
132B-12-270	REP	81-10-008	132F-08-080	AMD	81-14-072	132H-160-130	REP-P	81-08-066
132B-12-273	REP-P	81-04-005	132F-08-120	AMD-P	81-07-007	132H-160-130	REP	81-11-013
132B-12-273	REP	81-10-008	132F-08-120	AMD-P	81-10-063	132H-160-160	REP-P	81-08-066
132B-12-276	REP-P	81-04-005	132F-08-120	AMD-P	81-11-058	132H-160-160	REP	81-11-013
132B-12-276	REP	81-10-008	132F-08-120	AMD	81-14-072	132H-160-250	AMD-P	81-08-066
132B-12-279	REP-P	81-04-005	132F-08-140	AMD-P	81-07-007	132H-160-250	AMD	81-11-013
132B-12-279	REP	81-10-008	132F-08-140	AMD-P	81-10-063	132H-160-260	AMD-P	81-08-066
132B-12-282	REP-P	81-04-005	132F-08-140	AMD-P	81-11-058	132H-160-260	AMD	81-11-013
132B-12-282	REP	81-10-008	132F-08-140	AMD	81-14-072	132H-160-310	AMD-P	81-08-066
132B-12-285	REP-P	81-04-005	132F-104-030	AMD-P	81-07-008	132H-160-310	AMD	81-11-013
132B-12-285	REP	81-10-008	132F-104-030	AMD-P	81-10-062	132H-160-430	AMD-P	81-08-066
132B-12-288	REP-P	81-04-005	132F-104-030	AMD-P	81-11-056	132H-160-430	AMD	81-11-013
132B-12-288	REP	81-10-008	132F-104-030	AMD	81-14-073	132H-160-480	REP-P	81-08-066
132B-12-291	REP-P	81-04-005	132F-104-810	AMD-P	81-07-008	132H-160-480	REP	81-11-013
132B-12-291	REP	81-10-008	132F-104-810	AMD-P	81-10-062	132I-104-060	AMD-P	81-16-075
132B-12-294	REP-P	81-04-005	132F-104-810	AMD-P	81-11-056	132J-116-040	AMD-P	81-09-062
132B-12-294	REP	81-10-008	132F-104-810	AMD	81-14-073	132J-116-040	AMD	81-14-011
132B-12-297	REP-P	81-04-005	132F-104-811	AMD-P	81-07-008	132J-116-050	AMD-P	81-09-062
132B-12-297	REP	81-10-008	132F-104-811	AMD-P	81-10-062	132J-116-050	AMD	81-14-011
132B-12-300	REP-P	81-04-005	132F-104-811	AMD-P	81-11-056	132J-116-060	AMD-P	81-09-062
132B-12-300	REP	81-10-008	132F-104-811	AMD	81-14-073	132J-116-060	AMD	81-14-011
132B-12-303	REP-P	81-04-005	132F-104-812	AMD-P	81-07-008	132J-116-220	AMD-P	81-09-062
132B-12-303	REP	81-10-008	132F-104-812	AMD-P	81-10-062	132J-116-220	AMD	81-14-011
132B-12-306	REP-P	81-04-005	132F-104-812	AMD-P	81-11-056	132K-20-070	AMD-P	81-03-023
132B-12-306	REP	81-10-008	132F-104-812	AMD	81-14-073	132K-20-070	AMD	81-07-025
132B-12-309	REP-P	81-04-005	132F-104-813	AMD-P	81-07-008	132K-28-010	REP-P	81-06-029
132B-12-309	REP	81-10-008	132F-104-813	AMD-P	81-10-062	132K-28-010	REP	81-09-028
132B-12-312	REP-P	81-04-005	132F-104-813	AMD-P	81-11-056	132K-112-200	REP-P	81-03-022
132B-12-312	REP	81-10-008	132F-104-813	AMD	81-14-073	132K-112-200	REP-P	81-07-024
132B-12-315	REP-P	81-04-005	132F-104-814	AMD-P	81-07-008	132K-112-200	REP	81-10-022
132B-12-315	REP	81-10-008	132F-104-814	AMD-P	81-10-062	132L-26	AMD-P	81-11-024
132B-12-318	REP-P	81-04-005	132F-104-814	AMD-P	81-11-056	132L-26-010	AMD-P	81-08-041

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132L-26-030	AMD	81-03-036	132M-136-060	AMD-P	81-10-054
132L-26-035	AMD	81-03-036	132M-136-070	AMD-W	81-04-026
132L-26-040	AMD-P	81-08-041	132M-136-070	REP-P	81-10-054
132L-26-040	AMD-E	81-13-020	132M-136-075	NEW-W	81-04-026
132L-26-040	AMD	81-13-021	132M-136-090	AMD-W	81-04-026
132L-26-050	AMD	81-03-036	132M-136-090	REP-P	81-10-054
132L-26-050	AMD-E	81-13-020	132M-140-020	REP-W	81-04-026
132L-26-050	AMD	81-13-021	132M-140-020	REP-P	81-10-054
132L-26-060	AMD-P	81-08-041	132M-150-003	REP-W	81-04-026
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132L-26-060	AMD	81-13-021	132M-150-006	REP-W	81-04-026
132L-26-075	AMD-P	81-08-041	132M-150-006	REP-P	81-10-054
132L-26-075	AMD-E	81-13-020	132M-150-009	REP-W	81-04-026
132L-26-075	AMD	81-13-021	132M-150-009	REP-P	81-10-054
132L-26-080	AMD-E	81-13-020	132M-150-012	REP-W	81-04-026
132L-26-080	AMD	81-13-021	132M-150-012	REP-P	81-10-054
132L-112-200	AMD	81-03-037	132M-150-015	REP-W	81-04-026
132L-112-210	AMD	81-03-037	132M-150-015	REP-P	81-10-054
132L-112-280	AMD	81-03-037	132M-150-018	REP-W	81-04-026
132L-128-030	AMD-P	81-09-029	132M-150-018	REP-P	81-10-054
132L-128-030	AMD	81-13-019	132M-150-021	REP-W	81-04-026
132L-128-060	AMD-P	81-09-029	132M-150-021	REP-P	81-10-054
132L-128-060	AMD	81-13-019	132M-150-024	REP-W	81-04-026
132L-128-070	AMD-P	81-09-029	132M-150-024	REP-P	81-10-054
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132M-104-010	AMD-W	81-04-026	132M-150-027	REP-P	81-10-054
132M-104-010	AMD-P	81-10-054	132M-150-030	REP-W	81-04-026
132M-112-010	NEW-W	81-04-026	132M-150-030	REP-P	81-10-054
132M-112-010	NEW-P	81-10-054	132M-150-033	REP-W	81-04-026
132M-112-011	NEW-W	81-04-026	132M-150-033	REP-P	81-10-054
132M-112-011	NEW-P	81-10-054	132M-150-036	REP-W	81-04-026
132M-113-010	NEW-W	81-04-026	132M-150-036	REP-P	81-10-054
132M-113-010	NEW-P	81-10-054	132M-150-039	REP-W	81-04-026
132M-113-015	NEW-W	81-04-026	132M-150-039	REP-P	81-10-054
132M-113-015	NEW-P	81-10-054	132M-150-042	REP-W	81-04-026
132M-113-020	NEW-W	81-04-026	132M-150-042	REP-P	81-10-054
132M-113-020	NEW-P	81-10-054	132M-150-045	REP-W	81-04-026
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132M-113-025	NEW-P	81-10-054	132M-150-048	REP-W	81-04-026
132M-113-030	NEW-W	81-04-026	132M-150-048	REP-P	81-10-054
132M-113-030	NEW-P	81-10-054	132M-150-051	REP-W	81-04-026
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132M-113-035	NEW-P	81-10-054	132M-150-054	REP-W	81-04-026
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132M-113-040	NEW-P	81-10-054	132M-150-057	REP-W	81-04-026
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132M-113-045	NEW-P	81-10-054	132M-150-060	REP-W	81-04-026
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132M-115-010	NEW-W	81-04-026	132M-150-063	REP-W	81-04-026
132M-115-010	NEW-P	81-10-054	132M-150-063	REP-P	81-10-054
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132M-115-030	NEW-W	81-04-026	132M-160-020	REP-P	81-10-054
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132M-115-040	NEW-W	81-04-026	132M-160-030	REP-P	81-10-054
132M-115-040	NEW-P	81-10-054	132M-160-040	NEW-W	81-04-026
132M-116-010	AMD-W	81-04-026	132M-168-010	REP-W	81-04-026
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132M-120-060	AMD-W	81-04-026	132M-168-020	REP-W	81-04-026
132M-120-060	REP-P	81-10-054	132M-168-020	REP-P	81-10-054
132M-120-070	AMD-W	81-04-026	132M-168-030	REP-W	81-04-026
132M-120-070	AMD-P	81-10-054	132M-168-030	REP-P	81-10-054
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132M-120-090	REP-P	81-10-054	132M-168-050	REP-W	81-04-026
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132M-136-010	REP-P	81-10-054	132P-33-010	NEW-P	81-12-031
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132M-136-030	AMD-W	81-04-026	132P-33-040	NEW-P	81-12-031
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132M-136-040	REP-P	81-10-054	132P-33-060	NEW-P	81-12-031
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132V-22-020	AMD	81-08-002			
132V-22-030	AMD-E	81-03-047			
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132V-22-060	AMD-E	81-03-047			
132V-22-060	AMD-P	81-03-061			
132V-22-060	AMD	81-08-002			
132V-22-100	AMD-E	81-03-047			
132V-22-100	AMD-P	81-03-061			
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132W-149-020	REP	81-17-044			
132W-149-022	REP-P	81-13-036			
132W-149-022	REP	81-17-044			
132W-149-024	REP-P	81-13-036			
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132W-149-050	REP	81-17-044	132Y-100-108	NEW	81-17-042	137-28-100	NEW-P	81-15-092
132W-149-070	REP-P	81-13-036	132Y-100-112	NEW-P	81-14-044	137-28-110	NEW-P	81-15-092
132W-149-070	REP	81-17-044	132Y-100-112	NEW	81-17-042	137-28-120	NEW-P	81-15-092
132W-149-080	REP-P	81-13-036	132Y-100-116	NEW-P	81-14-044	137-28-130	NEW-P	81-15-092
132W-149-080	REP	81-17-044	132Y-100-116	NEW	81-17-042	137-28-140	NEW-P	81-15-092
132W-149-090	REP-P	81-13-036	132Y-100-120	NEW-P	81-14-044	137-28-150	NEW-P	81-15-092
132W-149-090	REP	81-17-044	132Y-100-120	NEW	81-17-042	137-28-160	NEW-P	81-15-092
132W-149-100	REP-P	81-13-036	137-04-010	NEW-P	81-15-092	137-28-170	NEW-P	81-15-092
132W-149-100	REP	81-17-044	137-04-020	NEW-P	81-15-092	137-28-180	NEW-P	81-15-092
132W-149-110	REP-P	81-13-036	137-08-010	NEW-P	81-15-092	137-28-190	NEW-P	81-15-092
132W-149-110	REP	81-17-044	137-08-020	NEW-P	81-15-092	137-28-200	NEW-P	81-15-092
132W-149-120	REP-P	81-13-036	137-08-030	NEW-P	81-15-092	137-28-210	NEW-P	81-15-092
132W-149-120	REP	81-17-044	137-08-040	NEW-P	81-15-092	137-28-220	NEW-P	81-15-092
132W-149-130	REP-P	81-13-036	137-08-050	NEW-P	81-15-092	137-28-230	NEW-P	81-15-092
132W-149-130	REP	81-17-044	137-08-060	NEW-P	81-15-092	137-28-240	NEW-P	81-15-092
132Y-20	AMD-P	81-17-011	137-08-070	NEW-P	81-15-092	137-28-250	NEW-P	81-15-092
132Y-20-010	NEW-P	81-14-043	137-08-080	NEW-P	81-15-092	137-28-260	NEW-P	81-15-092
132Y-20-010	NEW	81-17-041	137-08-090	NEW-P	81-15-092	137-28-270	NEW-P	81-15-092
132Y-100	AMD-P	81-17-012	137-08-100	NEW-P	81-15-092	137-28-280	NEW-P	81-15-092
132Y-100-001	NEW-P	81-14-044	137-08-110	NEW-P	81-15-092	137-32-010	NEW-P	81-15-092
132Y-100-001	NEW	81-17-042	137-08-120	NEW-P	81-15-092	137-32-020	NEW-P	81-15-092
132Y-100-004	NEW-P	81-14-044	137-08-130	NEW-P	81-15-092	137-32-030	NEW-P	81-15-092
132Y-100-004	NEW	81-17-042	137-08-140	NEW-P	81-15-092	137-32-040	NEW-P	81-15-092
132Y-100-008	NEW-P	81-14-044	137-08-150	NEW-P	81-15-092	137-32-050	NEW-P	81-15-092
132Y-100-008	NEW	81-17-042	137-08-160	NEW-P	81-15-092	137-32-060	NEW-P	81-15-092
132Y-100-012	NEW-P	81-14-044	137-08-170	NEW-P	81-15-092	137-32-070	NEW-P	81-15-092
132Y-100-012	NEW	81-17-042	137-08-180	NEW-P	81-15-092	137-32-080	NEW-P	81-15-092
132Y-100-016	NEW-P	81-14-044	137-12-010	NEW-P	81-14-080	137-32-090	NEW-P	81-15-092
132Y-100-016	NEW	81-17-042	137-12-010	NEW-E	81-14-081	137-32-100	NEW-P	81-15-092
132Y-100-020	NEW-P	81-14-044	137-12-020	NEW-P	81-14-080	138-36-010	NEW-P	81-15-092
132Y-100-020	NEW	81-17-042	137-12-020	NEW-E	81-14-081	138-36-020	NEW-P	81-15-092
132Y-100-024	NEW-P	81-14-044	137-12-030	NEW-P	81-14-080	138-36-030	NEW-P	81-15-092
132Y-100-024	NEW	81-17-042	137-12-030	NEW-E	81-14-081	138-36-040	NEW-P	81-15-092
132Y-100-028	NEW-P	81-14-044	137-12-040	NEW-P	81-14-080	137-40-010	NEW-P	81-15-092
132Y-100-028	NEW	81-17-042	137-12-040	NEW-E	81-14-081	137-40-020	NEW-P	81-15-092
132Y-100-032	NEW-P	81-14-044	137-12-050	NEW-P	81-14-080	137-40-030	NEW-P	81-15-092
132Y-100-032	NEW	81-17-042	137-12-050	NEW-E	81-14-081	137-40-040	NEW-P	81-15-092
132Y-100-036	NEW-P	81-14-044	137-12-060	NEW-P	81-14-080	137-40-050	NEW-P	81-15-092
132Y-100-036	NEW	81-17-042	137-12-060	NEW-E	81-14-081	137-40-060	NEW-P	81-15-092
132Y-100-040	NEW-P	81-14-044	137-12-070	NEW-P	81-14-080	137-40-070	NEW-P	81-15-092
132Y-100-040	NEW	81-17-042	137-12-070	NEW-E	81-14-081	137-44-010	NEW-P	81-15-092
132Y-100-044	NEW-P	81-14-044	137-12-080	NEW-P	81-14-080	137-44-020	NEW-P	81-15-092
132Y-100-044	NEW	81-17-042	137-12-080	NEW-E	81-14-081	137-44-030	NEW-P	81-15-092
132Y-100-048	NEW-P	81-14-044	137-12-090	NEW-P	81-14-080	137-44-040	NEW-P	81-15-092
132Y-100-048	NEW	81-17-042	137-12-090	NEW-E	81-14-081	137-44-050	NEW-P	81-15-092
132Y-100-052	NEW-P	81-14-044	137-20-010	NEW-P	81-15-092	137-44-060	NEW-P	81-15-092
132Y-100-052	NEW	81-17-042	137-20-020	NEW-P	81-15-092	137-44-070	NEW-P	81-15-092
132Y-100-056	NEW-P	81-14-044	137-20-030	NEW-P	81-15-092	137-44-080	NEW-P	81-15-092
132Y-100-056	NEW	81-17-042	137-20-040	NEW-P	81-15-092	137-44-090	NEW-P	81-15-092
132Y-100-060	NEW-P	81-14-044	137-24-010	NEW-P	81-15-092	137-44-100	NEW-P	81-15-092
132Y-100-060	NEW	81-17-042	137-24-020	NEW-P	81-15-092	137-44-110	NEW-P	81-15-092
132Y-100-064	NEW-P	81-14-044	137-24-030	NEW-P	81-15-092	137-44-120	NEW-P	81-15-092
132Y-100-064	NEW	81-17-042	137-24-040	NEW-P	81-15-092	137-44-130	NEW-P	81-15-092
132Y-100-068	NEW-P	81-14-044	137-24-050	NEW-P	81-15-092	137-44-140	NEW-P	81-15-092
132Y-100-068	NEW	81-17-042	137-24-060	NEW-P	81-15-092	137-44-150	NEW-P	81-15-092
132Y-100-072	NEW-P	81-14-044	137-24-070	NEW-P	81-15-092	137-44-160	NEW-P	81-15-092
132Y-100-072	NEW	81-17-042	137-24-080	NEW-P	81-15-092	137-44-170	NEW-P	81-15-092
132Y-100-076	NEW-P	81-14-044	137-24-090	NEW-P	81-15-092	137-44-180	NEW-P	81-15-092
132Y-100-076	NEW	81-17-042	137-24-100	NEW-P	81-15-092	137-44-190	NEW-P	81-15-092
132Y-100-080	NEW-P	81-14-044	137-24-110	NEW-P	81-15-092	137-44-200	NEW-P	81-15-092
132Y-100-080	NEW	81-17-042	137-24-120	NEW-P	81-15-092	137-44-210	NEW-P	81-15-092
132Y-100-084	NEW-P	81-14-044	137-24-130	NEW-P	81-15-092	137-44-220	NEW-P	81-15-092
132Y-100-084	NEW	81-17-042	137-24-140	NEW-P	81-15-092	137-44-230	NEW-P	81-15-092
132Y-100-088	NEW-P	81-14-044	137-24-150	NEW-P	81-15-092	137-44-240	NEW-P	81-15-092
132Y-100-088	NEW	81-17-042	137-24-160	NEW-P	81-15-092	137-44-250	NEW-P	81-15-092
132Y-100-092	NEW-P	81-14-044	137-28-010	NEW-P	81-15-092	137-44-260	NEW-P	81-15-092
132Y-100-092	NEW	81-17-042	137-28-020	NEW-P	81-15-092	137-44-270	NEW-P	81-15-092
132Y-100-096	NEW-P	81-14-044	137-28-030	NEW-P	81-15-092	137-48-010	NEW-P	81-15-092
132Y-100-096	NEW	81-17-042	137-28-040	NEW-P	81-15-092	137-48-020	NEW-P	81-15-092
132Y-100-100	NEW-P	81-14-044	137-28-050	NEW-P	81-15-092	137-48-030	NEW-P	81-15-092
132Y-100-100	NEW	81-17-042	137-28-060	NEW-P	81-15-092	137-48-040	NEW-P	81-15-092
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137-48-080	NEW-P 81-15-092	143-06-060	AMD 81-07-004	173-19-2604	AMD 81-13-015
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137-48-130	NEW-P 81-15-092	143-06-090	AMD-P 81-03-034	173-19-360	AMD-P 81-09-019
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137-56-110	NEW-P 81-15-092	172-114-060	AMD 81-03-012	173-22-060	AMD-P 81-09-077
137-56-120	NEW-P 81-15-092	172-114-070	AMD 81-03-012	173-22-060	AMD 81-13-034
137-56-140	NEW-P 81-15-092	172-114-080	AMD 81-03-012	173-164-050	AMD-P 81-04-067
137-56-150	NEW-P 81-15-092	172-114-090	AMD 81-03-012	173-164-050	AMD 81-07-037
137-56-160	NEW-P 81-15-092	172-114-100	REP 81-03-012	173-400-110	AMD 81-03-002
137-56-170	NEW-P 81-15-092	172-114-110	REP 81-03-012	173-490-020	AMD 81-03-003
137-56-180	NEW-P 81-15-092	172-120-010	AMD 81-06-023	173-490-040	AMD 81-03-003
137-56-190	NEW-P 81-15-092	172-120-020	AMD 81-06-023	173-490-203	AMD 81-03-003
137-56-200	NEW-P 81-15-092	172-120-040	AMD 81-06-023	173-511-010	NEW 81-04-028
137-56-210	NEW-P 81-15-092	172-120-050	AMD 81-06-023	173-511-020	NEW 81-04-028
137-56-220	NEW-P 81-15-092	172-120-060	AMD 81-06-023	173-511-030	NEW 81-04-028
137-56-230	NEW-P 81-15-092	172-120-070	AMD 81-06-023	173-511-040	NEW 81-04-028
137-56-240	NEW-P 81-15-092	172-120-080	AMD 81-06-023	173-511-050	NEW 81-04-028
137-56-250	NEW-P 81-15-092	172-120-090	AMD 81-06-023	173-511-060	NEW 81-04-028
137-56-260	NEW-P 81-15-092	172-120-100	AMD 81-06-023	173-511-070	NEW 81-04-028
137-56-270	NEW-P 81-15-092	172-120-110	AMD 81-06-023	173-511-080	NEW 81-04-028
137-60-010	NEW-P 81-15-092	172-120-120	AMD 81-06-023	173-511-090	NEW 81-04-028
137-60-020	NEW-P 81-15-092	172-120-130	AMD 81-06-023	173-511-100	NEW 81-04-028
137-60-030	NEW-P 81-15-092	172-120-140	AMD 81-06-023	173-515	NEW-P 81-09-020
137-60-040	NEW-P 81-15-092	173-06-065	NEW-P 81-06-048	173-515	NEW-P 81-13-009
137-60-050	NEW-P 81-15-092	173-06-065	NEW-E 81-06-049	173-515-010	NEW 81-16-003
137-60-060	NEW-P 81-15-092	173-06-065	NEW 81-09-056	173-515-020	NEW 81-16-003
137-64-010	NEW-P 81-15-092	173-14-140	AMD 81-04-027	173-515-030	NEW 81-16-003
137-64-030	NEW-P 81-15-092	173-14-150	AMD 81-04-027	173-515-040	NEW 81-16-003
137-68-010	NEW-P 81-15-092	173-14-155	NEW 81-04-027	173-515-050	NEW 81-16-003
137-68-020	NEW-P 81-15-092	173-14-180	AMD 81-04-027	173-515-060	NEW 81-16-003
137-68-030	NEW-P 81-15-092	173-14-190	REP 81-04-027	173-515-070	NEW 81-16-003
137-68-040	NEW-P 81-15-092	173-19-120	AMD-P 81-12-055	173-515-080	NEW 81-16-003
137-68-050	NEW-P 81-15-092	173-19-120	AMD 81-15-062	173-515-090	NEW 81-16-003
139-14-010	AMD-P 81-10-030	173-19-120	AMD-P 81-17-073	173-515-100	NEW 81-16-003
139-14-010	AMD 81-14-026	173-19-210	AMD-W 81-04-065	173-530-940	AMD-P 81-17-072
139-24-010	REP 81-04-014	173-19-210	AMD-P 81-09-079	174-116-115	AMD-P 81-15-016
139-26-010	NEW-P 81-17-066	173-19-210	AMD 81-13-055	174-136-130	NEW-P 81-08-032
139-32-010	AMD-P 81-10-031	173-19-2102	AMD-P 81-12-053	174-136-130	NEW 81-12-019
139-32-010	AMD 81-14-049	173-19-2102	AMD 81-16-079	174-136-140	NEW 81-12-019
139-44-010	REP-P 81-17-067	173-19-250	AMD 81-16-080	174-136-140	NEW-P 81-08-032
139-46-010	NEW-P 81-17-068	173-19-2503	AMD-P 81-08-071	174-162-305	NEW-P 81-10-060
143-06-010	AMD-P 81-03-034	173-19-2503	AMD 81-11-027	174-162-305	NEW-P 81-13-048
143-06-010	AMD 81-07-004	173-19-2511	AMD-W 81-08-004	174-162-305	NEW 81-15-017
143-06-020	AMD-P 81-03-034	173-19-2515	AMD-W 81-08-004	180-08-005	NEW-P 81-13-003
143-06-020	AMD 81-07-004	173-19-2515	AMD-P 81-08-071	180-08-005	NEW 81-16-026
143-06-030	AMD-P 81-03-034	173-19-2515	AMD 81-11-028	180-08-010	REP-P 81-13-003
143-06-030	AMD 81-07-004	173-19-2521	AMD-P 81-02-050	180-08-010	REP 81-16-026
143-06-040	AMD-P 81-03-034	173-19-2521	AMD 81-06-051	180-08-020	REP-P 81-13-003
143-06-040	AMD 81-07-004	173-19-2521	AMD-P 81-08-071	180-08-020	REP 81-16-026
143-06-050	AMD-P 81-03-034	173-19-2521	AMD 81-11-029	180-08-030	REP-P 81-13-003

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-08-030	REP	81-16-026	180-08-480	REP	81-16-026	180-55-090	NEW	81-08-027
180-08-040	REP-P	81-13-003	180-08-490	REP-P	81-13-003	180-55-095	NEW-P	81-04-044
180-08-040	REP	81-16-026	180-08-490	REP	81-16-026	180-55-095	NEW	81-08-027
180-08-050	REP-P	81-13-003	180-08-500	REP-P	81-13-003	180-55-100	NEW-P	81-04-044
180-08-050	REP	81-16-026	180-08-500	REP	81-16-026	180-55-100	NEW	81-08-027
180-08-060	REP-P	81-13-003	180-08-510	REP-P	81-13-003	180-55-105	NEW-P	81-04-044
180-08-060	REP	81-16-026	180-08-510	REP	81-16-026	180-55-105	NEW	81-08-027
180-08-070	REP-P	81-13-003	180-08-520	REP-P	81-13-003	180-55-110	NEW-P	81-04-044
180-08-070	REP	81-16-026	180-08-520	REP	81-16-026	180-55-110	NEW	81-08-027
180-08-080	REP-P	81-13-003	180-08-530	REP-P	81-13-003	180-55-115	NEW-P	81-04-044
180-08-080	REP	81-16-026	180-08-530	REP	81-16-026	180-55-115	NEW	81-08-027
180-08-090	REP-P	81-13-003	180-08-540	REP-P	81-13-003	180-55-120	NEW-P	81-04-044
180-08-090	REP	81-16-026	180-08-540	REP	81-16-026	180-55-120	NEW	81-08-027
180-08-100	REP-P	81-13-003	180-08-550	REP-P	81-13-003	180-55-125	NEW-P	81-04-044
180-08-100	REP	81-16-026	180-08-550	REP	81-16-026	180-55-125	NEW	81-08-027
180-08-110	REP-P	81-13-003	180-08-560	REP-P	81-13-003	180-55-130	NEW-P	81-04-044
180-08-110	REP	81-16-026	180-08-560	REP	81-16-026	180-55-130	NEW	81-08-027
180-08-120	REP-P	81-13-003	180-08-570	REP-P	81-13-003	180-55-135	NEW-P	81-04-044
180-08-120	REP	81-16-026	180-08-570	REP	81-16-026	180-55-135	NEW	81-08-027
180-08-130	REP-P	81-13-003	180-08-580	REP-P	81-13-003	180-56-305	REP-P	81-04-045
180-08-130	REP	81-16-026	180-08-580	REP	81-16-026	180-56-305	REP	81-08-028
180-08-140	REP-P	81-13-003	180-08-590	REP-P	81-13-003	180-56-306	REP-P	81-04-045
180-08-140	REP	81-16-026	180-08-590	REP	81-16-026	180-56-306	REP	81-08-028
180-08-230	REP-P	81-13-003	180-16-220	AMD-P	81-04-046	180-56-307	REP-P	81-04-045
180-08-230	REP	81-16-026	180-16-220	AMD	81-08-026	180-56-307	REP	81-08-028
180-08-240	REP-P	81-13-003	180-20-106	AMD-P	81-16-022	180-56-310	REP-P	81-04-045
180-08-240	REP	81-16-026	180-44-030	REP-P	81-08-049	180-56-310	REP	81-08-028
180-08-250	REP-P	81-13-003	180-44-030	REP	81-12-022	180-56-315	REP-P	81-04-045
180-08-250	REP	81-16-026	180-46-015	AMD-P	81-08-050	180-56-315	REP	81-08-028
180-08-260	REP-P	81-13-003	180-46-015	AMD	81-12-023	180-56-320	REP-P	81-04-045
180-08-260	REP	81-16-026	180-46-030	AMD-P	81-08-050	180-56-320	REP	81-08-028
180-08-270	REP-P	81-13-003	180-46-030	AMD	81-12-023	180-56-325	REP-P	81-04-045
180-08-270	REP	81-16-026	180-46-045	AMD-P	81-08-050	180-56-325	REP	81-08-028
180-08-280	REP-P	81-13-003	180-46-045	AMD	81-12-023	180-56-330	REP-P	81-04-045
180-08-280	REP	81-16-026	180-46-060	REP-P	81-08-050	180-56-330	REP	81-08-028
180-08-290	REP-P	81-13-003	180-46-060	REP	81-12-023	180-56-335	REP-P	81-04-045
180-08-290	REP	81-16-026	180-46-065	NEW-P	81-08-050	180-56-335	REP	81-08-028
180-08-300	REP-P	81-13-003	180-46-065	NEW	81-12-023	180-56-340	REP-P	81-04-045
180-08-300	REP	81-16-026	180-48-010	REP-P	81-16-023	180-56-340	REP	81-08-028
180-08-310	REP-P	81-13-003	180-55-005	NEW-P	81-04-044	180-56-345	REP-P	81-04-045
180-08-310	REP	81-16-026	180-55-005	NEW	81-08-027	180-56-345	REP	81-08-028
180-08-320	REP-P	81-13-003	180-55-010	NEW-P	81-04-044	180-56-350	REP-P	81-04-045
180-08-320	REP	81-16-026	180-55-010	NEW	81-08-027	180-56-350	REP	81-08-028
180-08-330	REP-P	81-13-003	180-55-015	NEW-P	81-04-044	180-56-355	REP-P	81-04-045
180-08-330	REP	81-16-026	180-55-015	NEW	81-08-027	180-56-355	REP	81-08-028
180-08-340	REP-P	81-13-003	180-55-020	NEW-P	81-04-044	180-56-360	REP-P	81-04-045
180-08-340	REP	81-16-026	180-55-020	NEW	81-08-027	180-56-360	REP	81-08-028
180-08-350	REP-P	81-13-003	180-55-025	NEW-P	81-04-044	180-56-365	REP-P	81-04-045
180-08-350	REP	81-16-026	180-55-025	NEW	81-08-027	180-56-365	REP	81-08-028
180-08-360	REP-P	81-13-003	180-55-030	NEW-P	81-04-044	180-56-370	REP-P	81-04-045
180-08-360	REP	81-16-026	180-55-030	NEW	81-08-027	180-56-370	REP	81-08-028
180-08-370	REP-P	81-13-003	180-55-035	NEW-P	81-04-044	180-56-375	REP-P	81-04-045
180-08-370	REP	81-16-026	180-55-035	NEW	81-08-027	180-56-375	REP	81-08-028
180-08-380	REP-P	81-13-003	180-55-040	NEW-P	81-04-044	180-56-380	REP-P	81-04-045
180-08-380	REP	81-16-026	180-55-040	NEW	81-08-027	180-56-380	REP	81-08-028
180-08-390	REP-P	81-13-003	180-55-045	NEW-P	81-04-044	180-63	REP-P	81-16-024
180-08-390	REP	81-16-026	180-55-045	NEW	81-08-027	180-68-010	REP-P	81-16-025
180-08-400	REP-P	81-13-003	180-55-050	NEW-P	81-04-044	180-68-045	REP-P	81-16-025
180-08-400	REP	81-16-026	180-55-050	NEW	81-08-027	180-68-050	REP-P	81-16-025
180-08-410	REP-P	81-13-003	180-55-055	NEW-P	81-04-044	180-68-100	REP-P	81-16-025
180-08-410	REP	81-16-026	180-55-055	NEW	81-08-027	180-75-070	AMD-P	81-08-051
180-08-420	REP-P	81-13-003	180-55-060	NEW-P	81-04-044	180-78-025	AMD-P	81-08-052
180-08-420	REP	81-16-026	180-55-060	NEW	81-08-027	180-78-025	AMD	81-12-024
180-08-430	REP-P	81-13-003	180-55-065	NEW-P	81-04-044	180-78-027	NEW-P	81-08-052
180-08-430	REP	81-16-026	180-55-065	NEW	81-08-027	180-78-027	NEW	81-12-024
180-08-440	REP-P	81-13-003	180-55-070	NEW-P	81-04-044	180-78-050	AMD-P	81-08-052
180-08-440	REP	81-16-026	180-55-070	NEW	81-08-027	180-78-050	AMD	81-12-024
180-08-450	REP-P	81-13-003	180-55-075	NEW-P	81-04-044	180-78-057	NEW-P	81-08-052
180-08-450	REP	81-16-026	180-55-075	NEW	81-08-027	180-78-057	NEW	81-12-024
180-08-460	REP-P	81-13-003	180-55-080	NEW-P	81-04-044	180-79-065	AMD-P	81-08-053
180-08-460	REP	81-16-026	180-55-080	NEW	81-08-027	180-79-065	AMD	81-12-025
180-08-470	REP-P	81-13-003	180-55-085	NEW-P	81-04-044	180-79-120	AMD-P	81-08-053
180-08-470	REP	81-16-026	180-55-085	NEW	81-08-027	180-79-120	AMD	81-12-025
180-08-480	REP-P	81-13-003	180-55-090	NEW-P	81-04-044	180-79-125	AMD-P	81-08-053

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
180-79-125	AMD	81-12-025	204-20-040	REP-P	81-13-001	212-10-015	NEW	81-04-058
180-79-150	AMD-P	81-08-053	204-20-050	REP-P	81-13-001	212-10-020	NEW	81-04-058
180-79-150	AMD	81-12-025	204-20-060	REP-P	81-13-001	212-10-025	NEW	81-04-058
180-79-230	AMD-P	81-08-053	204-20-070	REP-P	81-13-001	212-10-030	NEW	81-04-058
180-79-230	AMD	81-12-025	204-20-080	REP-P	81-13-001	212-10-035	NEW	81-04-058
180-79-245	AMD-P	81-08-053	204-20-090	REP-P	81-13-001	212-10-040	NEW	81-04-058
180-79-245	AMD	81-12-025	204-20-100	REP-P	81-13-001	212-10-045	NEW	81-04-058
182-08-111	AMD	81-03-014	204-20-110	REP-P	81-13-001	212-10-050	NEW	81-04-058
182-08-300	NEW	81-03-014	204-20-120	REP-P	81-13-001	212-10-055	NEW	81-04-058
192-16-030	NEW-E	81-09-067	204-20-130	REP-P	81-13-001	212-10-060	NEW	81-04-058
192-16-030	NEW-P	81-10-065	204-20-140	REP-P	81-13-001	212-52-001	AMD	81-03-081
192-16-030	NEW	81-13-016	204-20-150	REP-P	81-13-001	212-52-005	AMD	81-03-081
192-16-033	NEW-E	81-09-067	204-22	AMD-P	81-17-001	212-52-010	REP	81-03-081
192-16-033	NEW-P	81-10-065	204-22-010	NEW-P	81-13-001	212-52-012	NEW	81-03-081
192-16-033	NEW	81-13-016	204-22-020	NEW-P	81-13-001	212-52-015	REP	81-03-081
192-16-036	NEW-E	81-09-067	204-22-030	NEW-P	81-13-001	212-52-020	AMD	81-03-081
192-16-036	NEW-P	81-10-065	204-22-040	NEW-P	81-13-001	212-52-025	AMD	81-03-081
192-16-036	NEW	81-13-016	204-22-050	NEW-P	81-13-001	212-52-027	NEW	81-03-081
192-16-040	NEW-E	81-09-067	204-24	AMD-P	81-10-001	212-52-035	REP	81-03-081
192-16-040	NEW-P	81-10-065	204-24	AMD-P	81-17-001	212-52-037	NEW	81-03-081
192-16-040	NEW	81-13-016	204-39	AMD-P	81-17-019	212-52-040	AMD	81-03-081
192-16-042	NEW-E	81-09-067	204-24-020	REP-P	81-13-001	212-52-045	AMD	81-03-081
192-16-042	NEW-P	81-10-065	204-24-050	AMD-E	81-06-036	212-52-050	AMD	81-03-081
192-16-042	NEW	81-13-016	204-24-050	AMD	81-10-038	212-52-055	AMD	81-03-081
192-16-045	NEW-E	81-09-067	204-24-070	REP-P	81-13-001	212-52-060	AMD	81-03-081
192-16-045	NEW-P	81-10-065	204-36-060	AMD	81-04-043	212-52-065	AMD	81-03-081
192-16-045	NEW	81-13-016	204-38	AMD-P	81-10-001	212-52-070	AMD	81-03-081
192-16-047	NEW-E	81-09-067	204-38-030	AMD-E	81-04-039	212-52-075	AMD	81-03-081
192-16-047	NEW-P	81-10-065	204-38-030	AMD-P	81-04-041	212-52-080	AMD	81-03-081
192-16-047	NEW	81-13-016	204-38-030	AMD	81-10-038	212-52-090	AMD	81-03-081
198-12-020	AMD-P	81-15-023	204-38-040	AMD-E	81-04-039	212-52-095	AMD	81-03-081
198-12-030	AMD-P	81-15-023	204-38-040	AMD-P	81-04-041	212-52-100	AMD	81-03-081
198-12-050	AMD-P	81-15-023	204-38-040	AMD	81-10-038	212-52-105	AMD	81-03-081
198-12-060	AMD-P	81-15-023	204-38-050	AMD-E	81-04-039	212-52-110	AMD	81-03-081
198-12-130	AMD-P	81-15-023	204-38-050	AMD-P	81-04-041	212-52-115	AMD	81-03-081
198-12-140	AMD-P	81-15-023	204-38-050	AMD	81-10-038	212-52-120	AMD	81-03-081
204-08	AMD-P	81-17-001	204-39	AMD-P	81-17-019	212-52-125	AMD	81-03-081
204-08-100	AMD-P	81-13-001	204-39-010	NEW-P	81-12-044	212-54	NEW-P	81-06-022
204-10	AMD-P	81-17-001	204-39-020	NEW-P	81-12-044	212-54	NEW-P	81-08-017
204-10-010	NEW-P	81-13-001	204-39-030	NEW-P	81-12-044	212-54	NEW-P	81-11-034
204-10-020	NEW-P	81-13-001	204-39-040	NEW-P	81-12-044	212-54-001	NEW-P	81-03-051
204-10-030	NEW-P	81-13-001	204-39-050	NEW-P	81-12-044	212-54-005	NEW-P	81-03-051
204-10-040	NEW-P	81-13-001	204-62	AMD-P	81-17-001	212-54-010	NEW-P	81-03-051
204-10-050	NEW-P	81-13-001	204-62-020	AMD-P	81-13-001	212-54-015	NEW-P	81-03-051
204-10-060	NEW-P	81-13-001	204-62-040	NEW-P	81-13-001	212-54-020	NEW-P	81-03-051
204-10-070	NEW-P	81-13-001	204-62-050	NEW-P	81-13-001	212-54-025	NEW-P	81-03-051
204-10-080	NEW-P	81-13-001	204-62-060	NEW-P	81-13-001	212-54-030	NEW-P	81-03-051
204-10-090	NEW-P	81-13-001	204-66	AMD-P	81-10-001	212-54-035	NEW-P	81-03-051
204-10-100	NEW-P	81-13-001	204-66-180	AMD-P	81-04-040	212-54-040	NEW-P	81-03-051
204-10-110	NEW-P	81-13-001	204-66-180	AMD	81-10-038	212-54-045	NEW-P	81-03-051
204-10-120	NEW-P	81-13-001	204-78	AMD-P	81-17-001	212-54-050	NEW-P	81-03-051
204-10-130	NEW-P	81-13-001	204-78-010	NEW-P	81-13-001	212-54-055	NEW-P	81-03-051
204-10-140	NEW-P	81-13-001	204-78-020	NEW-P	81-13-001	212-54-060	NEW-P	81-03-051
204-10-150	NEW-P	81-13-001	204-78-030	NEW-P	81-13-001	212-54-065	NEW-P	81-03-051
204-12	AMD-P	81-17-001	204-78-040	NEW-P	81-13-001	212-54-070	NEW-P	81-03-051
204-12-001	REP-P	81-13-001	204-78-050	NEW-P	81-13-001	212-54-075	NEW-P	81-03-051
204-12-010	REP-P	81-13-001	204-80	AMD-P	81-17-001	212-54-080	NEW-P	81-03-051
204-12-020	REP-P	81-13-001	204-80-010	NEW-P	81-13-001	212-54-085	NEW-P	81-03-051
204-12-030	REP-P	81-13-001	204-80-020	NEW-P	81-13-001	212-54-090	NEW-P	81-03-051
204-12-040	REP-P	81-13-001	204-80-030	NEW-P	81-13-001	212-54-095	NEW-P	81-03-051
204-12-050	REP-P	81-13-001	204-80-040	NEW-P	81-13-001	212-54-100	NEW-P	81-03-051
204-12-060	REP-P	81-13-001	204-80-050	NEW-P	81-13-001	212-55	NEW-P	81-06-022
204-16	AMD-P	81-17-001	204-84	AMD-P	81-17-001	212-55	NEW-P	81-08-017
204-16-001	REP-P	81-13-001	204-84-010	NEW-P	81-13-001	212-55	NEW-P	81-11-034
204-16-010	REP-P	81-13-001	204-84-020	NEW-P	81-13-001	212-55-001	NEW-P	81-03-051
204-16-020	REP-P	81-13-001	204-84-030	NEW-P	81-13-001	212-55-005	NEW-P	81-03-051
204-16-030	REP-P	81-13-001	204-84-040	NEW-P	81-13-001	212-55-010	NEW-P	81-03-051
204-16-040	REP-P	81-13-001	204-84-050	NEW-P	81-13-001	212-55-015	NEW-P	81-03-051
204-16-050	REP-P	81-13-001	204-84-060	NEW-P	81-13-001	212-55-020	NEW-P	81-03-051
204-16-060	REP-P	81-13-001	204-84-070	NEW-P	81-13-001	212-55-025	NEW-P	81-03-051
204-20	AMD-P	81-17-001	204-84-080	NEW-P	81-13-001	212-55-030	NEW-P	81-03-051
204-20-010	REP-P	81-13-001	204-84-090	NEW-P	81-13-001	212-55-035	NEW-P	81-03-051
204-20-020	REP-P	81-13-001	204-84-100	NEW-P	81-13-001	212-55-040	NEW-P	81-03-051
204-20-030	REP-P	81-13-001	212-10-010	NEW	81-04-058	212-55-045	NEW-P	81-03-051

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
212-55-050	NEW-P 81-03-051	212-58	REP-P 81-06-022	212-61-015	REP-P 81-03-051
212-55-055	NEW-P 81-03-051	212-58	REP-P 81-08-017	212-61-020	REP-P 81-03-051
212-55-060	NEW-P 81-03-051	212-58	REP-P 81-11-033	212-61-025	REP-P 81-03-051
212-55-065	NEW-P 81-03-051	212-58-001	REP-P 81-03-051	212-61-030	REP-P 81-03-051
212-55-070	NEW-P 81-03-051	212-58-001	REP 81-14-010	212-61-035	REP-P 81-03-051
212-55-075	NEW-P 81-03-051	212-58-005	REP-P 81-03-051	212-61-040	REP-P 81-03-051
212-55-080	NEW-P 81-03-051	212-58-005	REP 81-14-010	212-61-045	REP-P 81-03-051
212-55-085	NEW-P 81-03-051	212-58-010	REP-P 81-03-051	212-61-050	REP-P 81-03-051
212-55-090	NEW-P 81-03-051	212-58-010	REP 81-14-010	212-61-055	REP-P 81-03-051
212-55-095	NEW-P 81-03-051	212-58-015	REP-P 81-03-051	212-61-060	REP-P 81-03-051
212-56	REP-P 81-06-022	212-58-015	REP 81-14-010	212-61-065	REP-P 81-03-051
212-56	REP-P 81-08-017	212-58-020	REP-P 81-03-051	212-62	REP-P 81-06-022
212-56	REP-P 81-11-033	212-58-020	REP 81-14-010	212-62	REP-P 81-08-017
212-56-001	REP-P 81-03-051	212-58-025	REP-P 81-03-051	212-62	REP-P 81-11-034
212-56-001	REP 81-14-010	212-58-025	REP 81-14-010	212-62-001	REP-P 81-03-051
212-56-005	REP-P 81-03-051	212-58-030	REP-P 81-03-051	212-62-005	REP-P 81-03-051
212-56-005	REP 81-14-010	212-58-030	REP 81-14-010	212-62-010	REP-P 81-03-051
212-56-010	REP-P 81-03-051	212-58-035	REP-P 81-03-051	212-62-015	REP-P 81-03-051
212-56-010	REP 81-14-010	212-58-035	REP 81-14-010	212-62-020	REP-P 81-03-051
212-56-015	REP-P 81-03-051	212-58-040	REP-P 81-03-051	212-62-025	REP-P 81-03-051
212-56-015	REP 81-14-010	212-58-040	REP 81-14-010	212-62-030	REP-P 81-03-051
212-56-020	REP-P 81-03-051	212-58-045	REP-P 81-03-051	212-62-035	REP-P 81-03-051
212-56-020	REP 81-14-010	212-58-045	REP 81-14-010	212-62-040	REP-P 81-03-051
212-56-025	REP-P 81-03-051	212-58-050	REP-P 81-03-051	212-62-045	REP-P 81-03-051
212-56-025	REP 81-14-010	212-58-050	REP 81-14-010	212-62-050	REP-P 81-03-051
212-56-030	REP-P 81-03-051	212-58-055	REP-P 81-03-051	212-62-055	REP-P 81-03-051
212-56-030	REP 81-14-010	212-58-055	REP 81-14-010	212-62-060	REP-P 81-03-051
212-56-035	REP-P 81-03-051	212-58-060	REP-P 81-03-051	212-62-065	REP-P 81-03-051
212-56-035	REP 81-14-010	212-58-060	REP 81-14-010	212-62-070	REP-P 81-03-051
212-56-040	REP-P 81-03-051	212-58-065	REP-P 81-03-051	212-63	REP-P 81-06-022
212-56-040	REP 81-14-010	212-58-065	REP 81-14-010	212-63	REP-P 81-08-017
212-56-045	REP-P 81-03-051	212-58-070	REP-P 81-03-051	212-63	REP-P 81-11-033
212-56-045	REP 81-14-010	212-58-070	REP 81-14-010	212-63-001	REP-P 81-03-051
212-56-050	REP-P 81-03-051	212-59	REP-P 81-06-022	212-63-001	REP 81-14-010
212-56-050	REP 81-14-010	212-59	REP-P 81-08-017	212-63-005	REP-P 81-03-051
212-56-055	REP-P 81-03-051	212-59	REP-P 81-11-034	212-63-005	REP 81-14-010
212-56-055	REP 81-14-010	212-59-001	REP-P 81-03-051	212-63-010	REP-P 81-03-051
212-56-060	REP-P 81-03-051	212-59-005	REP-P 81-03-051	212-63-010	REP 81-14-010
212-56-060	REP 81-14-010	212-59-010	REP-P 81-03-051	212-63-015	REP-P 81-03-051
212-56-065	REP-P 81-03-051	212-59-015	REP-P 81-03-051	212-63-015	REP 81-14-010
212-56-065	REP 81-14-010	212-59-020	REP-P 81-03-051	212-63-020	REP-P 81-03-051
212-57	REP-P 81-06-022	212-59-025	REP-P 81-03-051	212-63-020	REP 81-14-010
212-57	REP-P 81-08-017	212-59-030	REP-P 81-03-051	212-63-025	REP-P 81-03-051
212-57	REP-P 81-11-033	212-59-035	REP-P 81-03-051	212-63-025	REP 81-14-010
212-57-001	REP-P 81-03-051	212-59-040	REP-P 81-03-051	212-63-030	REP-P 81-03-051
212-57-001	REP 81-14-010	212-59-045	REP-P 81-03-051	212-63-030	REP 81-14-010
212-57-005	REP-P 81-03-051	212-59-050	REP-P 81-03-051	212-63-035	REP-P 81-03-051
212-57-005	REP 81-14-010	212-59-055	REP-P 81-03-051	212-63-035	REP 81-14-010
212-57-010	REP-P 81-03-051	212-59-060	REP-P 81-03-051	212-63-040	REP-P 81-03-051
212-57-010	REP 81-14-010	212-59-065	REP-P 81-03-051	212-63-040	REP 81-14-010
212-57-015	REP-P 81-03-051	212-60	REP-P 81-06-022	212-63-045	REP-P 81-03-051
212-57-015	REP 81-14-010	212-60	REP-P 81-08-017	212-63-045	REP 81-14-010
212-57-020	REP-P 81-03-051	212-60	REP-P 81-11-034	212-63-050	REP-P 81-03-051
212-57-020	REP 81-14-010	212-60-001	REP-P 81-03-051	212-63-050	REP 81-14-010
212-57-025	REP-P 81-03-051	212-60-005	REP-P 81-03-051	212-63-055	REP-P 81-03-051
212-57-025	REP 81-14-010	212-60-010	REP-P 81-03-051	212-63-055	REP 81-14-010
212-57-030	REP-P 81-03-051	212-60-015	REP-P 81-03-051	212-63-060	REP-P 81-03-051
212-57-030	REP 81-14-010	212-60-020	REP-P 81-03-051	212-63-060	REP 81-14-010
212-57-035	REP-P 81-03-051	212-60-025	REP-P 81-03-051	212-63-065	REP-P 81-03-051
212-57-035	REP 81-14-010	212-60-030	REP-P 81-03-051	212-63-065	REP 81-14-010
212-57-040	REP-P 81-03-051	212-60-035	REP-P 81-03-051	212-63-070	REP-P 81-03-051
212-57-040	REP 81-14-010	212-60-040	REP-P 81-03-051	212-63-070	REP 81-14-010
212-57-045	REP-P 81-03-051	212-60-045	REP-P 81-03-051	212-64	AMD-P 81-06-022
212-57-045	REP 81-14-010	212-60-050	REP-P 81-03-051	212-64	AMD-P 81-08-017
212-57-050	REP-P 81-03-051	212-60-055	REP-P 81-03-051	212-64	AMD-P 81-11-033
212-57-050	REP 81-14-010	212-60-060	REP-P 81-03-051	212-64-001	AMD-P 81-03-051
212-57-055	REP-P 81-03-051	212-60-065	REP-P 81-03-051	212-64-001	AMD 81-14-010
212-57-055	REP 81-14-010	212-60-070	REP-P 81-03-051	212-64-005	AMD-P 81-03-051
212-57-060	REP-P 81-03-051	212-61	REP-P 81-06-022	212-64-005	AMD 81-14-010
212-57-060	REP 81-14-010	212-61	REP-P 81-08-017	212-64-010	REP-P 81-03-051
212-57-065	REP-P 81-03-051	212-61	REP-P 81-11-034	212-64-010	REP 81-14-010
212-57-065	REP 81-14-010	212-61-001	REP-P 81-03-051	212-64-015	AMD-P 81-03-051
212-57-070	REP-P 81-03-051	212-61-005	REP-P 81-03-051	212-64-015	AMD 81-14-010
212-57-070	REP 81-14-010	212-61-010	REP-P 81-03-051	212-64-020	AMD-P 81-03-051

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-64-020	AMD	81-14-010	212-65-090	NEW-P	81-03-051	220-28-00700P	NEW-E	81-12-007
212-64-025	AMD-P	81-03-051	212-65-090	NEW	81-14-010	220-28-00700P	REP-E	81-13-040
212-64-025	AMD	81-14-010	212-65-095	NEW-P	81-03-051	220-28-00700Q	NEW-E	81-13-040
212-64-030	AMD-P	81-03-051	212-65-095	NEW	81-14-010	220-28-00700Q	REP-E	81-14-004
212-64-030	AMD	81-14-010	212-65-100	NEW-P	81-03-051	220-28-00700R	NEW-E	81-14-004
212-64-033	NEW-P	81-03-051	212-65-100	NEW	81-14-010	220-28-00700R	REP-E	81-15-014
212-64-033	NEW	81-14-010	220-20-010	AMD	81-02-053	220-28-00700S	NEW-E	81-15-014
212-64-035	AMD-P	81-03-051	220-20-01000E	NEW-E	81-13-018	220-28-00700S	REP-E	81-15-102
212-64-035	AMD	81-14-010	220-20-012	AMD	81-02-053	220-28-007A0M	NEW-E	81-09-035
212-64-037	NEW-P	81-03-051	220-22-020	AMD-P	81-09-082	220-28-007A0M	REP-E	81-12-007
212-64-037	NEW	81-14-010	220-22-020	AMD	81-13-005	220-28-007A0N	NEW-E	81-12-007
212-64-039	NEW-P	81-03-051	220-22-030	AMD-P	81-12-038	220-28-007A0N	REP-E	81-13-040
212-64-039	NEW	81-14-010	220-24-01000E	NEW-E	81-13-012	220-28-007A0P	NEW-E	81-13-040
212-64-040	AMD-P	81-03-051	220-24-02000H	NEW-E	81-13-012	220-28-007A0P	REP-E	81-14-004
212-64-040	AMD	81-14-010	220-28-002F0A	NEW-E	81-06-028	220-28-007A0Q	NEW-E	81-14-004
212-64-043	NEW-P	81-03-051	220-28-002F0B	NEW-E	81-11-063	220-28-007A0Q	REP-E	81-15-014
212-64-043	NEW	81-14-010	220-28-003F0D	NEW-E	81-16-030	220-28-007A0R	NEW-E	81-15-014
212-64-045	AMD-P	81-03-051	220-28-00400L	NEW-E	81-02-052	220-28-007A0R	REP-E	81-15-102
212-64-045	AMD	81-14-010	220-28-00400M	NEW-E	81-09-006	220-28-007B0S	NEW-E	81-09-035
212-64-050	AMD-P	81-03-051	220-28-00400M	REP-E	81-09-035	220-28-007B0S	REP-E	81-12-007
212-64-050	AMD	81-14-010	220-28-00400N	NEW-E	81-09-035	220-28-007B0T	NEW-E	81-12-007
212-64-055	AMD-P	81-03-051	220-28-00400N	REP-E	81-10-042	220-28-007B0T	REP-E	81-13-040
212-64-055	AMD	81-14-010	220-28-00400P	NEW-E	81-10-042	220-28-007B0U	NEW-E	81-13-040
212-64-060	AMD-P	81-03-051	220-28-00400Q	NEW-E	81-16-044	220-28-007B0U	REP-E	81-14-030
212-64-060	AMD	81-14-010	220-28-004B0S	NEW-E	81-09-035	220-28-007B0V	NEW-E	81-14-030
212-64-065	AMD-P	81-03-051	220-28-004B0S	REP-E	81-13-011	220-28-007B0V	REP-E	81-15-102
212-64-065	AMD	81-14-010	220-28-004B0T	NEW-E	81-13-011	220-28-007C0Y	NEW-E	81-09-035
212-64-067	NEW-P	81-03-051	220-28-004B0T	REP-E	81-14-004	220-28-007C0Y	REP-E	81-14-056
212-64-067	NEW	81-14-010	220-28-004B0U	NEW-E	81-14-004	220-28-007C0Z	NEW-E	81-14-056
212-64-068	NEW-P	81-03-051	220-28-004B0U	REP-E	81-15-102	220-28-00700Z	REP-E	81-15-102
212-64-068	NEW	81-14-010	220-28-00500W	NEW-E	81-09-035	220-28-007D0A	NEW-E	81-09-035
212-64-069	NEW-P	81-03-051	220-28-00500W	REP-E	81-13-011	220-28-007F0M	NEW-E	81-09-035
212-64-069	NEW	81-14-010	220-28-00500X	NEW-E	81-13-011	220-28-007G0J	NEW-E	81-14-056
212-64-070	AMD-P	81-03-051	220-28-00500X	REP-E	81-14-004	220-28-007G0J	REP-E	81-15-102
212-64-070	AMD	81-14-010	220-28-00500Y	NEW-E	81-14-004	220-28-00800D	NEW-E	81-09-035
212-65	NEW-P	81-06-022	220-28-00500Y	REP-E	81-14-030	220-28-00800D	REP-E	81-13-011
212-65	NEW-P	81-08-017	220-28-00500Z	NEW-E	81-14-030	220-28-00800E	NEW-E	81-13-011
212-65	NEW-P	81-11-033	220-28-00500Z	REP-E	81-15-102	220-28-00800E	REP-E	81-15-102
212-65-001	NEW-P	81-03-051	220-28-00600U	NEW-E	81-09-035	220-28-008F0M	REP-E	81-02-037
212-65-001	NEW	81-14-010	220-28-00600U	REP-E	81-13-011	220-28-008F0N	NEW-E	81-09-035
212-65-005	NEW-P	81-03-051	220-28-00600V	NEW-E	81-13-011	220-28-008F0N	REP-E	81-13-011
212-65-005	NEW	81-14-010	220-28-00600V	REP-E	81-14-004	220-28-008F0P	NEW-E	81-13-011
212-65-010	NEW-P	81-03-051	220-28-00600W	NEW-E	81-14-004	220-28-008F0P	REP-E	81-15-102
212-65-010	NEW	81-14-010	220-28-00600W	REP-E	81-15-014	220-28-00900M	NEW-E	81-13-011
212-65-015	NEW-P	81-03-051	220-28-00600X	NEW-E	81-15-014	220-28-00900M	REP-E	81-15-102
212-65-015	NEW	81-14-010	220-28-00600X	REP-E	81-15-102	220-28-01000U	NEW-E	81-13-011
212-65-020	NEW-P	81-03-051	220-28-006A0S	NEW-E	81-09-035	220-28-01000U	REP-E	81-15-102
212-65-020	NEW	81-14-010	220-28-006A0S	REP-E	81-13-011	220-28-010A0S	NEW-E	81-13-011
212-65-025	NEW-P	81-03-051	220-28-006A0T	NEW-E	81-13-011	220-28-010A0S	REP-E	81-15-102
212-65-025	NEW	81-14-010	220-28-006A0T	REP-E	81-14-004	220-28-010B0V	NEW-E	81-13-011
212-65-030	NEW-P	81-03-051	220-28-006A0U	NEW-E	81-14-004	220-28-010B0V	REP-E	81-15-102
212-65-030	NEW	81-14-010	220-28-006A0U	REP-E	81-15-014	220-28-010C0R	NEW-E	81-13-011
212-65-035	NEW-P	81-03-051	220-28-006A0V	NEW-E	81-15-014	220-28-010C0R	REP-E	81-15-102
212-65-035	NEW	81-14-010	220-28-006A0V	REP-E	81-15-102	220-28-010D0U	NEW-E	81-13-011
212-65-040	NEW-P	81-03-051	220-28-006B0U	NEW-E	81-13-011	220-28-010D0U	REP-E	81-15-102
212-65-040	NEW	81-14-010	220-28-006B0U	REP-E	81-15-102	220-28-010G0C	NEW-E	81-13-011
212-65-045	NEW-P	81-03-051	220-28-006C0N	NEW-E	81-09-035	220-28-010G0C	REP-E	81-15-102
212-65-045	NEW	81-14-010	220-28-006C0N	REP-E	81-13-011	220-28-011A0L	NEW-E	81-09-035
212-65-050	NEW-P	81-03-051	220-28-006C0P	NEW-E	81-13-011	220-28-011F0L	NEW-E	81-09-035
212-65-050	NEW	81-14-010	220-28-006C0P	REP-E	81-14-004	220-28-011G0G	NEW-E	81-09-035
212-65-055	NEW-P	81-03-051	220-28-006C0Q	NEW-E	81-14-004	220-28-011G0H	NEW-E	81-15-040
212-65-055	NEW	81-14-010	220-28-006C0Q	REP-E	81-14-030	220-28-011G0H	REP-E	81-15-102
212-65-060	NEW-P	81-03-051	220-28-006C0R	NEW-E	81-14-030	220-28-012C0Z	NEW-E	81-14-056
212-65-060	NEW	81-14-010	220-28-006C0R	REP-E	81-15-102	220-28-012C0Z	REP-E	81-15-102
212-65-065	NEW-P	81-03-051	220-28-006D0H	NEW-E	81-14-056	220-28-012D0S	NEW-E	81-14-056
212-65-065	NEW	81-14-010	220-28-006D0H	REP-E	81-15-036	220-28-012D0S	REP-E	81-15-102
212-65-070	NEW-P	81-03-051	220-28-006D0I	NEW-E	81-15-036	220-28-012F0G	NEW-E	81-02-052
212-65-070	NEW	81-14-010	220-28-006D0I	REP-E	81-15-102	220-28-01300U	NEW-E	81-03-035
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212-65-080	NEW	81-14-010	220-28-006F0M	REP-E	81-15-102	220-28-013F0A	NEW-E	81-09-035
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220-69-23501	NEW	81-03-032	230-30-200	AMD	81-13-033	232-12-064	NEW	81-12-029
220-69-240	AMD-P	81-07-016	230-40-120	AMD-P	81-16-087	232-12-065	REP-P	81-08-064
220-69-240	AMD	81-11-006	230-42-010	AMD-P	81-10-071	232-12-065	REP	81-12-029
220-69-24000C	NEW-E	81-05-006	230-42-010	AMD-E	81-11-025	232-12-067	NEW-P	81-08-064
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220-69-241	AMD-P	81-07-016	230-60-015	AMD-P	81-08-069	232-12-070	REP-P	81-08-064
220-69-241	AMD	81-11-006	230-60-015	AMD	81-11-039	232-12-070	REP	81-12-029
220-69-25401	AMD-P	81-07-016	230-60-070	AMD-P	81-08-069	232-12-071	NEW-P	81-08-064
220-69-25401C	NEW-E	81-05-006	230-60-070	AMD	81-11-039	232-12-071	NEW	81-12-029
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220-69-25501	NEW	81-03-032	232-12-001	NEW	81-12-029	232-12-074	NEW	81-12-029
220-69-26402	NEW	81-03-032	232-12-001	AMD-P	81-12-048	232-12-075	NEW-P	81-16-070
220-69-265	AMD	81-03-032	232-12-001	AMD-P	81-16-070	232-12-077	NEW-P	81-08-064
220-69-26501	NEW	81-03-032	232-12-004	NEW-P	81-08-064	232-12-077	NEW	81-12-029
220-69-280	AMD-P	81-07-016	232-12-004	NEW	81-12-029	232-12-080	REP-P	81-08-064
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220-95-012	NEW	81-09-018	232-12-007	AMD-P	81-16-070	232-12-084	NEW-P	81-08-064
220-95-017	NEW-P	81-05-036	232-12-010	REP-P	81-08-064	232-12-084	NEW	81-12-029
220-95-017	NEW	81-09-018	232-12-010	REP	81-12-029	232-12-087	NEW-P	81-08-064
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224-12-090	AMD	81-16-034	232-12-011	NEW	81-12-029	232-12-090	REP-P	81-08-064
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230-02-210	AMD	81-09-055	232-12-014	NEW	81-12-029	232-12-091	NEW	81-12-029
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230-02-405	AMD-P	81-09-021	232-12-015	REP-P	81-08-064	232-12-094	NEW	81-12-029
230-02-405	AMD	81-09-055	232-12-015	REP	81-12-029	232-12-097	NEW-P	81-08-064
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230-02-418	NEW-P	81-14-087	232-12-017	NEW	81-12-029	232-12-100	REP-P	81-08-064
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230-04-135	NEW-P	81-09-021	232-12-019	NEW-P	81-08-064	232-12-101	NEW-P	81-08-064
230-04-145	NEW-P	81-04-072	232-12-019	NEW	81-12-029	232-12-101	NEW	81-12-029
230-04-145	NEW-P	81-14-087	232-12-020	REP-P	81-08-064	232-12-104	NEW-P	81-08-064
230-04-147	NEW-P	81-04-072	232-12-020	REP	81-12-029	232-12-104	NEW	81-12-029
230-04-147	NEW-P	81-14-087	232-12-021	NEW-P	81-08-064	232-12-105	REP-P	81-08-064
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230-04-200	AMD-P	81-04-072	232-12-024	NEW	81-12-029	232-12-107	NEW	81-12-029
230-04-200	AMD-P	81-06-074	232-12-027	NEW-P	81-08-064	232-12-110	REP-P	81-08-064
230-04-200	AMD-P	81-09-021	232-12-027	NEW	81-12-029	232-12-110	REP	81-12-029
230-04-200	AMD-P	81-10-071	232-12-027	AMD-P	81-16-070	232-12-111	NEW-P	81-08-064
230-04-200	AMD	81-13-032	232-12-030	REP-P	81-08-064	232-12-111	NEW	81-12-029
230-04-200	AMD-P	81-14-087	232-12-030	REP	81-12-029	232-12-114	NEW-P	81-08-064
230-04-200	AMD-P	81-16-087	232-12-031	NEW-P	81-08-064	232-12-114	NEW	81-12-029
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230-04-203	NEW-P	81-09-021	232-12-034	NEW-P	81-08-064	232-12-117	NEW	81-12-029
230-04-204	NEW-P	81-06-074	232-12-034	NEW	81-12-029	232-12-120	REP-P	81-08-064
230-04-204	NEW-P	81-09-021	232-12-037	NEW-P	81-08-064	232-12-120	REP	81-12-029
230-04-206	NEW-P	81-06-074	232-12-037	NEW	81-12-029	232-12-121	NEW-P	81-08-064
230-04-206	NEW-P	81-09-021	232-12-040	REP-P	81-08-064	232-12-121	NEW	81-12-029
230-04-325	NEW-P	81-16-087	232-12-040	REP	81-12-029	232-12-124	NEW-P	81-08-064
230-20-235	NEW-P	81-16-087	232-12-041	NEW-P	81-08-064	232-12-124	NEW	81-12-029
230-25-030	AMD-P	81-16-088	232-12-041	NEW	81-12-029	232-12-127	NEW-P	81-08-064
230-25-033	AMD-P	81-16-088	232-12-044	NEW-P	81-08-064	232-12-127	NEW	81-12-029
230-25-035	REP-P	81-16-088	232-12-044	NEW	81-12-029	232-12-130	REP-P	81-08-064
230-25-040	AMD-P	81-16-088	232-12-044	AMD-P	81-16-070	232-12-130	REP	81-12-029
230-25-070	AMD-P	81-16-088	232-12-047	NEW-P	81-08-064	232-12-131	NEW-P	81-08-064
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230-25-120	AMD-P	81-16-088	232-12-047	AMD-P	81-16-070	232-12-134	NEW	81-12-029
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232-12-135	REP	81-12-029	232-12-212	REP	81-12-029	232-12-300	REP-P	81-08-064
232-12-137	NEW-P	81-08-064	232-12-213	REP-P	81-08-064	232-12-300	REP	81-12-029
232-12-137	NEW	81-12-029	232-12-213	REP	81-12-029	232-12-310	REP-P	81-08-064
232-12-137	AMD-P	81-14-074	232-12-214	REP-P	81-08-064	232-12-310	REP	81-12-029
232-12-137	AMD-P	81-16-070	232-12-214	REP	81-12-029	232-12-320	REP-P	81-08-064
232-12-140	REP-P	81-08-064	232-12-215	REP-P	81-08-064	232-12-320	REP	81-12-029
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232-12-141	NEW-P	81-08-064	232-12-220	REP-P	81-08-064	232-12-340	REP	81-12-029
232-12-141	NEW	81-12-029	232-12-220	REP	81-12-029	232-12-350	REP-P	81-08-064
232-12-141	AMD-P	81-12-048	232-12-221	NEW-P	81-08-064	232-12-350	REP	81-12-029
232-12-144	NEW-P	81-08-064	232-12-221	NEW	81-12-029	232-12-355	REP-P	81-08-064
232-12-144	NEW	81-12-029	232-12-224	NEW-P	81-08-064	232-12-355	REP	81-12-029
232-12-147	NEW-P	81-08-064	232-12-224	NEW	81-12-029	232-12-360	AMD-P	81-05-031
232-12-147	NEW	81-12-029	232-12-227	NEW-P	81-08-064	232-12-360	REP-P	81-08-064
232-12-147	AMD-P	81-16-070	232-12-227	NEW	81-12-029	232-12-360	AMD-E	81-09-027
232-12-150	REP-P	81-08-064	232-12-230	REP-P	81-08-064	232-12-360	REP	81-12-029
232-12-150	REP	81-12-029	232-12-230	REP	81-12-029	232-12-365	REP-P	81-08-064
232-12-151	NEW-P	81-08-064	232-12-231	REP-P	81-08-064	232-12-365	REP	81-12-029
232-12-151	NEW	81-12-029	232-12-231	REP	81-12-029	232-12-370	REP-P	81-08-064
232-12-154	NEW-P	81-08-064	232-12-232	REP-P	81-08-064	232-12-370	REP	81-12-029
232-12-154	NEW	81-12-029	232-12-232	REP	81-12-029	232-12-373	REP-P	81-08-064
232-12-154	AMD-P	81-17-074	232-12-233	REP-P	81-08-064	232-12-373	REP	81-12-029
232-12-157	NEW-P	81-08-064	232-12-233	REP	81-12-029	232-12-380	REP-P	81-08-064
232-12-157	NEW	81-12-029	232-12-234	REP-P	81-08-064	232-12-380	REP	81-12-029
232-12-157	AMD-P	81-17-074	232-12-234	REP	81-12-029	232-12-390	REP-P	81-08-064
232-12-160	REP-P	81-08-064	232-12-235	REP-P	81-08-064	232-12-390	REP	81-12-029
232-12-160	REP	81-12-029	232-12-235	REP	81-12-029	232-12-400	REP-P	81-08-064
232-12-161	NEW-P	81-08-064	232-12-236	REP-P	81-08-064	232-12-400	REP	81-12-029
232-12-161	NEW	81-12-029	232-12-236	REP	81-12-029	232-12-405	REP-P	81-08-064
232-12-164	NEW-P	81-08-064	232-12-237	REP-P	81-08-064	232-12-405	REP	81-12-029
232-12-164	AMD-P	81-16-070	232-12-237	REP	81-12-029	232-12-410	REP-P	81-08-064
232-12-164	NEW	81-12-029	232-12-238	REP-P	81-08-064	232-12-410	REP	81-12-029
232-12-167	NEW-P	81-08-064	232-12-238	REP	81-12-029	232-12-420	REP-P	81-08-064
232-12-167	NEW	81-12-029	232-12-240	REP-P	81-08-064	232-12-420	REP	81-12-029
232-12-170	REP-P	81-08-064	232-12-240	REP	81-12-029	232-12-430	REP-P	81-08-064
232-12-170	REP	81-12-029	232-12-241	NEW-P	81-08-064	232-12-430	REP	81-12-029
232-12-171	REP-P	81-08-064	232-12-241	NEW	81-12-029	232-12-435	REP-P	81-08-064
232-12-171	REP	81-12-029	232-12-241	AMD-P	81-16-070	232-12-435	REP	81-12-029
232-12-173	REP-P	81-08-064	232-12-244	NEW-P	81-08-064	232-12-440	REP-P	81-08-064
232-12-173	REP	81-12-029	232-12-244	NEW	81-12-029	232-12-440	REP	81-12-029
232-12-174	NEW-P	81-08-064	232-12-247	NEW-P	81-08-064	232-12-450	REP-P	81-08-064
232-12-174	NEW	81-12-029	232-12-247	NEW	81-12-029	232-12-450	REP	81-12-029
232-12-177	NEW-P	81-08-064	232-12-251	NEW-P	81-08-064	232-12-460	REP-P	81-08-064
232-12-177	NEW	81-12-029	232-12-251	NEW	81-12-029	232-12-460	REP	81-12-029
232-12-180	REP-P	81-08-064	232-12-254	NEW-P	81-08-064	232-12-470	REP-P	81-08-064
232-12-180	REP	81-12-029	232-12-254	NEW	81-12-029	232-12-470	REP	81-12-029
232-12-181	NEW-P	81-08-064	232-12-255	REP-P	81-08-064	232-12-480	REP-P	81-08-064
232-12-181	NEW	81-12-029	232-12-255	REP	81-12-029	232-12-480	REP	81-12-029
232-12-184	NEW-P	81-08-064	232-12-257	NEW-P	81-08-064	232-12-490	REP-P	81-08-064
232-12-184	NEW	81-12-029	232-12-257	NEW	81-12-029	232-12-490	REP	81-12-029
232-12-187	NEW-P	81-08-064	232-12-261	NEW-P	81-08-064	232-12-500	REP-P	81-08-064
232-12-187	NEW	81-12-029	232-12-261	NEW	81-12-029	232-12-500	REP	81-12-029
232-12-189	NEW-P	81-16-070	232-12-264	NEW-P	81-08-064	232-12-510	REP-P	81-08-064
232-12-190	REP-P	81-08-064	232-12-264	NEW	81-12-029	232-12-510	REP	81-12-029
232-12-190	REP	81-12-029	232-12-267	NEW-P	81-08-064	232-12-520	REP-P	81-08-064
232-12-191	NEW-P	81-08-064	232-12-267	NEW	81-12-029	232-12-520	REP	81-12-029
232-12-191	NEW	81-12-029	232-12-271	NEW-P	81-08-064	232-12-530	REP-P	81-08-064
232-12-194	NEW-P	81-08-064	232-12-271	NEW	81-12-029	232-12-530	REP	81-12-029
232-12-194	NEW	81-12-029	232-12-274	NEW-P	81-08-064	232-12-550	REP-P	81-08-064
232-12-197	NEW-P	81-08-064	232-12-274	NEW	81-12-029	232-12-550	REP	81-12-029
232-12-197	NEW	81-12-029	232-12-277	NEW-P	81-08-064	232-12-570	REP-P	81-08-064
232-12-200	REP-P	81-08-064	232-12-277	NEW	81-12-029	232-12-570	REP	81-12-029
232-12-200	REP	81-12-029	232-12-280	REP-P	81-08-064	232-12-630	REP-P	81-08-064
232-12-201	REP-P	81-08-064	232-12-280	REP	81-12-029	232-12-630	REP	81-12-029
232-12-201	REP	81-12-029	232-12-281	NEW-P	81-08-064	232-12-640	REP-P	81-08-064
232-12-205	REP-P	81-08-064	232-12-281	NEW	81-12-029	232-12-640	REP	81-12-029
232-12-205	REP	81-12-029	232-12-284	NEW-P	81-08-064	232-12-650	REP-P	81-08-064
232-12-207	NEW-P	81-08-064	232-12-284	NEW	81-12-029	232-12-650	REP	81-12-029
232-12-207	NEW	81-12-029	232-12-287	NEW-P	81-08-064	232-12-655	REP-P	81-08-064
232-12-210	REP-P	81-08-064	232-12-287	NEW	81-12-029	232-12-655	REP	81-12-029
232-12-210	REP	81-12-029	232-12-291	NEW-P	81-08-064	232-12-660	REP-P	81-08-064
232-12-211	REP-P	81-08-064	232-12-291	NEW	81-12-029	232-12-660	REP	81-12-029

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232-12-670	REP-P	81-08-064	232-28-60308	NEW-E	81-16-046	248-18-010	AMD	81-05-029
232-12-670	REP	81-12-029	232-28-702	REP	81-04-018	248-18-500	AMD	81-05-029
232-12-675	REP-P	81-08-064	232-28-703	NEW	81-04-018	248-18-505	AMD	81-05-029
232-12-675	REP	81-12-029	232-28-802	REP-P	81-05-031	248-18-510	AMD	81-05-029
232-12-676	REP-P	81-08-064	232-28-802	REP-P	81-08-064	248-18-515	AMD	81-05-029
232-12-676	REP	81-12-029	232-28-802	REP-E	81-09-025	248-19	AMD-P	81-03-039
232-12-680	REP-P	81-08-064	232-28-802	REP	81-12-004	248-19	AMD-P	81-04-013
232-12-680	REP	81-12-029	232-28-803	NEW-P	81-05-031	248-19-200	AMD-E	81-05-030
232-12-690	REP-P	81-08-064	232-28-803	NEW-P	81-08-064	248-19-200	AMD	81-09-012
232-12-690	REP	81-12-029	232-28-803	NEW-E	81-09-025	248-19-210	AMD-E	81-05-030
232-12-700	REP-P	81-08-064	232-28-803	NEW	81-12-004	248-19-210	AMD	81-09-012
232-12-700	REP	81-12-029	232-32-126	REP-E	81-02-021	248-19-220	AMD-E	81-05-030
232-12-710	REP-P	81-08-064	232-32-127	NEW-E	81-02-021	248-19-220	AMD	81-09-012
232-12-710	REP	81-12-029	232-32-128	NEW-E	81-03-009	248-19-230	AMD-E	81-05-030
232-12-802	REP-P	81-17-074	232-32-129	NEW-E	81-03-010	248-19-230	AMD	81-09-012
232-12-804	AMD-P	81-17-074	232-32-130	NEW-E	81-03-033	248-19-240	AMD-E	81-05-030
232-12-806	AMD-P	81-17-074	232-32-131	NEW-E	81-04-017	248-19-240	AMD	81-09-012
232-12-808	REP-P	81-17-074	232-32-132	NEW-E	81-04-057	248-19-250	AMD-E	81-05-030
232-12-810	AMD-P	81-17-074	232-32-133	NEW-E	81-05-011	248-19-250	AMD	81-09-012
232-12-812	REP-P	81-17-074	236-12-430	AMD-P	81-08-015	248-19-260	AMD-E	81-05-030
232-12-814	AMD-P	81-17-074	236-12-430	AMD-E	81-08-016	248-19-260	AMD	81-09-012
232-12-816	REP-P	81-08-064	236-12-430	AMD	81-11-001	248-19-270	AMD-E	81-05-030
232-12-816	REP	81-12-029	236-12-470	AMD-P	81-08-015	248-19-270	AMD	81-09-012
232-12-818	REP-P	81-17-074	236-12-470	AMD-E	81-08-016	248-19-280	AMD-E	81-05-030
232-12-820	AMD-P	81-17-074	236-12-470	AMD	81-11-001	248-19-280	AMD	81-09-012
232-12-822	REP-P	81-17-074	237-990	AMD	81-09-016	248-19-300	AMD-E	81-05-030
232-12-824	AMD-P	81-17-074	247-02-040	AMD-E	81-13-006	248-19-300	AMD	81-09-012
232-12-826	REP-P	81-17-074	247-02-050	AMD-E	81-13-006	248-19-310	AMD-E	81-05-030
232-16-365	REP-P	81-12-048	247-16-010	AMD-E	81-13-006	248-19-310	AMD	81-09-012
232-16-400	AMD-P	81-12-048	247-16-030	AMD-E	81-13-006	248-19-320	AMD-E	81-05-030
232-21-100	REP-P	81-05-031	247-16-040	AMD-E	81-13-006	248-19-320	AMD	81-09-012
232-21-100	REP-P	81-08-064	247-16-060	AMD-E	81-13-006	248-19-325	NEW-E	81-05-030
232-21-100	REP-E	81-09-026	247-16-070	AMD-E	81-13-006	248-19-325	NEW	81-09-012
232-21-100	REP	81-12-005	247-16-080	REP-E	81-13-006	248-19-330	AMD-E	81-05-030
232-21-101	NEW-P	81-05-031	247-16-090	NEW-E	81-13-006	248-19-330	AMD	81-09-012
232-21-101	NEW-P	81-08-064	247-16-100	NEW-E	81-13-006	248-19-340	AMD-E	81-05-030
232-21-101	NEW-E	81-09-026	248-12-170	AMD-P	81-15-071	248-19-340	AMD	81-09-012
232-21-101	NEW	81-12-005	248-14	AMD-P	81-03-004	248-19-350	AMD-E	81-05-030
232-28-001	REP-P	81-05-031	248-14	AMD-P	81-11-042	248-19-350	AMD	81-09-012
232-28-100	REP-P	81-05-031	248-14-001	AMD-P	81-08-047	248-19-360	AMD-E	81-05-030
232-28-103	REP-P	81-12-048	248-14-001	AMD	81-14-066	248-19-360	AMD	81-09-012
232-28-104	NEW-P	81-12-048	248-14-100	AMD-P	81-08-047	248-19-370	AMD-E	81-05-030
232-28-200	REP-P	81-05-031	248-14-100	AMD	81-14-066	248-19-370	AMD	81-09-012
232-28-203	REP-P	81-08-064	248-14-110	AMD-P	81-08-047	248-19-390	AMD-E	81-05-030
232-28-203	REP	81-15-066	248-14-110	AMD	81-14-066	248-19-390	AMD	81-09-012
232-28-204	NEW-P	81-08-064	248-14-114	NEW-P	81-08-047	248-19-400	AMD-E	81-05-030
232-28-204	NEW	81-15-066	248-14-114	NEW	81-14-066	248-19-400	AMD	81-09-012
232-28-20401	NEW-P	81-12-048	248-14-120	AMD-P	81-08-047	248-19-403	NEW-E	81-05-030
232-28-20401	NEW	81-15-065	248-14-120	AMD	81-14-066	248-19-403	NEW	81-09-012
232-28-20402	NEW	81-17-074	248-14-125	NEW-P	81-08-047	248-19-405	NEW-E	81-05-030
232-28-300	REP-P	81-05-031	248-14-125	NEW	81-14-066	248-19-405	NEW	81-09-012
232-28-303	REP-P	81-08-064	248-14-128	NEW-P	81-08-047	248-19-410	AMD-E	81-05-030
232-28-303	REP	81-15-066	248-14-128	NEW	81-14-066	248-19-410	AMD	81-09-012
232-28-304	NEW-P	81-08-064	248-14-130	AMD-P	81-08-047	248-19-415	NEW-E	81-05-030
232-28-304	NEW	81-15-066	248-14-130	AMD	81-14-066	248-19-415	NEW	81-09-012
232-28-400	REP-P	81-05-031	248-14-140	AMD-P	81-08-047	248-19-420	AMD-E	81-05-030
232-28-403	REP-P	81-14-074	248-14-140	AMD	81-14-066	248-19-420	AMD	81-09-012
232-28-404	NEW-P	81-14-074	248-14-150	AMD-P	81-08-047	248-19-430	AMD-E	81-05-030
232-28-500	REP-P	81-05-031	248-14-150	AMD	81-14-066	248-19-430	AMD	81-09-012
232-28-503	REP-P	81-12-048	248-14-152	NEW-P	81-08-047	248-19-440	AMD-E	81-05-030
232-28-504	NEW-P	81-12-048	248-14-152	NEW	81-14-066	248-19-440	AMD	81-09-012
232-28-600	REP-P	81-05-031	248-14-155	NEW-P	81-08-047	248-19-450	AMD-E	81-05-030
232-28-603	REP-P	81-14-074	248-14-155	NEW	81-14-066	248-19-450	AMD	81-09-012
232-28-604	NEW-P	81-14-074	248-14-160	AMD-P	81-08-047	248-19-475	NEW-E	81-05-030
232-28-60301	NEW-E	81-08-011	248-14-160	AMD	81-14-066	248-19-475	NEW	81-09-012
232-28-60302	NEW-E	81-09-066	248-14-170	AMD-P	81-08-047	248-19-480	AMD-E	81-05-030
232-28-60303	NEW-E	81-11-059	248-14-170	AMD	81-14-066	248-19-480	AMD	81-09-012
232-28-60304	NEW-P	81-12-048	248-14-180	AMD-P	81-08-047	248-19-490	AMD-E	81-05-030
232-28-60304	NEW	81-15-064	248-14-180	AMD	81-14-066	248-19-490	AMD	81-09-012
232-28-60305	NEW-P	81-12-048	248-14-200	AMD-P	81-08-047	248-19-500	AMD-E	81-05-030
232-28-60305	NEW-E	81-15-063	248-14-200	AMD	81-14-066	248-19-500	AMD	81-09-012
232-28-60306	NEW-P	81-12-048	248-14-285	AMD	81-03-005	248-22-060	REP-P	81-04-012
232-28-60306	NEW-E	81-15-038	248-18	AMD-P	81-03-038	248-22-060	REP	81-07-035
232-28-60307	NEW-E	81-15-037	248-18-001	AMD	81-05-029	248-22-070	REP-P	81-04-012

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248-22-080	REP-P	81-04-012	250-44-140	AMD-E	81-09-032
248-22-080	REP	81-07-035	250-44-150	AMD-E	81-09-032
248-22-090	REP-P	81-04-012	250-44-160	AMD-E	81-09-032
248-22-090	REP	81-07-035	250-44-180	AMD-E	81-09-032
248-60A-010	REP-P	81-16-004	250-44-200	AMD-E	81-09-032
248-60A-020	REP-P	81-16-004	250-44-210	AMD-E	81-09-032
248-60A-030	REP-P	81-16-004	250-55-020	AMD-P	81-09-068
248-60A-040	REP-P	81-16-004	250-55-020	AMD	81-13-041
248-60A-050	REP-P	81-16-004	250-55-030	AMD-P	81-09-068
248-60A-060	REP-P	81-16-004	250-55-030	AMD	81-13-041
248-60A-070	REP-P	81-16-004	250-55-040	AMD-P	81-09-068
248-60A-080	REP-P	81-16-004	250-55-040	AMD	81-13-041
248-60A-090	REP-P	81-16-004	250-55-050	AMD-P	81-09-068
248-60A-100	REP-P	81-16-004	250-55-050	AMD	81-13-041
248-60A-110	REP-P	81-16-004	250-55-070	AMD-P	81-09-068
248-60A-120	REP-P	81-16-004	250-55-070	AMD	81-13-041
248-60A-130	REP-P	81-16-004	250-55-100	AMD-P	81-09-068
248-60A-140	REP-P	81-16-004	250-55-100	AMD	81-13-041
248-60A-150	REP-P	81-16-004	250-55-110	AMD-P	81-09-068
248-60A-160	REP-P	81-16-004	250-55-110	AMD	81-13-041
248-60A-170	REP-P	81-16-004	250-55-120	AMD-P	81-09-068
248-61-001	REP-P	81-16-004	250-55-120	AMD	81-13-041
248-61-010	REP-P	81-16-004	250-55-150	AMD-P	81-09-068
248-61-015	REP-P	81-16-004	250-55-150	AMD	81-13-041
248-61-020	REP-P	81-16-004	250-55-160	AMD-P	81-09-068
248-61-030	REP-P	81-16-004	250-55-160	AMD	81-13-041
248-61-040	REP-P	81-16-004	250-55-220	AMD-P	81-09-068
248-61-050	REP-P	81-16-004	250-55-220	AMD	81-13-041
248-61-060	REP-P	81-16-004	251-04-020	AMD-P	81-04-051
248-61-070	REP-P	81-16-004	251-04-020	AMD-P	81-10-009
248-61-080	REP-P	81-16-004	251-04-020	AMD-P	81-12-032
248-61-090	REP-P	81-16-004	251-04-020	AMD	81-15-003
248-61-100	REP-P	81-16-004	251-06-080	AMD-P	81-10-005
248-61-110	REP-P	81-16-004	251-06-080	AMD-P	81-15-002
248-61-120	REP-P	81-16-004	251-06-080	AMD-P	81-16-064
248-61-130	REP-P	81-16-004	251-10-055	AMD-P	81-04-051
248-61-140	REP-P	81-16-004	251-10-055	AMD-P	81-10-009
248-61-150	REP-P	81-16-004	251-10-055	AMD-P	81-12-032
248-61-160	REP-P	81-16-004	251-10-055	AMD	81-15-003
248-61-170	REP-P	81-16-004	251-10-110	AMD-P	81-04-051
248-61-180	REP-P	81-16-004	251-10-110	AMD-P	81-10-009
248-96-020	AMD-P	81-02-042	251-10-110	AMD-P	81-12-032
248-96-020	AMD	81-05-028	251-10-110	AMD-P	81-15-002
248-100-295	AMD-P	81-08-003	251-10-112	NEW-P	81-04-051
248-100-295	AMD	81-11-061	251-10-112	NEW-P	81-10-009
248-152-035	NEW-P	81-12-041	251-10-112	NEW-P	81-12-032
248-152-035	NEW	81-15-027	251-10-113	NEW-P	81-04-051
248-156-010	NEW-P	81-06-007	251-10-113	NEW-P	81-10-009
248-156-010	NEW	81-09-060	251-10-113	NEW-P	81-12-032
248-156-020	NEW-P	81-06-007	251-12-072	AMD-P	81-09-023
248-156-020	NEW	81-09-060	251-12-240	AMD-P	81-04-051
248-156-030	NEW-P	81-06-007	251-12-240	AMD-P	81-10-009
248-156-030	NEW	81-09-060	251-12-240	AMD-P	81-12-032
250-20-001	AMD-P	81-10-069	251-12-240	AMD-P	81-15-002
250-20-001	AMD	81-13-038	251-18-010	AMD-P	81-09-023
250-20-021	AMD-P	81-10-069	251-18-020	AMD-P	81-09-023
250-20-021	AMD	81-13-038	251-18-025	AMD-P	81-09-023
250-40-030	AMD-P	81-10-070	251-18-030	AMD-P	81-09-023
250-40-030	AMD	81-13-037	251-18-050	REP-P	81-09-023
250-40-040	AMD-P	81-10-070	251-18-060	AMD-P	81-09-023
250-40-040	AMD	81-13-037	251-18-070	AMD-P	81-09-023
250-40-050	AMD-P	81-10-070	251-18-080	REP-P	81-09-023
250-40-050	AMD	81-13-037	251-18-100	REP-P	81-09-023
250-40-070	AMD-P	81-10-070	251-18-110	AMD-P	81-09-023
250-40-070	AMD	81-13-037	251-18-112	NEW-P	81-09-023
250-44-010	AMD-E	81-09-032	251-18-115	REP-P	81-09-023
250-44-020	AMD-E	81-09-032	251-18-120	REP-P	81-09-023
250-44-030	AMD-E	81-09-032	251-18-130	AMD-P	81-09-023
250-44-040	AMD-E	81-09-032	251-18-140	AMD-P	81-09-023
250-44-050	AMD-E	81-09-032	251-18-145	NEW-P	81-09-023
250-44-090	AMD-E	81-09-032	251-18-150	REP-P	81-09-023
250-44-110	AMD-E	81-09-032	251-18-155	REP-P	81-09-023
250-44-120	AMD-E	81-09-032	251-18-160	REP-P	81-09-023
251-18-170	REP-P	81-09-023	251-18-175	AMD-P	81-09-023
251-18-175	AMD-P	81-09-023	251-18-180	AMD-P	81-09-023
251-18-180	AMD-P	81-09-023	251-18-181	AMD-P	81-09-023
251-18-181	AMD-P	81-09-023	251-18-185	AMD-P	81-09-023
251-18-185	AMD-P	81-09-023	251-18-190	AMD-P	81-09-023
251-18-190	AMD-P	81-09-023	251-18-200	AMD-P	81-09-023
251-18-200	AMD-P	81-09-023	251-18-330	AMD-P	81-04-051
251-18-330	AMD-P	81-09-023	251-18-330	AMD-P	81-10-009
251-18-330	AMD-P	81-12-032	251-18-330	AMD-P	81-15-003
251-18-330	AMD	81-15-003	251-18-330	AMD-P	81-16-065
251-20-010	AMD-P	81-09-023	251-20-010	AMD-P	81-09-023
251-20-030	AMD-P	81-09-023	251-20-030	AMD	81-15-021
251-20-030	AMD	81-15-021	251-20-040	AMD-P	81-09-023
251-20-040	AMD	81-15-021	251-20-040	AMD	81-15-021
251-20-050	AMD-P	81-09-023	251-20-050	AMD	81-15-021
251-20-060	AMD-P	81-09-023	251-20-060	AMD-P	81-09-023
251-22-240	AMD	81-07-002	251-22-240	AMD-P	81-04-023
260-12-010	AMD-P	81-07-020	260-12-010	AMD	81-08-013
260-12-010	AMD	81-08-013	260-12-010	AMD-P	81-11-049
260-12-010	AMD-P	81-14-016	260-12-010	AMD	81-15-034
260-12-010	AMD	81-15-101	260-12-010	AMD-P	81-07-020
260-12-140	AMD-P	81-07-020	260-12-140	AMD	81-08-013
260-20-075	NEW-P	81-07-020	260-20-075	NEW	81-08-013
260-20-075	NEW	81-08-013	260-20-170	AMD-E	81-08-030
260-20-170	AMD-E	81-11-048	260-20-170	AMD-P	81-14-015
260-20-170	AMD-P	81-14-019	260-20-170	AMD-E	81-15-033
260-20-170	AMD	81-15-033	260-24-280	AMD-P	81-07-020
260-24-280	AMD-P	81-08-013	260-24-280	AMD	81-07-021
260-32-040	AMD-P	81-07-021	260-32-040	AMD-W	81-08-024
260-36-040	AMD-P	81-07-020	260-36-040	AMD-P	81-07-020
260-36-040	AMD-W	81-08-024	260-36-110	AMD-P	81-11-049
260-36-110	AMD-P	81-14-016	260-36-110	AMD-P	81-14-016
260-36-110	AMD	81-15-034	260-36-110	AMD	81-15-034
260-36-180	NEW-P	81-07-020	260-36-180	NEW-P	81-08-012
260-36-180	NEW-P	81-08-012	260-36-180	NEW	81-09-075
260-40-120	AMD-P	81-07-020	260-40-120	AMD-P	81-08-012
260-40-120	AMD-P	81-08-012	260-40-120	AMD-W	81-09-071
260-40-120	AMD-P	81-11-049	260-40-120	AMD-P	81-14-016
260-40-120	AMD	81-15-034	260-40-120	AMD	81-15-034
260-48-110	AMD-P	81-07-020	260-48-110	AMD-P	81-07-020
260-48-110	AMD-E	81-08-030	260-48-110	AMD-E	81-08-030
260-48-110	AMD-P	81-11-048	260-48-110	AMD-P	81-14-015
260-48-110	AMD-E	81-14-019	260-48-110	AMD	81-15-033
260-48-110	AMD	81-15-033	260-48-305	NEW-P	81-11-049
260-48-305	NEW-P	81-14-016	260-48-305	NEW-P	81-14-016
260-48-305	NEW	81-15-034	260-48-305	NEW-E	81-08-030
260-48-326	NEW-E	81-11-048	260-48-326	NEW-P	81-14-015
260-48-326	NEW-P	81-14-019	260-48-326	NEW-E	81-14-019
260-48-326	NEW-E	81-15-033	260-48-326	NEW	81-15-033
260-48-328	NEW-P	81-15-101	260-48-328	NEW-P	81-15-101
260-52-010	AMD-P	81-07-020	260-52-010	AMD	81-08-013
260-52-010	AMD	81-08-013	260-52-040	AMD-P	81-07-020
260-52-040	AMD-P	81-07-020	260-52-040	AMD	81-08-013

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
260-60-050	AMD-P	81-07-020	275-40-030	REP-P	81-15-092	275-55-286	REP-P	81-16-035
260-60-050	AMD-P	81-08-012	275-40-040	REP-P	81-15-092	275-55-288	REP-P	81-16-035
260-60-050	AMD	81-09-075	275-40-050	REP-P	81-15-092	275-55-290	REP-P	81-16-035
260-60-115	NEW-P	81-07-020	275-40-060	REP-P	81-15-092	275-55-291	NEW-P	81-16-035
260-60-115	NEW-P	81-08-012	275-40-070	REP-P	81-15-092	275-55-293	NEW-P	81-16-035
260-60-115	NEW	81-09-075	275-48-010	REP-P	81-15-092	275-55-295	NEW-P	81-16-035
260-60-120	AMD-P	81-07-020	275-48-015	REP-P	81-15-092	275-55-297	NEW-P	81-16-035
260-60-120	AMD	81-08-013	275-48-020	REP-P	81-15-092	275-55-301	NEW-P	81-16-035
260-60-210	AMD-P	81-07-020	275-48-025	REP-P	81-15-092	275-55-321	NEW-P	81-16-035
260-60-210	AMD-P	81-08-012	275-48-030	REP-P	81-15-092	275-55-331	NEW-P	81-16-035
260-60-210	AMD	81-09-075	275-48-035	REP-P	81-15-092	275-55-341	NEW-P	81-16-035
260-70-140	AMD-P	81-07-020	275-48-040	REP-P	81-15-092	275-55-351	NEW-P	81-16-035
260-70-140	AMD-P	81-08-012	275-48-045	REP-P	81-15-092	275-55-361	NEW-P	81-16-035
260-70-140	AMD	81-09-075	275-48-050	REP-P	81-15-092	275-55-363	NEW-P	81-16-035
261-20	AMD-P	81-02-036	275-52-010	REP-P	81-15-092	275-55-365	NEW-P	81-16-035
261-20-010	NEW-P	81-02-035	275-52-015	REP-P	81-15-092	275-55-367	NEW-P	81-16-035
261-20-010	NEW	81-06-016	275-52-020	REP-P	81-15-092	275-55-369	NEW-P	81-16-035
261-20-020	NEW-P	81-02-035	275-53-050	REP-P	81-15-092	275-55-371	NEW-P	81-16-035
261-20-020	NEW	81-06-016	275-53-055	REP-P	81-15-092	275-76-005	REP-P	81-15-092
261-20-030	NEW-P	81-02-035	275-53-060	REP-P	81-15-092	275-76-010	REP-P	81-15-092
261-20-030	NEW	81-06-016	275-53-065	REP-P	81-15-092	275-76-020	REP-P	81-15-092
261-20-030	AMD	81-06-017	275-55-010	AMD-P	81-16-035	275-76-030	REP-P	81-15-092
261-20-040	NEW-P	81-02-035	275-55-020	AMD-P	81-16-035	275-76-040	REP-P	81-15-092
261-20-040	NEW	81-06-016	275-55-021	NEW-P	81-16-035	275-76-050	REP-P	81-15-092
261-20-050	NEW-P	81-02-035	275-55-030	AMD-P	81-16-035	275-76-060	REP-P	81-15-092
261-20-050	NEW	81-06-016	275-55-040	AMD-P	81-16-035	275-76-070	REP-P	81-15-092
261-20-060	NEW-P	81-02-035	275-55-041	REP-P	81-16-035	275-76-080	REP-P	81-15-092
261-20-060	NEW	81-06-016	275-55-050	AMD-P	81-16-035	275-76-090	REP-P	81-15-092
261-20-065	NEW-P	81-02-035	275-55-060	AMD-P	81-16-035	275-76-100	REP-P	81-15-092
261-20-065	NEW	81-06-016	275-55-061	REP-P	81-16-035	275-76-110	REP-P	81-15-092
261-20-070	NEW-P	81-02-035	275-55-070	REP-P	81-16-035	275-76-120	REP-P	81-15-092
261-20-070	NEW	81-06-016	275-55-071	NEW-P	81-16-035	275-76-130	REP-P	81-15-092
261-20-080	NEW-P	81-02-035	275-55-080	REP-P	81-16-035	275-76-140	REP-P	81-15-092
261-20-080	NEW	81-06-016	275-55-081	NEW-P	81-16-035	275-76-150	REP-P	81-15-092
275-16-010	AMD-E	81-04-032	275-55-090	AMD-P	81-16-035	275-80-805	REP-P	81-15-092
275-16-010	AMD-P	81-04-038	275-55-100	REP-P	81-16-035	275-80-810	REP-P	81-15-092
275-16-010	AMD	81-08-020	275-55-110	AMD-P	81-16-035	275-80-815	REP-P	81-15-092
275-16-015	NEW-E	81-04-032	275-55-120	REP-P	81-16-035	275-80-840	REP-P	81-15-092
275-16-015	NEW-P	81-04-038	275-55-121	NEW-P	81-16-035	275-80-842	REP-P	81-15-092
275-16-015	NEW	81-08-020	275-55-130	REP-P	81-16-035	275-80-844	REP-P	81-15-092
275-16-035	NEW-E	81-04-032	275-55-131	NEW-P	81-16-035	275-80-846	REP-P	81-15-092
275-16-035	NEW-P	81-04-038	275-55-140	REP-P	81-16-035	275-80-848	REP-P	81-15-092
275-16-035	NEW	81-08-020	275-55-141	NEW-P	81-16-035	275-80-852	REP-P	81-15-092
275-16-040	REP-E	81-04-032	275-55-150	REP-P	81-16-035	275-80-854	REP-P	81-15-092
275-16-040	REP-P	81-04-038	275-55-151	NEW-P	81-16-035	275-80-860	REP-P	81-15-092
275-16-040	REP	81-08-020	275-55-160	REP-P	81-16-035	275-80-870	REP-P	81-15-092
275-16-055	NEW-E	81-04-032	275-55-161	NEW-P	81-16-035	275-80-872	REP-P	81-15-092
275-16-055	NEW-P	81-04-038	275-55-170	REP-P	81-16-035	275-80-876	REP-P	81-15-092
275-16-055	NEW	81-08-020	275-55-171	NEW-P	81-16-035	275-80-878	REP-P	81-15-092
275-16-065	NEW-E	81-04-032	275-55-180	REP-P	81-16-035	275-80-890	REP-P	81-15-092
275-16-065	NEW-P	81-04-038	275-55-181	NEW-P	81-16-035	275-80-895	REP-P	81-15-092
275-16-065	NEW	81-08-020	275-55-190	REP-P	81-16-035	275-80-900	REP-P	81-15-092
275-16-075	NEW-E	81-04-032	275-55-191	NEW-P	81-16-035	275-80-905	REP-P	81-15-092
275-16-075	NEW-P	81-04-038	275-55-200	REP-P	81-16-035	275-80-910	REP-P	81-15-092
275-16-075	NEW	81-08-020	275-55-201	NEW-P	81-16-035	275-80-915	REP-P	81-15-092
275-16-085	NEW-E	81-04-032	275-55-210	REP-P	81-16-035	275-80-920	REP-P	81-15-092
275-16-085	NEW-P	81-04-038	275-55-211	NEW-P	81-16-035	275-80-925	REP-P	81-15-092
275-16-085	NEW	81-08-020	275-55-220	REP-P	81-16-035	275-80-930	REP-P	81-15-092
275-16-095	NEW-E	81-04-032	275-55-221	NEW-P	81-16-035	275-80-935	REP-P	81-15-092
275-16-095	NEW-P	81-04-038	275-55-230	REP-P	81-16-035	275-80-940	REP-P	81-15-092
275-16-095	NEW	81-08-020	275-55-231	NEW-P	81-16-035	275-80-995	REP-P	81-15-092
275-16-105	NEW-E	81-04-032	275-55-240	REP-P	81-16-035	275-82-005	REP-P	81-15-092
275-16-105	NEW-P	81-04-038	275-55-241	NEW-P	81-16-035	275-82-010	REP-P	81-15-092
275-16-105	NEW	81-08-020	275-55-250	REP-P	81-16-035	275-82-015	REP-P	81-15-092
275-20-030	AMD-P	81-02-023	275-55-251	NEW-P	81-16-035	275-82-020	REP-P	81-15-092
275-20-030	AMD	81-06-004	275-55-260	REP-P	81-16-035	275-82-025	REP-P	81-15-092
275-20-030	AMD-P	81-14-033	275-55-261	NEW-P	81-16-035	275-82-030	REP-P	81-15-092
275-20-030	AMD-E	81-14-061	275-55-263	NEW-P	81-16-035	275-82-035	REP-P	81-15-092
275-20-030	AMD	81-17-025	275-55-270	REP-P	81-16-035	275-82-040	REP-P	81-15-092
275-27-630	AMD-P	81-11-043	275-55-271	NEW-P	81-16-035	275-82-045	REP-P	81-15-092
275-27-630	AMD-E	81-11-047	275-55-280	REP-P	81-16-035	275-82-050	REP-P	81-15-092
275-27-630	AMD	81-14-064	275-55-281	NEW-P	81-16-035	275-85-005	REP-P	81-15-092
275-40-010	REP-P	81-15-092	275-55-282	REP-P	81-16-035	275-85-010	REP-P	81-15-092
275-40-020	REP-P	81-15-092	275-55-284	REP-P	81-16-035	275-85-015	REP-P	81-15-092

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-85-020	REP-P	81-15-092	275-93-005	REP-P	81-15-092	284-17-250	AMD-P	81-15-041
275-85-025	REP-P	81-15-092	275-93-010	REP-P	81-15-092	284-17-270	AMD-P	81-15-041
275-85-030	REP-P	81-15-092	275-93-020	REP-P	81-15-092	284-17-310	AMD-P	81-15-041
275-85-035	REP-P	81-15-092	275-93-040	AMD	81-03-076	284-25	NEW-P	81-06-011
275-85-040	REP-P	81-15-092	275-93-040	REP-P	81-15-092	284-25	NEW-P	81-10-046
275-85-045	REP-P	81-15-092	275-93-050	REP-P	81-15-092	284-25	NEW-W	81-14-017
275-85-050	REP-P	81-15-092	275-93-060	REP-P	81-15-092	284-30-005	REP-P	81-15-069
275-87-005	REP-P	81-15-092	275-93-070	REP-P	81-15-092	284-30-010	REP-P	81-15-069
275-87-010	REP-P	81-15-092	275-93-080	REP-P	81-15-092	284-30-100	REP-P	81-15-069
275-87-015	REP-P	81-15-092	275-93-090	REP-P	81-15-092	284-30-110	REP-P	81-15-069
275-87-020	REP-P	81-15-092	275-93-100	REP-P	81-15-092	284-30-120	REP-P	81-15-069
275-87-025	REP-P	81-15-092	275-93-110	REP-P	81-15-092	284-30-130	REP-P	81-15-069
275-88-005	REP-P	81-15-092	275-93-120	REP-P	81-15-092	284-30-140	REP-P	81-15-069
275-88-006	REP-P	81-15-092	275-93-130	REP-P	81-15-092	284-30-150	REP-P	81-15-069
275-88-010	REP-P	81-15-092	275-93-140	REP-P	81-15-092	284-30-160	REP-P	81-15-069
275-88-015	REP-P	81-15-092	275-96-005	REP-P	81-15-092	284-30-170	REP-P	81-15-069
275-88-020	REP-P	81-15-092	275-96-010	REP-P	81-15-092	284-30-180	REP-P	81-15-069
275-88-025	REP-P	81-15-092	275-96-015	REP-P	81-15-092	284-30-190	REP-P	81-15-069
275-88-030	REP-P	81-15-092	275-96-021	REP-P	81-15-092	284-30-200	REP-P	81-15-069
275-88-035	REP-P	81-15-092	275-96-022	REP-P	81-15-092	284-30-990	REP-P	81-15-069
275-88-040	REP-P	81-15-092	275-96-025	REP-P	81-15-092	284-30-991	REP-P	81-15-069
275-88-045	REP-P	81-15-092	275-96-030	REP-P	81-15-092	284-44-060	REP-P	81-12-047
275-88-050	REP-P	81-15-092	275-96-045	REP-P	81-15-092	284-44-060	REP	81-15-070
275-88-055	REP-P	81-15-092	275-96-050	REP-P	81-15-092	284-44-100	NEW-P	81-12-047
275-88-060	REP-P	81-15-092	275-96-055	REP-P	81-15-092	284-44-100	NEW	81-15-070
275-88-065	REP-P	81-15-092	275-96-060	REP-P	81-15-092	284-44-110	NEW-P	81-12-047
275-88-070	REP-P	81-15-092	275-96-065	REP-P	81-15-092	284-44-110	NEW	81-15-070
275-88-075	REP-P	81-15-092	275-96-070	REP-P	81-15-092	284-44-120	NEW-P	81-12-047
275-88-080	REP-P	81-15-092	275-102-475	REP-P	81-15-092	284-44-120	NEW	81-15-070
275-88-085	REP-P	81-15-092	275-102-480	REP-P	81-15-092	284-44-130	NEW-P	81-12-047
275-88-090	REP-P	81-15-092	275-102-485	REP-P	81-15-092	284-44-130	NEW	81-15-070
275-88-093	REP-P	81-15-092	275-102-490	REP-P	81-15-092	284-44-140	NEW-P	81-12-047
275-88-095	REP-P	81-15-092	275-102-495	REP-P	81-15-092	284-44-140	NEW	81-15-070
275-88-097	REP-P	81-15-092	275-110-020	AMD-E	81-09-047	284-44-150	NEW-P	81-12-047
275-88-100	REP-P	81-15-092	275-110-020	AMD-P	81-09-048	284-44-150	NEW	81-15-070
275-88-105	REP-P	81-15-092	275-110-020	AMD-E	81-12-027	284-44-160	NEW-P	81-12-047
275-88-110	REP-P	81-15-092	275-110-020	AMD-P	81-12-035	284-44-160	NEW	81-15-070
275-88-115	REP-P	81-15-092	275-110-020	AMD	81-15-061	284-44-170	NEW-P	81-12-047
275-88-120	REP-P	81-15-092	275-110-040	AMD-E	81-09-047	284-44-170	NEW	81-15-070
275-88-130	REP-P	81-15-092	275-110-040	AMD-P	81-09-048	284-44-180	NEW-P	81-12-047
275-91-011	REP-P	81-15-092	275-110-040	AMD-E	81-12-027	284-44-180	NEW	81-15-070
275-91-021	REP-P	81-15-092	275-110-040	AMD-P	81-12-035	284-44-190	NEW-P	81-12-047
275-91-031	REP-P	81-15-092	275-110-040	AMD	81-15-061	284-44-190	NEW	81-15-070
275-91-041	REP-P	81-15-092	275-110-050	AMD-E	81-12-027	284-44-200	NEW-P	81-12-047
275-91-050	REP-P	81-15-092	275-110-050	AMD-P	81-12-035	284-44-200	NEW	81-15-070
275-91-060	REP-P	81-15-092	275-110-050	AMD	81-15-061	284-44-210	NEW-P	81-12-047
275-91-070	REP-P	81-15-092	275-110-060	AMD-E	81-12-027	284-44-210	NEW	81-15-070
275-92-310	REP-P	81-15-092	275-110-060	AMD-P	81-12-035	284-44-220	NEW-P	81-12-047
275-92-315	REP-P	81-15-092	275-110-060	AMD	81-15-061	284-44-220	NEW	81-15-070
275-92-320	REP-P	81-15-092	275-110-070	AMD-E	81-12-027	284-51-010	NEW-P	81-09-008
275-92-325	REP-P	81-15-092	275-110-070	AMD-P	81-12-035	284-51-010	NEW	81-14-001
275-92-330	REP-P	81-15-092	275-110-070	AMD	81-15-061	284-51-020	NEW-P	81-09-008
275-92-335	REP-P	81-15-092	275-110-080	AMD-E	81-09-047	284-51-020	NEW	81-14-001
275-92-340	REP-P	81-15-092	275-110-080	AMD-P	81-09-048	284-51-030	NEW-P	81-09-008
275-92-345	REP-P	81-15-092	275-110-080	AMD-E	81-12-027	284-51-030	NEW	81-14-001
275-92-350	REP-P	81-15-092	275-110-080	AMD-P	81-12-035	284-51-040	NEW-P	81-09-008
275-92-355	REP-P	81-15-092	275-110-080	AMD	81-15-061	284-51-040	NEW	81-14-001
275-92-400	REP-P	81-15-092	275-110-090	AMD-E	81-09-047	284-51-050	NEW-P	81-09-008
275-92-405	REP-P	81-15-092	275-110-090	AMD-P	81-09-048	284-51-050	NEW	81-14-001
275-92-410	REP-P	81-15-092	275-110-090	AMD-E	81-12-027	284-51-060	NEW-P	81-09-008
275-92-415	REP-P	81-15-092	275-110-090	AMD-P	81-12-035	284-51-060	NEW	81-14-001
275-92-510	REP-P	81-15-092	275-110-090	AMD	81-15-061	284-51-070	NEW-P	81-09-008
275-92-515	REP-P	81-15-092	275-216-010	REP-P	81-15-009	284-51-070	NEW	81-14-001
275-92-520	REP-P	81-15-092	275-216-020	REP-P	81-15-009	284-51-080	NEW-P	81-09-008
275-92-525	REP-P	81-15-092	284-12-024	REP-P	81-15-069	284-51-080	NEW	81-14-001
275-92-530	REP-P	81-15-092	284-12-025	REP-P	81-15-069	284-51-090	NEW-P	81-09-008
275-92-535	REP-P	81-15-092	284-12-027	REP-P	81-15-069	284-51-090	NEW	81-14-001
275-92-540	REP-P	81-15-092	284-12-028	REP-P	81-15-069	284-51-100	NEW-P	81-09-008
275-92-545	REP-P	81-15-092	284-15-010	NEW	81-03-082	284-51-100	NEW	81-14-001
275-92-550	REP-P	81-15-092	284-15-020	NEW	81-03-082	284-51-110	NEW-P	81-09-008
275-92-555	REP-P	81-15-092	284-15-030	NEW	81-03-082	284-51-110	NEW	81-14-001
275-92-560	REP-P	81-15-092	284-15-040	NEW	81-03-082	284-51-120	NEW-P	81-09-008
275-92-565	REP-P	81-15-092	284-15-050	NEW	81-03-082	284-51-120	NEW	81-14-001
275-92-407	NEW	81-05-001	284-17-220	AMD-P	81-15-041	284-51-130	NEW-P	81-09-008

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
284-51-130	NEW	81-14-001	289-18-200	NEW	81-07-057	296-17-766	NEW-E	81-14-069
284-51-140	NEW-P	81-09-008	289-18-210	NEW	81-07-057	296-17-895	AMD	81-04-024
284-51-140	NEW	81-14-001	289-18-220	NEW	81-07-057	296-17-895	AMD-E	81-14-069
284-51-150	NEW-P	81-09-008	289-19	NEW-P	81-04-062	296-17-904	NEW	81-04-024
284-51-150	NEW	81-14-001	289-19-010	NEW	81-08-014	296-17-905	AMD	81-04-024
284-51-160	NEW-P	81-09-008	289-19-100	NEW	81-08-014	296-17-907	NEW	81-04-024
284-51-160	NEW	81-14-001	289-19-110	NEW	81-08-014	296-17-910	AMD	81-04-024
284-51-170	NEW-P	81-09-008	289-19-120	NEW	81-08-014	296-17-911	NEW	81-04-024
284-51-170	NEW	81-14-001	289-19-130	NEW	81-08-014	296-17-912	NEW	81-04-024
284-51-180	NEW	81-14-001	289-19-200	NEW	81-07-057	296-17-913	NEW	81-04-024
289-13-070	AMD	81-03-029	289-19-210	NEW	81-07-057	296-17-914	NEW	81-04-024
289-13-075	NEW	81-03-029	289-19-220	NEW	81-07-057	296-17-915	NEW	81-04-024
289-13-110	AMD	81-03-029	289-19-230	NEW	81-07-057	296-17-916	NEW	81-04-024
289-13-110	AMD-P	81-08-072	289-20	NEW-P	81-04-062	296-17-917	NEW	81-04-024
289-13-110	AMD	81-11-068	289-20-010	REP	81-07-057	296-17-919	NEW	81-04-024
289-13-170	AMD	81-03-029	289-20-020	REP	81-07-057	296-17-91901	NEW	81-04-024
289-13-170	AMD-E	81-13-051	289-20-030	REP	81-07-057	296-17-91902	NEW	81-04-024
289-13-170	AMD-P	81-14-075	289-20-040	REP	81-07-057	296-24	AMD-P	81-13-035
289-13-190	AMD-P	81-08-072	289-20-050	REP	81-07-057	296-24-060	AMD-P	81-07-051
289-13-190	AMD	81-11-068	289-20-100	NEW	81-08-014	296-24-060	AMD	81-13-053
289-14	AMD-P	81-04-062	289-20-105	NEW	81-08-014	296-24-070	AMD-P	81-07-051
289-14-005	AMD	81-07-057	289-20-110	NEW	81-08-014	296-24-070	AMD	81-13-053
289-14-005	AMD	81-08-014	289-20-120	NEW	81-08-014	296-24-67515	AMD-P	81-07-051
289-14-010	AMD	81-07-057	289-20-130	NEW	81-08-014	296-24-081	REP-P	81-07-051
289-14-020	REP	81-07-057	289-20-140	NEW	81-08-014	296-24-081	REP-P	81-16-008
289-14-030	REP	81-07-057	289-20-150	NEW	81-08-014	296-24-081	REP	81-16-016
289-14-100	NEW	81-08-014	289-20-160	NEW	81-08-014	296-24-08101	REP-P	81-07-051
289-14-120	NEW	81-08-014	289-20-165	NEW	81-08-014	296-24-08101	REP-P	81-16-008
289-14-130	NEW	81-08-014	289-20-170	NEW	81-08-014	296-24-08101	REP	81-16-016
289-14-200	NEW	81-07-057	289-20-180	NEW	81-08-014	296-24-08103	REP-P	81-07-051
289-14-210	NEW	81-07-057	289-20-190	NEW	81-08-014	296-24-08103	REP-P	81-16-008
289-14-220	NEW	81-07-057	289-20-200	NEW	81-07-057	296-24-08103	REP	81-16-016
289-14-230	NEW	81-07-057	289-20-205	NEW	81-07-057	296-24-08105	REP-P	81-07-051
289-15	NEW-P	81-04-062	289-20-210	NEW	81-07-057	296-24-08105	REP-P	81-16-008
289-15-100	NEW	81-08-014	289-20-220	NEW	81-07-057	296-24-08105	REP	81-16-016
289-15-110	NEW	81-08-014	289-20-230	NEW	81-07-057	296-24-08107	REP-P	81-07-051
289-15-120	NEW	81-08-014	289-20-240	NEW	81-07-057	296-24-08107	REP-P	81-16-008
289-15-130	NEW	81-08-014	289-20-250	NEW	81-07-057	296-24-08107	REP	81-16-016
289-15-200	NEW	81-07-057	289-20-260	NEW	81-07-057	296-24-08109	REP-P	81-07-051
289-15-210	NEW	81-07-057	289-20-265	NEW	81-07-057	296-24-08109	REP-P	81-16-008
289-15-220	NEW-P	81-04-063	289-20-270	NEW	81-07-057	296-24-08109	REP	81-16-016
289-15-220	NEW	81-08-001	289-20-280	NEW	81-07-057	296-24-08111	REP-P	81-07-051
289-15-220	AMD-P	81-14-076	289-20-290	NEW	81-07-057	296-24-08111	REP-P	81-16-008
289-15-230	NEW	81-07-057	289-22	NEW-P	81-04-062	296-24-08111	REP	81-16-016
289-16	NEW-P	81-04-062	289-22-010	REP	81-07-057	296-24-08113	REP-P	81-07-051
289-16-010	REP	81-07-057	289-22-020	REP	81-07-057	296-24-08113	REP-P	81-16-008
289-16-020	REP	81-07-057	289-22-100	NEW	81-08-014	296-24-08113	REP	81-16-016
289-16-030	REP	81-07-057	289-22-110	NEW	81-08-014	296-24-960	NEW-P	81-07-027
289-16-040	REP	81-07-057	289-22-200	NEW	81-07-057	296-24-964	NEW-P	81-07-027
289-16-100	NEW	81-08-014	289-22-210	NEW	81-07-057	296-27	AMD-P	81-06-026
289-16-110	NEW	81-08-014	289-24	NEW-P	81-04-062	296-27-160	NEW-P	81-03-071
289-16-120	NEW	81-08-014	289-24-010	REP	81-07-057	296-27-160	NEW-E	81-08-035
289-16-130	NEW	81-08-014	289-24-010	AMD	81-08-014	296-27-160	NEW-P	81-10-059
289-16-140	NEW	81-08-014	289-24-020	REP	81-07-057	296-27-160	NEW	81-14-006
289-16-150	NEW	81-08-014	289-24-030	REP	81-07-057	296-27-160	NEW-E	81-14-020
289-16-160	NEW	81-08-014	289-24-040	REP	81-07-057	296-27-16001	NEW-P	81-03-071
289-16-200	NEW	81-07-057	289-24-050	REP	81-07-057	296-27-16001	NEW-E	81-08-035
289-16-210	NEW	81-07-057	289-24-100	NEW	81-08-014	296-27-16001	NEW-P	81-10-059
289-16-220	NEW	81-07-057	289-24-110	NEW	81-08-014	296-27-16001	NEW	81-14-006
289-16-230	NEW-P	81-04-063	289-24-120	NEW	81-08-014	296-27-16001	NEW-E	81-14-020
289-16-230	NEW	81-07-057	289-24-200	NEW	81-07-057	296-27-16003	NEW-P	81-03-071
289-16-230	AMD	81-08-001	289-24-210	NEW	81-07-057	296-27-16003	NEW-E	81-08-035
289-16-240	NEW	81-07-057	289-24-220	NEW	81-07-057	296-27-16003	NEW-P	81-10-059
289-16-250	NEW	81-07-057	289-30-060	NEW-P	81-04-064	296-27-16003	NEW	81-14-006
289-16-260	NEW	81-07-057	289-30-060	NEW	81-07-058	296-27-16003	NEW-E	81-14-020
289-18	NEW-P	81-04-062	289-30-060	REP-P	81-14-077	296-27-16005	NEW-P	81-03-071
289-18-010	REP	81-07-057	296-15-040	REP	81-10-052	296-27-16005	NEW-E	81-08-035
289-18-020	REP	81-07-057	296-15-044	NEW-P	81-08-063	296-27-16005	NEW-P	81-10-059
289-18-030	REP	81-07-057	296-15-044	NEW	81-10-052	296-27-16005	NEW	81-14-006
289-18-040	REP	81-07-057	296-15-070	AMD-E	81-14-071	296-27-16005	NEW-E	81-14-020
289-18-050	REP	81-07-057	296-15-070	AMD-E	81-15-020	296-27-16007	NEW-P	81-03-071
289-18-100	NEW	81-08-014	296-15-215	NEW-E	81-14-070	296-27-16007	NEW-E	81-08-035
289-18-110	NEW	81-08-014	296-17-350	AMD-E	81-14-069	296-27-16007	NEW-P	81-10-059
289-18-120	NEW	81-08-014	296-17-765	NEW-E	81-14-069	296-27-16007	NEW	81-14-006

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-27-16007	NEW-E	81-14-020	296-45-66011	NEW	81-13-053	296-62-07306	AMD	81-16-016
296-27-16009	NEW-P	81-03-071	296-46	AMD-P	81-05-019	296-62-07310	AMD	81-07-048
296-27-16009	NEW-E	81-08-035	296-46	AMD-P	81-05-025	296-62-07312	AMD	81-07-048
296-27-16009	NEW-P	81-10-059	296-46-110	AMD	81-06-037	296-62-07329	AMD-P	81-07-051
296-27-16009	NEW	81-14-006	296-46-115	NEW	81-06-037	296-62-07329	AMD-P	81-13-027
296-27-16009	NEW-E	81-14-020	296-46-130	AMD	81-06-037	296-62-07329	AMD	81-16-016
296-27-16011	NEW-P	81-03-071	296-46-140	AMD	81-06-037	296-62-07341	AMD-P	81-07-051
296-27-16011	NEW-E	81-08-035	296-46-150	AMD	81-06-037	296-62-07341	AMD-P	81-13-027
296-27-16011	NEW-P	81-10-059	296-46-335	AMD	81-06-037	296-62-07341	AMD	81-16-016
296-27-16011	NEW	81-14-006	296-46-350	AMD	81-06-037	296-62-07345	AMD-P	81-07-051
296-27-16011	NEW-E	81-14-020	296-46-355	NEW	81-06-037	296-62-07345	AMD-P	81-13-027
296-27-16013	NEW-P	81-03-071	296-46-40101	REP	81-06-037	296-62-07345	AMD	81-16-016
296-27-16013	NEW-E	81-08-035	296-46-424	AMD	81-06-037	296-62-07347	AMD-P	81-07-051
296-27-16013	NEW-P	81-10-059	296-46-500	AMD	81-06-037	296-62-07347	AMD-P	81-13-027
296-27-16013	NEW	81-14-006	296-46-501	NEW	81-06-037	296-62-07347	AMD	81-16-016
296-27-16013	NEW-E	81-14-020	296-46-506	NEW	81-06-037	296-62-07349	AMD-P	81-07-051
296-27-16015	NEW-P	81-03-071	296-46-510	REP	81-06-037	296-62-07349	AMD-P	81-13-027
296-27-16015	NEW-E	81-08-035	296-46-515	REP	81-06-037	296-62-07349	AMD	81-16-016
296-27-16015	NEW-P	81-10-059	296-46-520	REP	81-06-037	296-62-07501	AMD-P	81-07-051
296-27-16015	NEW	81-14-006	296-46-525	REP	81-06-037	296-62-07501	AMD	81-16-016
296-27-16015	NEW-E	81-14-020	296-46-910	AMD	81-06-037	296-62-07515	AMD-P	81-07-051
296-27-16017	NEW-P	81-03-071	296-48-800	AMD-E	81-15-050	296-62-07515	AMD	81-16-016
296-27-16017	NEW-E	81-08-035	296-52-030	AMD	81-07-048	296-62-07517	AMD-P	81-07-051
296-27-16017	NEW-P	81-10-059	296-52-043	AMD	81-07-048	296-62-07517	AMD-P	81-13-027
296-27-16017	NEW	81-14-006	296-52-050	AMD	81-07-048	296-62-07517	AMD	81-16-016
296-27-16017	NEW-E	81-14-020	296-52-090	AMD	81-07-048	296-62-07519	NEW-P	81-07-051
296-27-16019	NEW-P	81-10-059	296-52-095	AMD	81-07-048	296-62-07519	NEW-P	81-16-008
296-27-16019	NEW	81-14-006	296-54-559	AMD	81-05-013	296-62-07519	NEW	81-16-016
296-27-16021	NEW-P	81-03-071	296-54-565		81-05-013	296-62-09011	AMD-P	81-07-027
296-27-16021	NEW-E	81-08-035	296-54-567	AMD	81-05-013	296-62-09011	AMD-P	81-13-027
296-27-16021	NEW-P	81-10-059	296-62	AMD-P	81-16-008	296-62-09011	AMD	81-16-016
296-27-16021	NEW	81-14-006	296-62-052	NEW-P	81-13-027	296-62-09015	NEW-P	81-07-027
296-27-16021	NEW-E	81-14-020	296-62-05201	NEW-P	81-13-027	296-62-09017	NEW-P	81-07-027
296-27-16023	NEW-P	81-03-071	296-62-05203	NEW-P	81-13-027	296-62-09019	NEW-P	81-07-027
296-27-16023	NEW-E	81-08-035	296-62-05205	NEW-P	81-13-027	296-62-09021	NEW-P	81-07-027
296-27-16023	NEW-P	81-10-059	296-62-05207	NEW-P	81-13-027	296-62-09023	NEW-P	81-07-027
296-27-16023	NEW	81-14-006	296-62-05209	NEW-P	81-13-027	296-62-09025	NEW-P	81-07-027
296-27-16023	NEW-E	81-14-020	296-62-05211	NEW-P	81-13-027	296-62-09027	NEW-P	81-07-027
296-27-16025	NEW-P	81-03-071	296-62-05213	NEW-P	81-13-027	296-62-09029	NEW-P	81-07-027
296-27-16025	NEW-E	81-08-035	296-62-05215	NEW-P	81-13-027	296-62-09031	NEW-P	81-07-027
296-27-16025	NEW-E	81-14-020	296-62-05217	NEW-P	81-13-027	296-62-09033	NEW-P	81-07-027
296-37-510	AMD-E	81-02-029	296-62-05219	NEW-P	81-13-027	296-62-09035	NEW-P	81-07-027
296-37-510	AMD	81-07-048	296-62-05221	NEW-P	81-13-026	296-62-09037	NEW-P	81-07-027
296-37-550	AMD-E	81-02-029	296-62-05223	NEW-P	81-13-026	296-62-09039	NEW-P	81-07-027
296-37-550	AMD	81-07-048	296-62-071	NEW-P	81-07-027	296-62-09041	NEW-P	81-07-027
296-37-575	AMD-P	81-13-027	296-62-071	NEW-P	81-16-008	296-62-09043	NEW-P	81-07-027
296-45	AMD-P	81-13-035	296-62-071	NEW	81-16-016	296-62-09045	NEW-P	81-07-027
296-45-660	NEW-E	81-07-049	296-62-07101	NEW-P	81-07-027	296-62-09047	NEW-P	81-07-027
296-45-660	NEW-P	81-07-051	296-62-07101	NEW	81-16-016	296-62-09049	NEW-P	81-07-027
296-45-660	NEW-E	81-13-052	296-62-07103	NEW-P	81-07-027	296-62-09051	NEW-P	81-07-027
296-45-660	NEW	81-13-053	296-62-07103	NEW	81-16-016	296-62-09053	NEW-P	81-07-027
296-45-66001	NEW-E	81-07-049	296-62-07105	NEW-P	81-07-027	296-62-09055	NEW-P	81-07-027
296-45-66001	NEW-P	81-07-051	296-62-07105	NEW	81-16-016	296-62-09057	NEW-P	81-07-027
296-45-66001	NEW-E	81-13-052	296-62-07107	NEW-P	81-07-027	296-62-09059	NEW-P	81-07-027
296-45-66001	NEW	81-13-053	296-62-07107	NEW	81-16-016	296-62-09061	NEW-P	81-07-027
296-45-66003	NEW-E	81-07-049	296-62-07109	NEW-P	81-07-027	296-62-09063	NEW-P	81-07-027
296-45-66003	NEW-P	81-07-051	296-62-07109	NEW	81-16-016	296-62-100	AMD-P	81-07-051
296-45-66003	NEW-E	81-13-052	296-62-07111	NEW-P	81-07-027	296-62-100	AMD	81-16-015
296-45-66003	NEW	81-13-053	296-62-07111	NEW	81-16-016	296-62-11015	AMD-P	81-07-051
296-45-66005	NEW-E	81-07-049	296-62-07113	NEW-P	81-07-027	296-62-11015	AMD	81-16-015
296-45-66005	NEW-P	81-07-051	296-62-07113	NEW	81-16-016	296-62-11019	AMD-P	81-07-051
296-45-66005	NEW-E	81-13-052	296-62-07115	NEW-P	81-07-027	296-62-11019	AMD	81-16-015
296-45-66005	NEW	81-13-053	296-62-07115	NEW	81-16-016	296-62-11021	AMD-P	81-07-051
296-45-66007	NEW-E	81-07-049	296-62-07117	NEW-P	81-07-027	296-62-11021	AMD	81-16-015
296-45-66007	NEW-P	81-07-051	296-62-07117	NEW	81-16-016	296-62-14507	AMD-P	81-07-051
296-45-66007	NEW-E	81-13-052	296-62-07119	NEW-P	81-07-027	296-62-14507	AMD	81-16-015
296-45-66007	NEW	81-13-053	296-62-07119	NEW	81-16-016	296-62-14531	AMD-P	81-07-051
296-45-66009	NEW-E	81-07-049	296-62-07121	NEW-P	81-07-027	296-62-14531	AMD-P	81-13-027
296-45-66009	NEW-P	81-07-051	296-62-07121	NEW	81-16-016	296-62-14531	AMD	81-16-015
296-45-66009	NEW-E	81-13-052	296-62-07123	NEW-P	81-07-027	296-62-14533	AMD-P	81-07-051
296-45-66009	NEW	81-13-053	296-62-07123	NEW-P	81-07-027	296-62-14533	AMD	81-16-015
296-45-66011	NEW-E	81-07-049	296-62-07302	AMD	81-07-048	296-62-146	NEW-P	81-13-026
296-45-66011	NEW-P	81-07-051	296-62-07304	AMD	81-07-048	296-62-14601	NEW-P	81-13-026
296-45-66011	NEW-E	81-13-052	296-62-07306	AMD-P	81-07-051	296-62-14603	NEW-P	81-13-026

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308-12-311	AMD-P	81-15-067	308-50-055	REP	81-09-030	308-97-250	REP	81-16-010
308-16-211	AMD	81-03-015	308-50-080	AMD-P	81-05-026	308-97-270	REP-P	81-13-054
308-16-212	AMD	81-03-015	308-50-080	AMD	81-09-030	308-97-270	REP	81-16-010
308-16-215	AMD	81-03-015	308-51-010	AMD-P	81-08-042	308-97-290	REP-P	81-13-054
308-16-216	AMD	81-03-015	308-51-010	AMD	81-11-005	308-97-290	REP	81-16-010
308-16-217	AMD	81-03-015	308-52-020	REP	81-03-079	308-97-330	REP-P	81-13-054
308-16-218	NEW	81-03-015	308-52-040	AMD	81-03-079	308-97-330	REP	81-16-010
308-24-305	AMD	81-03-016	308-52-110	REP	81-03-079	308-97-370	REP-P	81-13-054
308-24-320	AMD	81-03-016	308-52-120	AMD	81-03-079	308-97-370	REP	81-16-010
308-24-380	REP-P	81-05-035	308-52-132	NEW	81-03-078	308-97-410	REP-P	81-13-054
308-24-380	REP	81-09-031	308-52-137	REP	81-03-078	308-97-410	REP	81-16-010
308-24-382	NEW-P	81-05-035	308-52-138	AMD	81-03-078	308-98-010	REP-P	81-15-068
308-24-382	NEW	81-09-031	308-52-139	AMD	81-03-078	308-98-020	REP-P	81-15-068
308-24-384	NEW-P	81-05-035	308-52-140	AMD	81-03-078	308-98-030	REP-P	81-15-068
308-24-384	NEW	81-09-031	308-52-141	AMD	81-03-078	308-98-040	REP-P	81-15-068
308-24-403	AMD	81-03-016	308-52-144	REP	81-03-078	308-98-050	REP-P	81-15-068
308-24-404	AMD	81-03-016	308-52-201	NEW	81-03-078	308-98-060	REP-P	81-15-068
308-24-430	AMD	81-03-016	308-52-205	NEW	81-03-078	308-98-070	REP-P	81-15-068
308-33-011	AMD	81-02-031	308-52-211	NEW	81-03-078	308-98-080	REP-P	81-15-068
308-33-015	REP	81-02-031	308-52-215	NEW	81-03-078	308-120-100	AMD	81-04-007
308-33-020	AMD	81-02-031	308-52-221	NEW	81-03-078	308-120-160	REP	81-04-007
308-33-030	AMD	81-02-031	308-52-250	REP	81-03-079	308-120-161	NEW	81-04-007
308-36-020	AMD-P	81-04-047	308-52-255	NEW	81-03-079	308-120-162	NEW	81-04-007
308-36-020	AMD	81-08-043	308-53-130	AMD	81-06-012	308-120-163	NEW	81-04-007
308-37-100	NEW-P	81-02-032	308-53-215	NEW	81-06-012	308-120-164	NEW	81-04-007
308-37-100	NEW	81-06-013	308-53-230	AMD	81-06-012	308-120-165	NEW	81-04-007
308-37-110	NEW-P	81-02-032	308-54-120	AMD-P	81-09-022	308-120-166	NEW	81-04-007
308-37-110	NEW	81-06-013	308-54-120	AMD	81-14-037	308-120-168	NEW	81-04-007
308-37-120	NEW-P	81-02-032	308-77-280	NEW-P	81-11-040	308-120-170	AMD-P	81-07-011
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308-37-130	NEW-P	81-02-032	308-92-010	REP	81-02-030	308-120-185	AMD	81-04-007
308-37-130	NEW	81-06-013	308-92-020	REP	81-02-030	308-120-410	AMD	81-04-007
308-37-140	NEW-P	81-02-032	308-92-030	REP	81-02-030	308-120-420	AMD	81-04-007
308-37-140	NEW	81-06-013	308-92-040	REP	81-02-030	308-120-509	AMD	81-04-007
308-38	NEW-P	81-06-015	308-92-050	REP	81-02-030	308-120-510	AMD-P	81-07-011
308-38-100	NEW-P	81-02-032	308-92-060	REP	81-02-030	308-120-510	AMD	81-10-026
308-38-100	NEW-P	81-10-072	308-92-070	REP	81-02-030	308-120-511	AMD-P	81-07-011
308-38-100	NEW-P	81-13-042	308-92-080	REP	81-02-030	308-120-511	AMD	81-10-026
308-38-100	NEW	81-17-054	308-92-100	REP	81-02-030	308-124-005	AMD	81-05-016
308-38-110	NEW-P	81-02-032	308-92-110	REP	81-02-030	308-124-021	AMD	81-05-016
308-38-110	NEW-P	81-10-072	308-92-120	REP	81-02-030	308-124A-020	AMD	81-05-016
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308-38-120	NEW	81-17-054	308-92-180	REP	81-02-030	308-124A-130	NEW	81-05-016
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308-38-130	NEW	81-17-054	308-97-050	REP	81-16-010	308-124A-420	NEW	81-05-016
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308-38-140	NEW-P	81-13-042	308-97-080	REP-P	81-13-054	308-124B-120	AMD	81-05-016
308-38-140	NEW	81-17-054	308-97-080	REP	81-16-010	308-124C-010	AMD	81-05-016
308-38-150	NEW-P	81-02-032	308-97-090	NEW-P	81-13-054	308-124D-015	NEW-P	81-02-054
308-38-150	NEW-P	81-10-072	308-97-090	NEW	81-16-010	308-124D-015	NEW-P	81-06-014
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308-39-110	NEW-P	81-02-032	308-97-200	REP-P	81-13-054	308-124H-045	AMD	81-05-015
308-39-110	NEW	81-06-013	308-97-200	REP	81-16-010	308-124H-050	AMD	81-05-015
308-39-120	NEW-P	81-02-032	308-97-205	NEW-P	81-13-054	308-124H-060	AMD	81-05-015
308-39-120	NEW	81-06-013	308-97-205	NEW	81-16-010	308-300-020	AMD-W	81-03-027
308-40-101	AMD-P	81-04-047	308-97-210	REP-P	81-13-054	308-300-030	AMD-W	81-03-027
308-40-101	AMD	81-08-043	308-97-210	REP	81-16-010	308-300-040	AMD-W	81-03-027
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308-300-100	AMD-W	81-03-027	332-22-020	NEW	81-03-059	356-15-120	AMD-P	81-10-045
308-300-110	AMD-W	81-03-027	332-22-030	NEW	81-03-059	356-15-120	AMD-E	81-13-028
308-300-120	AMD-W	81-03-027	332-22-040	NEW	81-03-059	356-15-120	AMD	81-13-030
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308-300-150	AMD-W	81-03-027	332-22-060	NEW	81-03-059	356-18-050	AMD	81-03-017
308-300-160	AMD-W	81-03-027	332-22-070	NEW	81-03-059	356-18-090	AMD-P	81-10-045
308-300-220	AMD	81-02-038	332-22-080	NEW	81-03-059	356-18-090	AMD	81-13-030
314-08-160	AMD-P	81-17-084	332-22-090	NEW	81-03-059	356-18-110	AMD-P	81-03-019
314-08-180	AMD-P	81-17-084	332-22-100	NEW	81-03-059	356-18-110	AMD	81-07-030
314-12-070	AMD-E	81-14-079	332-22-110	NEW	81-03-059	356-18-140	AMD-P	81-16-037
314-12-090	AMD-E	81-14-079	332-22-120	NEW	81-03-059	356-18-220	AMD-P	81-16-037
314-12-130	REP-P	81-12-010	332-22-130	NEW	81-03-059	356-18-150	AMD-P	81-03-019
314-16-122	NEW-P	81-17-083	332-22-140	NEW	81-03-059	356-18-150	AMD-P	81-07-032
314-16-125	AMD-P	81-17-083	332-22-150	NEW	81-03-059	356-18-150	AMD	81-09-037
314-16-210	NEW-E	81-14-079	332-24-090	AMD-E	81-07-038	356-18-210	REP-P	81-10-045
314-16-220	NEW-E	81-14-079	332-24-090	AMD-E	81-09-011	356-18-210	REP	81-13-030
314-16-230	NEW-E	81-14-079	332-25-510	NEW-E	81-17-029	356-22-090	AMD-P	81-10-045
314-20-010	AMD-E	81-14-079	332-26-010	NEW-E	81-15-008	356-22-090	AMD-E	81-13-029
314-20-015	AMD-E	81-14-079	332-26-020	NEW-E	81-15-008	356-22-090	AMD	81-13-030
314-20-160	AMD-E	81-14-079	332-26-040	NEW-E	81-15-008	356-26-030	AMD-P	81-16-028
314-24-003	AMD-E	81-14-079	332-26-050	NEW-E	81-15-008	356-26-040	AMD-P	81-10-045
314-24-050	AMD-E	81-14-079	332-26-060	NEW-E	81-15-008	356-26-040	AMD	81-13-030
314-24-110	AMD-E	81-14-079	332-26-080	NEW-E	81-09-050	356-26-060	AMD	81-03-017
314-24-120	AMD-E	81-14-079	332-26-501	NEW-E	81-09-011	356-26-060	AMD-P	81-16-037
314-24-190	AMD-E	81-14-079	332-26-506	NEW-E	81-17-004	356-26-070	AMD-P	81-16-028
314-24-200	AMD-E	81-14-079	332-26-506	NEW-E	81-17-013	356-30-080	AMD	81-03-064
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314-64-080	NEW-E	81-15-096	332-26-511	NEW-E	81-17-029	356-30-330	AMD-P	81-16-037
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320-12-030	AMD-P	81-17-053	332-26-516	NEW-E	81-17-050	356-34	AMD-P	81-13-049
320-12-040	AMD-P	81-17-053	332-26-517	NEW-E	81-17-070	356-34	AMD-P	81-15-028
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322-02-020	NEW-P	81-03-084	332-100-050	AMD-P	81-09-004	356-34-220	AMD-P	81-09-038
322-02-030	NEW-P	81-03-084	342-10-180	AMD-P	81-09-074	356-34-310	NEW-P	81-15-028
322-10-010	NEW-P	81-03-084	342-10-180	AMD	81-12-049	356-35-010	AMD-P	81-16-055
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322-10-030	NEW-P	81-03-084	342-10-240	AMD	81-12-049	356-47-010	NEW-P	81-16-055
322-10-040	NEW-P	81-03-084	352-32-010	AMD-P	81-04-049	356-47-020	NEW-P	81-16-055
322-10-050	NEW-P	81-03-084	352-32-010	AMD	81-09-034	356-47-030	NEW-P	81-16-055
322-10-060	NEW-P	81-03-084	352-32-030	AMD-P	81-04-049	356-47-040	NEW-P	81-16-055
322-10-070	NEW-P	81-03-084	352-32-030	AMD	81-09-034	356-47-050	NEW-P	81-16-055
322-10-080	NEW-P	81-03-084	352-32-035	AMD-P	81-06-055	356-47-051	NEW-P	81-16-055
322-10-090	NEW-P	81-03-084	352-32-035	AMD-P	81-10-036	356-47-052	NEW-P	81-16-055
322-10-100	NEW-P	81-03-084	352-32-035	AMD-E	81-12-013	356-47-060	NEW-P	81-16-055
322-10-110	NEW-P	81-03-084	352-32-035	AMD	81-12-014	356-47-070	NEW-P	81-16-055
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322-12-030	REP-P	81-03-084	352-32-280	AMD	81-09-034	356-47-100	NEW-P	81-16-055
322-12-040	REP-P	81-03-084	352-32-285	AMD	81-09-034	356-47-110	NEW-P	81-16-055
322-12-060	REP-P	81-03-084	352-32-285	AMD-P	81-12-046	356-47-120	NEW-P	81-16-055
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322-12-090	REP-P	81-03-084	352-52-010	NEW-P	81-16-072	358-20-030	NEW-E	81-17-045
322-12-100	REP-P	81-03-084	352-52-020	NEW-P	81-16-072	358-20-040	NEW-E	81-17-045
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322-12-140	REP-P	81-03-084	356-06-010	AMD-P	81-16-037	358-30-020	NEW-E	81-17-045
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388-85	AMD-E	81-06-042	388-86-050	AMD	81-16-033	388-87-012	AMD-P	81-06-070
388-85	AMD-P	81-06-068	388-86-067	AMD-E	81-06-043	388-87-012	AMD	81-10-016
388-85	AMD	81-10-014	388-86-067	AMD-P	81-06-069	388-87-012	AMD-E	81-12-028
388-85-005	REP-E	81-06-042	388-86-067	AMD	81-10-015	388-87-012	AMD-P	81-12-042
388-85-005	REP-P	81-06-068	388-86-067	AMD-E	81-12-028	388-87-012	AMD	81-16-032
388-85-005	REP	81-10-014	388-86-067	AMD-P	81-12-043	388-87-013	AMD-E	81-06-043
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388-85-010	REP-P	81-06-068	388-86-075	AMD-E	81-06-043	388-87-013	AMD	81-10-016
388-85-010	REP	81-10-014	388-86-075	AMD-P	81-06-069	388-87-013	AMD-E	81-12-028
388-85-015	AMD-P	81-03-057	388-86-075	AMD	81-10-015	388-87-013	AMD-P	81-12-042
388-85-015	AMD-E	81-03-058	388-86-075	AMD-E	81-12-028	388-87-013	AMD	81-16-032
388-85-015	REP-E	81-06-042	388-86-075	AMD-P	81-12-043	388-87-015	AMD-E	81-12-028
388-85-015	REP-P	81-06-068	388-86-075	AMD	81-16-033	388-87-015	AMD-P	81-12-042
388-85-015	REP	81-10-014	388-86-080	AMD	81-06-003	388-87-015	AMD	81-16-032
388-85-020	REP-E	81-06-042	388-86-085	AMD-E	81-06-043	388-87-025	AMD-E	81-06-043
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388-85-020	REP	81-10-014	388-86-085	AMD	81-10-015	388-87-025	AMD	81-10-016
388-85-025	REP-E	81-06-042	388-86-085	AMD-E	81-12-028	388-87-025	AMD-E	81-12-028
388-85-025	REP-P	81-06-068	388-86-085	AMD-P	81-12-043	388-87-025	AMD-P	81-12-042
388-85-025	REP	81-10-014	388-86-085	AMD	81-16-033	388-87-025	AMD	81-16-032
388-85-027	REP-E	81-06-042	388-86-090	AMD-E	81-12-028	388-87-027	AMD-E	81-06-043
388-85-027	REP-P	81-06-068	388-86-090	AMD-P	81-12-043	388-87-027	AMD-P	81-06-070
388-85-027	REP	81-10-014	388-86-090	AMD	81-16-033	388-87-027	AMD	81-10-016
388-85-105	NEW-E	81-06-042	388-86-095	AMD	81-06-003	388-87-027	AMD-E	81-12-028
388-85-105	NEW-P	81-06-068	388-86-095	AMD-E	81-12-028	388-87-027	AMD-P	81-12-042
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388-87-030	AMD	81-10-016	388-92-040	AMD-E	81-06-042	388-96-722	AMD-E	81-14-062
388-87-038	AMD-E	81-12-028	388-92-040	AMD-P	81-06-068	388-96-722	AMD	81-15-049
388-87-030	AMD-P	81-12-042	388-92-040	AMD	81-10-014	388-96-727	AMD-P	81-11-060
388-87-030	AMD	81-16-032	388-92-040	AMD-E	81-12-028	388-96-727	AMD-E	81-14-062
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388-87-070	AMD-P	81-06-070	388-92-045	AMD	81-10-014	388-96-743	AMD-P	81-11-060
388-87-070	AMD	81-10-016	388-92-050	AMD-E	81-06-042	388-96-743	AMD-E	81-14-062
388-87-070	AMD-E	81-12-028	388-92-050	AMD-P	81-06-068	388-96-743	AMD	81-15-049
388-87-070	AMD-P	81-12-042	388-92-050	AMD	81-10-014	388-99-005	NEW-E	81-12-028
388-87-070	AMD	81-16-032	388-92-055	REP-E	81-06-042	388-99-005	NEW-P	81-12-042
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388-87-075	AMD-P	81-12-042	388-92-055	REP	81-10-014	388-99-010	NEW-E	81-12-028
388-87-075	AMD	81-16-032	388-92-060	REP-E	81-06-042	388-99-010	NEW-P	81-12-042
388-87-077	AMD-E	81-06-043	388-92-060	REP-P	81-06-068	388-99-010	NEW	81-16-032
388-87-077	AMD-P	81-06-070	388-92-060	REP	81-10-014	388-99-015	NEW-E	81-12-028
388-87-077	AMD	81-10-016	388-92-065	REP-E	81-06-042	388-99-015	NEW-P	81-12-042
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388-87-095	AMD-E	81-12-028	388-92-065	REP	81-10-014	388-99-020	NEW-E	81-12-028
388-87-095	AMD-P	81-12-042	388-92-070	REP-E	81-06-042	388-99-020	NEW-P	81-12-042
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388-87-105	AMD-P	81-06-070	388-96-010	AMD	81-06-024	388-99-030	NEW-P	81-12-042
388-87-105	AMD	81-10-016	388-96-015	NEW	81-06-024	388-99-030	NEW	81-16-032
388-87-105	AMD-E	81-12-028	388-96-222	AMD	81-06-024	388-99-035	NEW-E	81-12-028
388-87-105	AMD-P	81-12-042	388-96-223	AMD-P	81-11-060	388-99-035	NEW-P	81-12-042
388-87-105	AMD	81-16-032	388-96-223	AMD-E	81-14-062	388-99-035	NEW	81-16-032
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388-91-010	AMD-P	81-06-070	388-96-225	AMD	81-06-024	388-99-040	NEW-P	81-12-042
388-91-010	AMD	81-10-016	388-96-501	AMD	81-06-024	388-99-040	NEW	81-16-032
388-91-010	AMD-E	81-12-028	388-96-503	AMD	81-06-024	388-99-045	NEW-E	81-12-028
388-91-010	AMD-P	81-12-042	388-96-505	AMD	81-06-024	388-99-045	NEW-P	81-12-042
388-91-010	AMD	81-16-032	388-96-507	AMD	81-06-024	388-99-045	NEW	81-16-032
388-91-016	AMD-E	81-06-043	388-96-513	AMD	81-06-024	388-99-050	NEW-E	81-12-028
388-91-016	AMD-P	81-06-070	388-96-523	AMD	81-06-024	388-99-050	NEW-P	81-12-042
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388-91-035	AMD-P	81-06-070	388-96-531	AMD	81-06-024	388-99-055	NEW-P	81-12-042
388-91-035	AMD	81-10-016	388-96-533	AMD	81-06-024	388-99-055	NEW	81-16-032
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388-91-050	AMD-P	81-12-042	388-96-537	NEW	81-06-024	388-99-060	NEW-P	81-12-042
388-91-050	AMD	81-16-032	388-96-539	AMD	81-06-024	388-99-060	NEW	81-16-032
388-92	AMD-E	81-06-042	388-96-541	AMD	81-06-024	388-100-005	NEW-E	81-12-028
388-92	AMD-P	81-06-068	388-96-543	AMD	81-06-024	388-100-005	NEW-P	81-12-042
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388-92-005	AMD-E	81-06-042	388-96-547	AMD	81-06-024	388-100-010	NEW-E	81-12-028
388-92-005	AMD-P	81-06-068	388-96-553	AMD	81-06-024	388-100-010	NEW-P	81-12-042
388-92-005	AMD	81-10-014	388-96-557	AMD	81-06-024	388-100-010	NEW	81-16-032
388-92-010	REP-E	81-06-042	388-96-559	AMD	81-06-024	388-100-015	NEW-E	81-12-028
388-92-010	REP-P	81-06-068	388-96-561	AMD	81-06-024	388-100-015	NEW-P	81-12-042
388-92-010	REP	81-10-014	388-96-563	NEW	81-06-024	388-100-015	NEW	81-16-032
388-92-015	AMD-E	81-06-042	388-96-565	AMD	81-06-024	388-100-020	NEW-E	81-12-028
388-92-015	AMD-P	81-06-068	388-96-567	AMD	81-06-024	388-100-020	NEW-P	81-12-042
388-92-015	AMD	81-10-014	388-96-569	AMD	81-06-024	388-100-020	NEW	81-16-032
388-92-020	REP-E	81-06-042	388-96-571	AMD	81-06-024	388-100-025	NEW-E	81-12-028
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388-92-020	REP	81-10-014	388-96-585	AMD	81-06-024	388-100-025	NEW	81-16-032
388-92-025	AMD-E	81-06-042	388-96-587	NEW	81-06-024	388-100-030	NEW-E	81-12-028
388-92-025	AMD-P	81-06-068	388-96-701	REP-P	81-11-060	388-100-030	NEW-P	81-12-042
388-92-025	AMD	81-10-014	388-96-701	REP-E	81-14-062	388-100-030	NEW	81-16-032
388-92-025	AMD-E	81-12-028	388-96-701	REP	81-15-049	388-100-035	NEW-E	81-12-028
388-92-025	AMD-P	81-12-042	388-96-713	AMD-P	81-11-060	388-100-035	NEW-P	81-12-042
388-92-025	AMD	81-16-032	388-96-713	AMD-E	81-14-062	388-100-035	NEW	81-16-032
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388-92-030	AMD-P	81-06-068	388-96-716	AMD-P	81-11-060	388-320	AMD-P	81-03-026
388-92-030	AMD	81-10-014	388-96-716	AMD-E	81-14-062	388-320	AMD-P	81-04-004
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388-92-030	AMD-P	81-12-042	388-96-719	AMD-P	81-11-060	388-320-020	AMD	81-06-001
388-92-030	AMD	81-16-032	388-96-719	AMD-E	81-14-062	388-320-055	REP	81-06-001
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391-50-108	REP	81-15-022	392-109-060	AMD-E	81-16-047	392-125-085	NEW-P	81-15-077
391-50-110	REP	81-15-022	392-109-060	AMD	81-17-005	392-129-005	AMD-P	81-17-078
391-50-112	REP	81-15-022	392-109-077	NEW-P	81-14-086	392-129-010	AMD-P	81-17-078
391-50-113	REP	81-15-022	392-109-077	NEW-E	81-16-047	392-129-015	AMD-E	81-12-001
391-50-114	REP	81-15-022	392-109-077	NEW	81-17-005	392-129-015	AMD-P	81-17-078
391-50-116	REP	81-15-022	392-109-085	AMD-P	81-14-086	392-129-020	AMD-P	81-17-078
391-50-118	REP	81-15-022	392-109-085	AMD-E	81-16-047	392-131-005	REP-P	81-15-081
391-50-120	REP	81-15-022	392-109-085	AMD	81-17-005	392-131-010	REP-P	81-15-081
391-50-122	REP	81-15-022	392-109-115	AMD-P	81-14-086	392-131-015	REP-P	81-15-081
391-50-124	REP	81-15-022	392-109-115	AMD-E	81-16-047	392-131-020	REP-P	81-15-081
391-50-126	REP	81-15-022	392-109-115	AMD	81-17-005	392-131-025	REP-P	81-15-081
391-50-128	REP	81-15-022	392-109-117	NEW-E	81-16-047	392-135-010	AMD-P	81-15-079
391-50-130	REP	81-15-022	392-109-117	NEW	81-17-005	392-135-010	AMD-E	81-15-085
391-50-132	REP	81-15-022	392-121-105	AMD-P	81-15-078	392-135-010	AMD-E	81-17-052
391-50-134	REP	81-15-022	392-121-105	AMD-E	81-16-052	392-135-020	AMD-P	81-15-079
391-50-136	REP	81-15-022	392-121-115	AMD-P	81-15-078	392-135-020	AMD-E	81-15-085
391-50-137	REP	81-15-022	392-121-115	AMD-E	81-16-052	392-135-020	AMD-E	81-17-052
391-50-138	REP	81-15-022	392-121-120	AMD-P	81-15-078	392-135-021	NEW-P	81-15-079
391-50-140	REP	81-15-022	392-121-120	AMD-E	81-16-052	392-135-021	NEW-E	81-15-085
391-50-142	REP	81-15-022	392-121-121	NEW-P	81-15-078	392-135-021	AMD-E	81-17-052
391-50-300	REP	81-15-022	392-121-121	NEW-E	81-16-052	392-137-060	AMD-P	81-13-046
391-50-302	REP	81-15-022	392-121-125	AMD-P	81-15-078	392-137-060	AMD	81-15-090
391-50-304	REP	81-15-022	392-121-125	AMD-E	81-16-052	392-139-005	AMD-P	81-17-080
391-50-306	REP	81-15-022	392-121-126	NEW-P	81-15-078	392-139-010	AMD-P	81-17-080
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391-50-312	REP	81-15-022	392-121-127	NEW-E	81-16-052	392-139-018	AMD-P	81-17-080
391-50-314	REP	81-15-022	392-121-145	AMD-P	81-15-078	392-139-026	AMD-P	81-17-080
391-50-316	REP	81-15-022	392-121-145	AMD-E	81-16-052	392-139-031	AMD-P	81-17-080
391-50-318	REP	81-15-022	392-121-155	AMD-P	81-15-078	392-139-036	AMD-P	81-17-080
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391-50-322	REP	81-15-022	392-121-170	AMD-E	81-16-052	392-140-010	NEW-P	81-13-043
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391-50-706	REP	81-15-022	392-121-176	NEW-P	81-15-080	392-140-011	NEW	81-16-042
391-50-708	REP	81-15-022	392-121-177	NEW-P	81-15-082	392-140-012	NEW-P	81-13-043
391-50-710	REP	81-15-022	392-121-186	NEW-P	81-15-078	392-140-012	NEW	81-16-042
391-50-712	REP	81-15-022	392-121-186	NEW-E	81-16-052	392-140-013	NEW	81-16-042
391-50-714	REP	81-15-022	392-121-195	NEW-P	81-15-078	392-140-014	NEW	81-16-042
391-50-716	REP	81-15-022	392-121-195	NEW-E	81-16-052	392-140-015	NEW	81-16-042
391-50-718	REP	81-15-022	392-123-005	AMD-E	81-15-086	392-140-016	NEW	81-16-042
391-50-720	REP	81-15-022	392-123-005	AMD-P	81-15-072	392-140-017	NEW-P	81-13-043
391-50-722	REP	81-15-022	392-123-010	AMD-E	81-15-086	392-140-017	NEW	81-16-042
391-50-724	REP	81-15-022	392-123-010	AMD-P	81-15-072	392-140-018	NEW-P	81-13-043
391-50-728	REP	81-15-022	392-123-051	AMD-E	81-15-086	392-140-018	NEW	81-16-042
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391-70-090	REP	81-15-022	392-123-115	AMD-P	81-15-072	392-140-026	NEW-E	81-17-033
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391-70-110	REP	81-15-022	392-123-120	AMD-P	81-15-072	392-140-027	NEW-E	81-17-033
391-70-120	REP	81-15-022	392-123-125	AMD-E	81-15-086	392-140-027	NEW-P	81-17-076
391-70-140	REP	81-15-022	392-123-125	AMD-P	81-15-072	392-140-028	NEW-E	81-17-033
391-70-170	REP	81-15-022	392-123-130	REP-E	81-15-086	392-140-028	NEW-P	81-17-076
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391-70-245	REP	81-15-022	392-123-140	AMD-E	81-15-086	392-140-029	NEW-P	81-17-076
391-70-260	REP	81-15-022	392-123-140	AMD-P	81-15-072	392-140-030	NEW-E	81-17-033
391-70-300	REP	81-15-022	392-123-141	NEW-E	81-15-086	392-140-030	NEW-P	81-17-076
391-95-130	NEW	81-02-034	392-125-010	AMD-P	81-15-077	392-140-031	NEW-E	81-17-033
391-95-310	NEW	81-02-034	392-125-011	NEW-P	81-15-077	392-140-031	NEW-P	81-17-076
392-109-055	AMD-P	81-14-086	392-125-015	AMD-P	81-15-077	392-140-032	NEW-E	81-17-033
392-109-055	AMD-E	81-16-047	392-125-020	AMD-P	81-15-077	392-140-032	NEW-P	81-17-076

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392-140-033	NEW-E	81-17-033	392-161-118	REP	81-15-088	458-12-290	REP	81-04-054
392-140-033	NEW-P	81-17-076	392-161-118	REP	81-15-088	458-12-380	REP	81-04-054
392-140-034	NEW-E	81-17-033	392-161-120	REP	81-15-088	458-12-400	REP	81-04-054
392-140-034	NEW-P	81-17-076	392-161-120	REP-P	81-13-044	458-12-401	REP	81-04-054
392-140-035	NEW-E	81-17-033	392-161-125	REP-P	81-13-044	458-12-402	REP	81-04-054
392-140-035	NEW-P	81-17-076	392-161-125	REP	81-15-088	458-12-403	REP	81-04-054
392-141-037	AMD-P	81-15-075	392-161-130	REP-P	81-13-044	458-12-404	REP	81-04-054
392-140-040	NEW-E	81-17-034	392-161-130	REP	81-15-088	458-12-405	REP	81-04-054
392-140-040	NEW-P	81-17-077	392-161-135	REP-P	81-13-044	458-12-406	REP	81-04-054
392-140-041	NEW-E	81-17-034	392-161-135	REP	81-15-088	458-12-408	REP	81-04-054
392-140-041	NEW-P	81-17-077	392-161-140	REP-P	81-13-044	458-12-410	REP	81-04-054
392-141-054	AMD-P	81-15-074	392-161-140	REP	81-15-088	458-12-412	REP	81-04-054
392-143-035	AMD-P	81-15-073	392-161-145	REP-P	81-13-044	458-12-414	REP	81-04-054
392-160-001	AMD-P	81-13-045	392-161-145	REP	81-15-088	458-12-416	REP	81-04-054
392-160-001	AMD	81-15-089	392-161-150	REP-P	81-13-044	458-12-418	REP	81-04-054
392-160-010	AMD	81-15-089	392-161-150	REP	81-15-088	458-12-420	REP	81-04-054
392-160-015	AMD	81-15-089	392-161-155	REP-P	81-13-044	458-12-422	REP	81-04-054
392-160-025	REP	81-15-089	392-161-155	REP	81-15-088	458-14-125	AMD-E	81-16-063
392-160-030	REP	81-15-089	392-161-160	REP-P	81-13-044	458-14-125	AMD-P	81-17-057
392-160-035	AMD	81-15-089	392-161-160	REP	81-15-088	458-14-126	NEW	81-04-053
392-160-040	AMD	81-15-089	392-161-165	REP-P	81-13-044	458-16-010	AMD	81-05-018
392-160-045	AMD	81-15-089	392-161-165	REP	81-15-088	458-16-011	NEW	81-05-018
392-160-010	AMD-P	81-13-045	392-161-170	REP-P	81-13-044	458-16-012	NEW	81-05-018
392-160-015	AMD-P	81-13-045	392-161-170	REP	81-15-088	458-16-013	NEW	81-05-018
392-160-025	REP-P	81-13-045	392-161-175	REP-P	81-13-044	458-16-020	AMD	81-05-018
392-160-030	REP-P	81-13-045	392-161-175	REP	81-15-088	458-16-050	AMD	81-05-018
392-160-035	AMD-P	81-13-045	392-161-180	REP-P	81-13-044	458-16-060	AMD	81-05-018
392-160-040	AMD-P	81-13-045	392-161-180	REP	81-15-088	458-16-070	AMD	81-05-018
392-160-045	AMD-P	81-13-045	392-161-185	REP-P	81-13-044	458-16-079	NEW	81-05-018
392-161-005	REP-P	81-13-044	392-161-185	REP	81-15-088	458-16-081	AMD	81-04-052
392-161-005	REP	81-15-088	392-171-581	AMD-P	81-15-076	458-16-110	AMD	81-05-017
392-161-010	REP-P	81-13-044	392-171-786	REP-E	81-17-035	458-16-111	AMD	81-05-017
392-161-010	REP	81-15-088	392-171-786	REP-P	81-17-079	458-16-120	AMD	81-05-017
392-161-015	REP-P	81-13-044	402-12-050	AMD-P	81-12-026	458-16-130	AMD	81-05-017
392-161-015	REP	81-15-088	402-12-050	AMD	81-16-031	458-16-130	AMD-P	81-17-059
392-161-020	REP-P	81-13-044	402-22-040	AMD-P	81-12-026	458-16-150	AMD	81-05-017
392-161-020	REP	81-15-088	402-22-040	AMD	81-16-031	458-16-190	AMD-P	81-17-059
392-161-025	REP-P	81-13-044	402-22-150	NEW-P	81-12-026	458-16-210	AMD	81-05-017
392-161-025	REP	81-15-088	402-22-150	NEW	81-16-031	458-16-260	AMD	81-05-017
392-161-030	REP-P	81-13-044	402-52-100	NEW-P	81-12-026	458-16-270	AMD	81-05-017
392-161-030	REP	81-15-088	402-52-100	NEW	81-16-031	458-16-280	AMD-P	81-17-059
392-161-035	REP-P	81-13-044	402-52-200	NEW-P	81-12-026	458-16-282	NEW-E	81-17-018
392-161-035	REP	81-15-088	402-52-200	NEW	81-16-031	458-16-282	NEW-P	81-17-060
392-161-040	REP-P	81-13-044	402-52-010	REP-P	81-12-026	458-16-300	NEW-E	81-17-018
392-161-040	REP	81-15-088	402-52-010	REP	81-16-031	458-16-300	NEW-P	81-17-060
392-161-045	REP-P	81-13-044	402-52-015	REP-P	81-12-026	458-16-301	NEW-E	81-17-018
392-161-045	REP	81-15-088	402-52-015	REP	81-16-031	458-16-301	NEW-P	81-17-060
392-161-050	REP-P	81-13-044	402-52-020	REP-P	81-12-026	458-16-310	NEW-E	81-17-018
392-161-050	REP	81-15-088	402-52-020	REP	81-16-031	458-16-310	NEW-P	81-17-060
392-161-055	REP-P	81-13-044	402-52-025	REP-P	81-12-026	458-18-010	AMD	81-05-020
392-161-055	REP	81-15-088	402-52-025	REP	81-16-031	458-18-020	AMD	81-05-020
392-161-060	REP-P	81-13-044	410-20-010	NEW	81-02-030	458-18-030	AMD	81-05-020
392-161-060	REP	81-15-088	410-20-020	NEW	81-02-030	458-18-050	AMD	81-05-020
392-161-065	REP-P	81-13-044	410-20-030	NEW	81-02-030	458-18-060	AMD-P	81-17-058
392-161-065	REP	81-15-088	410-20-040	NEW	81-02-030	458-18-080	AMD	81-05-020
392-161-070	REP-P	81-13-044	410-20-040	AMD-P	81-16-086	458-18-100	AMD	81-05-020
392-161-070	REP	81-15-088	410-20-050	NEW	81-02-030	458-19-550	NEW	81-04-055
392-161-075	REP-P	81-13-044	410-20-060	NEW	81-02-030	458-40-18600	AMD-P	81-10-053
392-161-075	REP	81-15-088	410-20-070	NEW	81-02-030	458-40-18600	AMD-E	81-14-046
392-161-080	REP-P	81-13-044	415-104-800	NEW-E	81-03-028	458-40-18600	AMD	81-14-047
392-161-080	REP	81-15-088	415-104-800	NEW-P	81-04-022	458-40-18655	NEW-P	81-10-053
392-161-085	REP-P	81-13-044	415-104-800	NEW	81-07-017	458-40-18655	NEW-E	81-14-046
392-161-085	REP	81-15-088	415-104-810	NEW-E	81-03-028	458-40-18655	NEW	81-14-047
392-161-090	REP-P	81-13-044	415-104-810	NEW-P	81-04-022	458-40-18656	NEW-P	81-10-053
392-161-090	REP	81-15-088	415-104-810	NEW	81-07-017	458-40-18656	NEW-E	81-14-046
392-161-095	REP-P	81-13-044	415-104-820	NEW-E	81-03-028	458-40-18656	NEW	81-14-047
392-161-095	REP	81-15-088	415-104-820	NEW-P	81-04-022	458-40-18657	NEW-P	81-10-053
392-161-101	REP-P	81-13-044	415-104-820	NEW	81-07-017	458-40-18657	NEW-E	81-14-046
392-161-101	REP	81-15-088	415-104-830	NEW	81-07-017	458-40-18657	NEW	81-14-047
392-161-104	REP-P	81-13-044	446-40-070	AMD	81-04-042	458-40-18658	NEW-P	81-10-053
392-161-104	REP	81-15-088	446-50-010	AMD	81-03-008	458-40-18658	NEW-E	81-14-046
392-161-116	REP-P	81-13-044	446-50-020	AMD	81-03-008	458-40-18658	NEW	81-14-047
392-161-116	REP	81-15-088	446-50-080	AMD	81-03-008	458-40-18659	NEW-P	81-10-053
392-161-118	REP-P	81-13-044	458-12-285	REP	81-04-054	458-40-18659	NEW-E	81-14-046

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458-40-18659	NEW	81-14-047	460-47A-010	NEW-P	81-17-087	463-42-090	REP-P	81-17-065
458-40-18660	NEW-P	81-10-053	460-47A-020	NEW-P	81-17-087	463-42-095	NEW-P	81-17-065
458-40-18660	NEW-E	81-14-046	461-08-015	AMD-P	81-14-084	463-42-100	REP-P	81-17-065
458-40-18660	NEW	81-14-047	461-08-020	AMD-P	81-14-084	463-42-105	NEW-P	81-17-065
458-40-19000	AMD-P	81-10-053	461-08-030	AMD-P	81-14-084	463-42-110	REP-P	81-17-065
458-40-19000	AMD-E	81-14-046	461-08-040	AMD-P	81-14-084	463-42-115	NEW-P	81-17-065
458-40-19000	AMD	81-14-047	461-08-045	AMD-P	81-14-084	463-42-120	REP-P	81-17-065
458-40-19001	AMD-P	81-10-053	461-08-050	AMD-P	81-14-084	463-42-125	NEW-P	81-17-065
458-40-19001	AMD-E	81-14-046	461-08-053	NEW-P	81-14-084	463-42-130	REP-P	81-17-065
458-40-19001	AMD	81-14-047	461-08-055	AMD-P	81-14-084	463-42-135	NEW-P	81-17-065
458-40-19002	AMD-P	81-10-053	461-08-060	AMD-P	81-14-084	463-42-140	REP-P	81-17-065
458-40-19002	AMD-E	81-14-046	461-08-065	AMD-P	81-14-084	463-42-145	NEW-P	81-17-065
458-40-19002	AMD	81-14-047	461-08-070	AMD-P	81-14-084	463-42-150	REP-P	81-17-065
458-40-19003	AMD-P	81-10-053	461-08-085	AMD-P	81-14-084	463-42-155	NEW-P	81-17-065
458-40-19003	AMD-E	81-14-046	461-08-090	AMD-P	81-14-084	463-42-160	REP-P	81-17-065
458-40-19003	AMD	81-14-047	461-08-093	NEW-P	81-14-084	463-42-165	NEW-P	81-17-065
458-40-19004	AMD-P	81-10-053	461-08-100	AMD-P	81-14-084	463-42-170	REP-P	81-17-065
458-40-19004	AMD-E	81-14-046	461-08-105	AMD-P	81-14-084	463-42-175	NEW-P	81-17-065
458-40-19004	AMD	81-14-047	461-08-120	AMD-P	81-14-084	463-42-180	REP-P	81-17-065
458-53-150	AMD	81-04-056	461-08-125	AMD-P	81-14-084	463-42-185	NEW-P	81-17-065
460-20A-100	AMD-P	81-17-086	461-08-130	AMD-P	81-14-084	463-42-190	REP-P	81-17-065
460-20A-220	AMD-E	81-17-085	461-08-143	NEW-P	81-14-084	463-42-195	NEW-P	81-17-065
460-20A-220	AMD-P	81-17-086	461-08-150	AMD-P	81-14-084	463-42-200	REP-P	81-17-065
460-20A-230	AMD-E	81-17-085	461-08-155	AMD-P	81-14-084	463-42-205	NEW-P	81-17-065
460-20A-230	AMD-P	81-17-086	461-08-157	NEW-P	81-14-084	463-42-210	REP-P	81-17-065
460-24A-050	AMD-E	81-17-085	461-08-160	AMD-P	81-14-084	463-42-215	NEW-P	81-17-065
460-24A-050	AMD-P	81-17-086	461-08-165	AMD-P	81-14-084	463-42-220	REP-P	81-17-065
460-24A-170	AMD-P	81-17-086	461-08-170	AMD-P	81-14-084	463-42-225	NEW-P	81-17-065
460-42A-020	NEW	81-04-048	461-08-190	AMD-P	81-14-084	463-42-230	REP-P	81-17-065
460-44A	AMD-P	81-17-087	461-08-195	AMD-P	81-14-084	463-42-235	NEW-P	81-17-065
460-44A-010	AMD-P	81-17-087	461-08-200	REP-P	81-14-084	463-42-240	REP-P	81-17-065
460-44A-020	AMD-P	81-17-087	461-08-215	AMD-P	81-14-084	463-42-245	NEW-P	81-17-065
460-44A-025	NEW-P	81-17-087	461-08-220	AMD-P	81-14-084	463-42-250	REP-P	81-17-065
460-44A-030	AMD-P	81-17-087	461-08-221	AMD-P	81-14-084	463-42-255	NEW-P	81-17-065
460-44A-041	AMD-P	81-17-087	461-08-225	AMD-P	81-14-084	463-42-260	REP-P	81-17-065
460-44A-045	REP-P	81-17-087	461-08-235	AMD-P	81-14-084	463-42-265	NEW-P	81-17-065
460-44A-050	REP-P	81-17-087	461-08-240	AMD-P	81-14-084	463-42-270	REP-P	81-17-065
460-44A-060	REP-P	81-17-087	461-08-245	AMD-P	81-14-084	463-42-275	NEW-P	81-17-065
460-44A-065	REP-P	81-17-087	461-08-260	AMD-P	81-14-084	463-42-280	REP-P	81-17-065
460-44A-070	REP-P	81-17-087	461-12-020	AMD-P	81-14-084	463-42-285	NEW-P	81-17-065
460-44A-075	REP-P	81-17-087	461-12-031	AMD-P	81-14-084	463-42-290	REP-P	81-17-065
460-45A-010	NEW-P	81-17-087	461-12-032	AMD-P	81-14-084	463-42-295	NEW-P	81-17-065
460-45A-020	NEW-P	81-17-087	461-12-034	AMD-P	81-14-084	463-42-300	REP-P	81-17-065
460-45A-030	NEW-P	81-17-087	461-12-035	REP-P	81-14-084	463-42-305	NEW-P	81-17-065
460-45A-040	NEW-P	81-17-087	461-12-036	AMD-P	81-14-084	463-42-310	REP-P	81-17-065
460-45A-050	NEW-P	81-17-087	461-12-040	AMD-P	81-14-084	463-42-315	NEW-P	81-17-065
460-45A-060	NEW-P	81-17-087	461-12-060	AMD-P	81-14-084	463-42-320	REP-P	81-17-065
460-45A-070	NEW-P	81-17-087	461-12-070	AMD-P	81-14-084	463-42-325	NEW-P	81-17-065
460-45A-080	NEW-P	81-17-087	461-12-090	AMD-P	81-14-084	463-42-330	REP-P	81-17-065
460-45A-090	NEW-P	81-17-087	461-12-100	AMD-P	81-14-084	463-42-335	NEW-P	81-17-065
460-45A-100	NEW-P	81-17-087	461-12-120	AMD-P	81-14-084	463-42-340	REP-P	81-17-065
460-45A-105	NEW-P	81-17-087	463-06-030	AMD-P	81-17-021	463-42-345	NEW-P	81-17-065
460-45A-110	NEW-P	81-17-087	461-12-130	NEW-P	81-14-084	463-42-350	REP-P	81-17-065
460-46A-010	NEW-P	81-17-087	463-06-030	AMD-P	81-17-021	463-42-355	NEW-P	81-17-065
460-46A-020	NEW-P	81-17-087	463-14-080	NEW-P	81-17-021	463-42-360	REP-P	81-17-065
460-46A-030	NEW-P	81-17-087	463-30-080	AMD-P	81-03-055	463-42-365	NEW-P	81-17-065
460-46A-040	NEW-P	81-17-087	463-30-080	AMD	81-07-019	463-42-370	REP-P	81-17-065
460-46A-050	NEW-P	81-17-087	463-30-400	AMD-P	81-17-021	463-42-375	NEW-P	81-17-065
460-46A-060	NEW-P	81-17-087	463-42-010	AMD-P	81-17-065	463-42-380	REP-P	81-17-065
460-46A-070	NEW-P	81-17-087	463-42-015	NEW-P	81-17-065	463-42-385	NEW-P	81-17-065
460-46A-080	NEW-P	81-17-087	463-42-020	REP-P	81-17-065	463-42-390	REP-P	81-17-065
460-46A-090	NEW-P	81-17-087	463-42-025	NEW-P	81-17-065	463-42-395	NEW-P	81-17-065
460-46A-100	NEW-P	81-17-087	463-42-030	REP-P	81-17-065	463-42-400	REP-P	81-17-065
460-46A-105	NEW-P	81-17-087	463-42-035	NEW-P	81-17-065	463-42-405	NEW-P	81-17-065
460-46A-110	NEW-P	81-17-087	463-42-040	REP-P	81-17-065	463-42-410	REP-P	81-17-065
460-46A-115	NEW-P	81-17-087	463-42-045	NEW-P	81-17-065	463-42-415	NEW-P	81-17-065
460-46A-120	NEW-P	81-17-087	463-42-050	REP-P	81-17-065	463-42-420	REP-P	81-17-065
460-46A-125	NEW-P	81-17-087	463-42-055	NEW-P	81-17-065	463-42-425	NEW-P	81-17-065
460-46A-130	NEW-P	81-17-087	463-42-060	REP-P	81-17-065	463-42-430	REP-P	81-17-065
460-46A-135	NEW-P	81-17-087	463-42-065	NEW-P	81-17-065	463-42-435	NEW-P	81-17-065
460-46A-140	NEW-P	81-17-087	463-42-070	REP-P	81-17-065	463-42-440	REP-P	81-17-065
460-46A-145	NEW-P	81-17-087	463-42-075	NEW-P	81-17-065	463-42-445	NEW-P	81-17-065
460-46A-150	NEW-P	81-17-087	463-42-080	REP-P	81-17-065	463-42-450	REP-P	81-17-065
460-46A-155	NEW-P	81-17-087	463-42-085	NEW-P	81-17-065	463-42-455	NEW-P	81-17-065

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463-42-460	REP-P	81-17-065	468-54-030	REP-E	81-16-019	468-300-010	AMD-E	81-10-044
463-42-465	NEW-P	81-17-065	468-54-030	REP-P	81-16-020	468-300-010	AMD-P	81-12-009
463-42-470	REP-P	81-17-065	468-54-050	AMD-E	81-16-019	468-300-010	AMD	81-15-099
463-42-475	NEW-P	81-17-065	468-54-050	AMD-P	81-16-020	468-300-010	AMD-E	81-15-100
463-42-480	REP-P	81-17-065	468-54-065	AMD-E	81-16-019	468-300-020	AMD	81-15-099
463-42-485	NEW-P	81-17-065	468-54-065	AMD-P	81-16-020	468-300-020	AMD-E	81-15-100
463-42-490	REP-P	81-17-065	468-54-070	AMD-E	81-16-019	468-300-030	AMD	81-15-099
463-42-495	NEW-P	81-17-065	468-54-070	AMD-P	81-16-020	468-300-030	AMD-E	81-15-100
463-42-500	REP-P	81-17-065	468-58	REVIEW	81-09-040	468-300-040	AMD	81-15-099
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