

LOMA

OCTOBER 19, 1983

OLYMPIA, WASHINGTON

ISSUE 83-20

TABLE
AUDIT
20/SUE



IN THIS ISSUE

Attorney General, Office of the
Community College District No. 3
Community College District No. 5
Community College District No. 11
Community College District No. 23
Community College Education, Board for
Corrections, Department of
Corrections Standards Board
Eastern Washington University
Ecology, Department of
Edmonds Community College
Emergency Services, Department of
Employment Security Department
Everett Community College
Evergreen State College, The
Fisheries, Department of
Forest Practices Board
Fort Steilacoom Community College
General Administration, Department of
Governor, Office of the

Higher Education Personnel Board
Housing Finance Commission
Labor and Industries, Department of
Licensing, Department of
Liquor Control Board
Natural Resources, Department of
Olympic Community College
Outdoor Recreation, Interagency Committee for
Parks and Recreation Commission
Personnel, Department of
Pharmacy, Board of
Postsecondary Education, Council for
Public Disclosure Commission
Public Employment Relations Commission
Revenue, Department of
Seattle Community College District
Social and Health Services, Department of
Superintendent of Public Instruction
Urban Arterial Board
Western Washington University

(Subject/Agency index at back of issue)
This issue contains documents officially
filed not later than October 5, 1983

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the Code Reviser pursuant to chapter 28B.19 or 34.04 RCW is available for public inspection during normal office hours. The Code Reviser's Office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to noon and from 1 p.m. to 5 p.m. Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to chapter 240, Laws of 1977 ex. sess. Subscription rate \$125 per year, postpaid to points in the United States. Second-class postage paid at Olympia, Washington.

Changes of address notices, subscription orders, and undelivered copies should be sent to:

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

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

Robert L. Charette,
Chairman, Statute Law Committee

Dennis W. Cooper,
Code Reviser

Gary Reid,
Chief Assistant Code Reviser

Susan J. Brooks
Editor

Joyce Matzen
Subscription Clerk

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.	Closing Dates ¹			Distribution Date	First Agency Action Date ³
	Non-OTS & 30 p. or more.	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS		
For Inclusion in—	File no later than—			Count 20 days from—	For hearing/adoption on or after
83-18	Aug 10	Aug 24	Sep 7	Sep 21	Oct 11
83-19	Aug 24	Sep 7	Sep 21	Oct 5	Oct 25
83-20	Sep 7	Sep 21	Oct 5	Oct 19	Nov 8
83-21	Sep 21	Oct 5	Oct 19	Nov 2	Nov 22
83-22	Oct 5	Oct 19	Nov 2	Nov 16	Dec 6
83-23	Oct 26	Nov 9	Nov 23	Dec 7	Dec 27
83-24	Nov 9	Nov 23	Dec 7	Dec 21	Jan 10, 1984
84-01	Nov 23	Dec 7	Dec 21, 1983	Jan 4, 1984	Jan 24
84-02	Dec 7	Dec 21, 1983	Jan 4, 1984	Jan 18	Feb 7
84-03	Dec 21, 1983	Jan 4 1984	Jan 18	Feb 1	Feb 21
84-04	Jan 4	Jan 18	Feb 1	Feb 15	Mar 6
84-05	Jan 25	Feb 8	Feb 22	Mar 7	Mar 27
84-06	Feb 8	Feb 22	Mar 7	Mar 21	Apr 10
84-07	Feb 22	Mar 7	Mar 21	Apr 4	Apr 24
84-08	Mar 7	Mar 21	Apr 4	Apr 18	May 8
84-09	Mar 21	Apr 4	Apr 18	May 2	May 22
84-10	Apr 4	Apr 18	May 2	May 16	Jun 5
84-11	Apr 25	May 9	May 23	Jun 6	Jun 26
84-12	May 9	May 23	Jun 6	Jun 20	Jul 10

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.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared by the Order Typing Service (OTS) of the Code Reviser's Office; see WAC 1-12-220 or 1-13-240. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

³"No proceeding may 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(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION
(Required by 39 U.S.C. 3685)

The WASHINGTON STATE REGISTER (ISSN 0164-6389), is published twice each month by the Statute Law Committee, Office of the Code Reviser, Legislative Building, Olympia, Washington 98504. The filing date of this report was October 5, 1983. The annual subscription price is \$125 for 24 issues. The general business offices of the publisher are located in the Legislative Building, Olympia, Washington 98504.

The editor is Susan J. Brooks, Code Reviser's Office, Legislative Building, Olympia, Washington 98504. There is no managing editor.

The owner is the Statute Law Committee, State of Washington, Legislative Building, Olympia, Washington 98504.

There are no known bondholders, mortgagees, or other security holders.

The extent and nature of the circulation is as follows:

	Average no. copies each issue during preceding 12 mos.	Actual no. copies of single issue published nearest to filing date
Total no. copies printed		
Paid circulation	800	800
Sales through dealers & carriers, street vendors, & counter sales	63	63
Mail subscriptions	364	376
Total paid circulation	427	439
Free distribution by mail, carrier, or other means; samples, complimentary, and other free copies	184	220
Total distribution	611	659
Copies not distributed		
Office use, left over, unaccounted, spoiled after printing	189	141
Returns from news agents	0	0
Total	800	800

I certify that the statements made by me are correct and complete.

Susan J. Brooks
Editor

WSR 83-19-035
ADOPTED RULES
DEPARTMENT OF LICENSING
(Securities Division)

[Order SDO-181-83-Filed September 14, 1983]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at the Department of Licensing, Olympia, Washington, the annexed rules relating to the regulation and registration of securities, adopting new chapter 460-34A WAC, oil and gas programs.

This action is taken pursuant to Notice No. WSR 83-15-042 filed with the code reviser on July 19, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

WAC 460-34A-010, 460-34A-015, 460-34A-020, 460-34A-025, 460-34A-030, 460-34A-035, 460-34A-037, 460-34A-040, 460-34A-045, 460-34A-050, 460-34A-055, 460-34A-060, 460-34A-065, 460-34A-070, 460-34A-090, 460-34A-095, 460-34A-100, 460-34A-105, 460-34A-110, 460-34A-112, 460-34A-115, 460-34A-120, 460-34A-125, 460-34A-130, 460-34A-135, and 460-34A-200 are 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.

WAC 460-34A-075, 460-34A-080, and 460-34A-085 are promulgated pursuant to RCW 21.20.250 and are intended to administratively implement that statute and 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 9, 1983.

By John Gonzalez
Director

CHAPTER 460-34A WAC
OIL AND GAS PROGRAMS

NEW SECTION

WAC 460-34A-010 APPLICATION. The rules contained in this chapter apply to the registration of oil and gas programs in the form of limited partnerships (herein sometimes called "programs" or "partnerships") and will be applied by analogy to oil and gas programs in other forms. While applications not conforming to the standards contained in this chapter shall be looked upon with disfavor, where good cause is shown, certain standards may be modified or waived by the administrator if consistent with the spirit of these rules.

NEW SECTION

WAC 460-34A-015 DEFINITIONS. As used in this chapter:

(1) "Affiliate" means, in addition to those persons set out in WAC 460-10A-060, any person 10 percent or more of whose outstanding voting securities are directly or indirectly owned, controlled or held with power to vote, by such other person.

(2) "Capital expenditures" means those costs which are generally accepted as capital expenditures pursuant to the provisions of the Internal Revenue Code.

(3) "Cost" means, when used with respect to property,

(a) the sum of the prices paid by the seller for such property, including bonuses;

(b) title insurance or examinations costs, brokers' commissions, filing fees, recording costs, transfer taxes, if any, and like charges in connection with the acquisition of such property; and

(c) rentals and ad valorem taxes paid by the seller with respect to such property to the date of its transfer to the buyer, interest on funds used to acquire or maintain such property, and such portion of the seller's reasonable, necessary and actual expenses for geological, geophysical, seismic, land engineering, drafting, accounting, legal and other like services allocated to the property in accordance with generally accepted industry practices, except for expenses in connection with the past drilling of wells which are not producers of sufficient quantities of oil or gas to make commercially reasonable their continued operations, and provided that the expenses enumerated in subsection (c) hereof shall have been incurred not more than 36 months prior to the purchase by the program; provided that such period may be extended, at the discretion of the Administrator upon proper justification. When used with respect to services, "cost" means the reasonable, necessary and actual expense incurred by the seller on behalf of the program in providing such services, determined in accordance with generally accepted accounting principles. As used elsewhere, "cost" means the price paid by the seller in an arm's-length transaction.

(4) "Development well" means a well drilled as an additional well to the same reservoir as other producing wells on a lease, or drilled on an offset lease usually not more than one location away from a well producing from the same reservoir.

(5) "Exploratory well" means a well drilled either

(a) in search of a new and as yet undiscovered pool of oil or gas, or

(b) with the hope of greatly extending the limits of a pool already developed.

(6) "Farm-out" means an agreement whereby the owner of the leasehold or working interest agrees to assign his interest in certain specific acreage to the assignees, retaining some interest such as an overriding royalty interest, an oil and gas payment, offset acreage or other type of interest, subject to the drilling of one or more specific wells or other performance as a condition of the assignment.

(7) "General and administrative overhead" means all customary and routine legal, accounting, geological, engineering, well supervision fee, travel, office rent, telephone, secretarial, salaries, and other incidental reasonable expenses necessary to the conduct of the partnership business, and generated by the sponsor.

(8) "Landowner's royalty interest" means an interest in production, or the proceeds therefrom, to be received free and clear of all costs of development, operation, or maintenance, reserved by a landowner upon the creation of an oil and gas lease.

(9) "Non-capital expenditures" means expenditures that under present law are generally accepted as fully deductible currently for federal income tax purposes.

(10) "Operating costs" means expenditures made and costs incurred in producing and marketing oil or gas from completed wells, including, in addition to labor, fuel, repairs, hauling, materials, supplies, utility charges and other costs incident to or therefrom, ad valorem and severance taxes, insurance and casualty loss expense, and compensation to well operators or others for services rendered in conducting such operations.

(11) "Organization and offering expenses" means all costs of organizing and selling the offering including, but not limited to, total underwriting and brokerage discounts and commissions (including fees of the underwriters' attorneys), expenses for printing, engraving, mailing, salaries of employees while engaged in sales activity, charges of transfer agents, registrars, trustees, escrow holders, depositories, engineers and other experts, expenses of qualification of the sale of the securities under Federal and State law, including taxes and fees, accountants' and attorneys' fees.

(12) "Overriding royalty interest" means an interest in the oil and gas produced pursuant to a specified oil and gas lease or leases, or the proceeds from the sale thereof, carved out of the working interest, to be received free and clear of all costs of development, operation, and maintenance.

(13) "Program" means or refers to a single partnership. (This does not mean that a prospectus may not offer a series of partnerships, with individual partnerships being formed in sequence as the minimum amount necessary to form a partnership is obtained.)

(14) "Prospect" means an area in which the program owns or intends to own one or more oil and gas interests, which is geographically defined on the basis of geological data by the sponsor of such program and which is reasonably anticipated by the sponsor to contain at least one reservoir.

(15) "Proved reserves" means those quantities of crude oil, natural gas, and natural gas liquids which, upon analysis of geologic and engineering data, appear with reasonable certainty to be recoverable in the future from known oil and gas reservoirs under existing economic and operating conditions. Proved reserves are limited to those quantities of oil and gas which can be expected, with little doubt, to be recoverable commercially at current prices and costs, under existing regulatory practices and with existing conventional equipment and operating methods. Depending upon their status of development, such proved reserves shall be subdivided into the following classifications:

(a) "Proved developed reserves." These are proved reserves which can be expected to be recovered through existing wells with existing equipment and operating methods. This classification shall include:

(i) "Proved developed producing reserves." These are proved developed reserves which are expected to be produced from existing completion interval(s) now open for production in existing wells; and

(ii) "Proved developed non-producing reserves." These are proved developed reserves which exist behind the casing of existing wells, or at minor depths below the present bottom of such wells, which are expected to be produced through these wells in the predictable future, where the cost of making such oil and gas available for production should be relatively small compared to the cost of a new well.

Additional oil and gas expected to be obtained through the application of fluid injection or other improved recovery techniques for supplementing the natural forces and mechanisms of primary recovery should be included as "Proved Developed Reserves" only after testing by a pilot project or after the operation of an installed program has confirmed through production response that increased recovery will be achieved.

(b) "Proved undeveloped reserves." These are proved reserves which are expected to be recovered from new wells on undrilled acreage, or from existing wells where a relatively major expenditure is required for recompletion. Reserves on undrilled acreage shall be limited to those drilling units offsetting productive units, which are virtually certain of production when drilled. Proved reserves for other undrilled units can be claimed only where it can be demonstrated with certainty that there is continuity of production from the existing productive formation.

Under no circumstances should estimates for proved undeveloped reserves be attributable to any acreage for which an application of fluid injection or other improved recovery technique is contemplated, unless such techniques have been proved effective by actual tests in the area and in the same reservoir. If warranted, however, a narrative discussion can be provided to point out those areas where future drilling or other operations may develop oil and gas production which at the time of filing is considered too uncertain to be expressed as numerical estimates for proved reserves.

(16) "Sponsor" means, in addition to those persons set out in WAC 460-10A-155, any person who, pursuant to a contract with the program, regularly performs or selects the person who performs 25% or more of the exploratory, developmental or producing activities of the program or segment thereof.

(17) "Working interest" means an interest in an oil and gas leasehold which is subject to some portion of the expense of development, operation or maintenance.

NEW SECTION

WAC 460-34A-020 NET WORTH, EXPERIENCE AND INVESTMENT REQUIREMENTS OF SPONSOR. (1) Net Worth. (a) The financial condition of the general partner must be commensurate with any financial obligations assumed by it. The general partner must specifically have a minimum aggregate net worth at all times equal to 5% of participants' capital in all existing programs organized by the general partner plus 5% of total subscriptions in the program being offered,

but such minimum required net worth shall in no case be less than \$100,000 nor shall net worth in excess of \$1,000,000 be required. An individual general partner's net worth shall be determined exclusive of home, home furnishings and automobiles. Audited balance sheets of sponsors shall be furnished, except that in the event that an individual is a general partner, an unaudited balance sheet prepared by a certified public accountant and signed and sworn to by such individual general partner may be accepted for the purpose of determining said required net worth, in the discretion of the Administrator, and such unaudited statement will be carefully scrutinized.

(b) In determining a general partner's net worth, the discounted value of proved reserves, as determined by an independent petroleum appraiser, of oil, gas and other minerals owned by a general partner may be used. Notes and accounts receivables from all programs, interests in all programs, and all contingent liabilities will be scrutinized carefully to determine the appropriateness of their inclusion in the net worth computation. If an individual general partner's net worth is used in complying with the above requirements, a statement as to such net worth shall be included in the prospectus.

(c) If more than one person acts or serves as general partner of a program, the net worth requirements may be met by aggregating the net worth of all such persons. In addition, the net worth of any guarantor of the general partner's obligations to or for the program may be included in the net worth computation, but only if the guarantor's liability is coextensive with that of the general partner.

(2) Experience. The general partner or its chief operating officers shall have at least three years relevant oil and gas experience demonstrating the knowledge and experience to carry out the stated program policies and to manage the program operations. Additionally, the general partner or any affiliate providing services to the program shall have had not less than four years relevant experience in the kind of service being rendered or otherwise must demonstrate sufficient knowledge and experience to perform the services proposed. If any managerial responsibility for the program is to be rendered by persons other than the general partner, then such persons must be identified in the prospectus, their experience must be similar to that required of a general partner and must be set out in the prospectus, and a contract setting forth the basis of their relationship with the program must be filed with and not disapproved by the Administrator.

(3) In appropriate cases, the Administrator may require that the sponsor purchase for cash a minimum amount of participation units.

NEW SECTION

WAC 460-34A-025 PARTICIPANTS SUITABILITY STANDARDS. (1) In view of the limited transferability, the relative lack of liquidity, the high risk of loss or the specific tax orientation of many oil and gas programs, suitability standards which are reasonably related to the risks to be undertaken, will be required for the participants, and they must be set forth both in the

prospectus and in a written instrument to be executed by each participant.

(2) The sponsor and each person selling limited partnership interests on behalf of the sponsor or program shall make every reasonable effort to assure that those persons being offered or sold the limited partnership interests are appropriate in light of the suitability standards as required, whether purchase is appropriate to the customers' investment objectives and financial situations, whether the participant can reasonably benefit from the program and whether the participant is able to bear the economic risk of the investment.

(3) For purposes of determining whether the participant can meet the criteria in WAC 460-34A-025(2), the following shall be evidence thereof:

(a) The participant has the capacity of understanding the fundamental aspects of the program, which capacity may be evidenced by the following:

- (i) The nature of employment experience;
- (ii) Educational level achieved;
- (iii) Access to advice from qualified sources, such as, attorney, accountant and tax adviser; and
- (iv) Prior experience with investments of a similar nature.

(b) The participant has apparent understanding of the fundamental risks, possible financial hazards of the investment and the lack of liquidity of the investment.

(c) The participant has the following, unless circumstances warrant and the Administrator allows another standard:

- (i) A net worth of \$225,000 or more (exclusive of home, furnishings and automobiles), or
- (ii) a net worth of \$60,000 or more (exclusive of home, furnishings, and automobiles) and had during the last tax year, or estimates that he will have during the current tax year, "taxable income" as defined in Section 63 of the Internal Revenue Code of 1954, as amended, of \$60,000 or more, without regard to the investment in the program.

(4) In the case of programs engaged primarily in investing in income producing properties (production purchase program) the Administrator may allow lower suitability standards than those described in (c) above. Subject to a satisfactory showing as to the plan of business of the program, the following suitability standards will be deemed reasonable:

- (a) the participant has a net worth of \$90,000 or more (exclusive of home, furnishings and automobiles), or
- (b) the participant has a net worth of \$25,000 (exclusive of home, furnishings and automobiles) and an annual income of \$25,000 or more.

(5) The broker-dealer or sponsor shall retain for at least six years all records necessary to substantiate the fact that program interests were sold only to purchasers for whom such securities were suitable. The Administrator may require broker-dealers or sponsors to obtain from the purchaser a letter justifying the suitability of such investment.

NEW SECTION

WAC 460-34A-030 MINIMUM INVESTMENT. For a drilling program, the minimum purchase shall not

be less than \$5,000 and the initial investment by a participant not less than \$5,000, and for an income or production purchase program, the minimum purchase shall not be less than \$2,500 and the initial investment not less than \$2,500. All of the aforesaid minimums must be paid within 12 months from the date the program commences. Assignability of the unit must be limited so that no assignee (transferee) or assignor (transferor) may hold less than the prescribed minimums except by gifts or by operation of law.

NEW SECTION

WAC 460-34A-035 FEES, COMPENSATION AND EXPENSES. The total amount of consideration of all kinds which may be paid directly or indirectly to the sponsor or its affiliates shall be reasonable. Such consideration may include but is not limited to:

- (a) Organization and offering expenses and management fees
- (b) Promotional compensation; and
- (c) Program expenses.

NEW SECTION

WAC 460-34A-037 ORGANIZATION AND OFFERING EXPENSES, AND MANAGEMENT FEES. (1) All organization and offering expenses incurred in order to sell program units shall be reasonable, and the total of those organization and offering expenses, which may be charged to the program, plus any management fee, which may be charged by the sponsor, shall not exceed 15% of the initial subscriptions.

(2) Commissions payable on the sale of program units shall be paid in cash solely on the amount of initial subscriptions. Payment of commissions in the form of overriding royalties, net profit interests or other interests in production will not be approved, except that no objection will be raised to the payment of commissions in the form of interests in the program, provided the amount does not exceed that purchasable by applying the aggregate cash commission allowable to the unit offering price.

(3) All items of compensation to underwriters or broker-dealers, including, but not limited to, selling commissions, expenses, rights of first refusal, consulting fees, finders' fees and all other items of compensation of any kind or description paid by the program, directly or indirectly, shall be taken into consideration in computing the amount of allowable selling commissions.

NEW SECTION

WAC 460-34A-040 PROMOTIONAL COMPENSATION. (1) The participation in program revenues by the sponsor and any affiliate shall be reasonable taking into account all relevant factors. Overriding royalty interests will be looked upon with disfavor. Sponsors' interests in revenues will be considered reasonable if they meet the standards set forth below. Any other combination of fees, working or net profits interests, or interests subordinated to payout to the public investors, which are justified, in light of the entire offering, may be considered reasonable by the Administrator. References

in this section WAC 460-34A-040 to a percent of revenues refer to that percent of program revenues, and references to a percent working interest refer to that percent of the working interest owned by a program in a prospect, if the program does not own the total working interest.

(2) Drilling Program—Functional Allocation. (a) Where the sponsor agrees to pay all capital expenditures of the program, but in any case at least 10% of the capital contributions to the program (excluding any capital contributions from the sponsor or any of his affiliates), his share or revenues will be determined by the following formula:

(i) if the agreement is to pay all capital expenditures but in any case a sum of not less than 10% of the capital contributions to the program (excluding any capital contributions from the sponsor or any of his affiliates), the sponsor will be entitled to receive 35% of program revenues;

(ii) the sponsor's revenue sharing may be increased in additional increments of 5% for each additional 5% increase in the percentage of capital contributions to the program (excluding any capital contributions from the sponsor or any of his affiliates) agreed to be paid by him up to a maximum of 50% of revenues subject to sponsor's agreement to pay in any case all capital expenditures.

(b) As one alternative to subdivision (a), the sponsor may elect to receive 15% of revenues and an additional percentage of revenues determined by computing the sponsor's capital expenditures as compared to total costs associated with obtaining production, on a prospect basis, until such time as the sponsor shall have received from such additional percentage of revenues an amount equal to his capital expenditures; after which, revenues shall be distributed as follows: 15% of revenues to the sponsor and 85% of revenues to the participants until the participants shall have received on a program basis a return of their capital contributions in cash and then 15% plus the additional percentage of revenues shall be paid to the sponsor and the remainder to the participants.

(c) In connection with other possible alternatives that may be submitted to the above subdivision (a), a promotional interest in excess of 25% on a program basis will not be permitted, and a minimum commitment by the sponsor to pay at least 10% of the total program's contributions will be required.

(d) The aforesaid arrangement to pay capital expenditures refers to and includes all capital expenditures for the drilling and completing of wells during the life of the program, but does not include capital expenditures for facilities downstream of a wellhead. If the sponsor should enter into farm-out or other arrangements through which only he is relieved of his obligations to pay for such capital expenditures, then the sponsor's share of revenue shall be proportionately reduced, the amount to be determined on an individual basis.

(e) In order to elect a sharing arrangement as above provided, the sponsor must have a net worth of \$300,000 or 10% of the total contributions to the program by the participants, whichever is greater, and must be under a contractual obligation to pay his share of expenses as

such expenses are paid by the program and to complete his minimum financial commitment to the program by the payment of cash by the end of the third fiscal year succeeding the fiscal year in which the program commenced operations. Any additional contributions made by the sponsor will be used to pay program expenses which would otherwise be charged to the participants.

(f) For the purposes of this subsection, if a well is not abandoned within 60 days following the commencement of production, then it shall be deemed to be a commercial well insofar as the program is concerned and the sponsor may not recapture its capital expenditures from the program, which otherwise would be treated as non-capital expenditures upon abandonment. As used herein, production shall refer to the commencement of the commercial marketing of oil or gas, and shall not include any spot sales of oil or gas produced as a result of testing procedures. All revenues from a well abandoned under this subsection shall be allocated pro rata to those persons bearing the costs of such well.

(g) The sharing arrangement set forth in this subsection shall not be considered presumptively reasonable (i) in the case of sharing arrangements in which the sponsor pays all development costs and exploratory wells are drilled on prospects which cannot reasonably be expected to require developmental drilling if the exploratory drilling is successful, or (ii) in the case of sharing arrangements where the sponsor does not pay his share or category of costs on a current basis.

(3) Drilling Programs—Subordinated or Reversionary Working Interest. (a) As an alternative to sharing revenues on a basis related to costs paid, it will be considered reasonable for a sponsor of a drilling program to receive a promotional interest in the form of a subordinated percentage of the working interest. The holder of a subordinated working interest shall be entitled to receive his share of revenues only after the participants have had allocated to their respective accounts an amount determined in accordance with either one of the following alternative formulas:

(i) an amount which reflects that the participants' share of revenues from production and other items credited to a prospect equal the sum of the costs of acquisition, drilling and development, all costs of operating the leases underlying the prospect, and an appropriately allocated portion of all other program expenses, including organizational and offering expenses in which case the sponsor shall be entitled to 25% of program revenues, or

(ii) an amount which reflects that the revenues of the program equal all the expenses of the program, in which case the sponsor's interest may equal up to 33 1/3% of program revenues.

(b) At such time as the sponsor is entitled to receive his promotional interest, he shall also bear program costs in the same ratio as he participates in program revenues.

(4) Income or Production Purchase Programs. (a) Where a major portion of the sponsor's management and operating responsibilities are performed by third parties, the cost of which is paid by the program, the sponsor may take a 3% working interest convertible to not more

than a 5% working interest after the return from production to the investors of 100% of their capital contribution, computed on a total program basis.

(b) Where the sponsor maintains the operating capabilities and technical staff so as to be in a position to, and in fact does, provide the program with a major part of the management and operating responsibilities of the program, the sponsor may take no more than a 15% working interest.

(c) Where the individual characteristics of specific programs warrant modification from the above two approaches to production purchase programs, they will be accommodated, insofar as possible, while still being consistent with the aforesaid compensation arrangements.

(d) The sponsor's interest in a program or in properties owned by a program shall bear a pro rata share of all costs, expenses and obligations of the program including, but not limited to, costs of operations, general and administrative expenses, debt service and any other items of expense chargeable to the operation of the program.

(5) The sharing arrangement set forth above in this rule shall not be considered presumptively reasonable for a sponsor who does not actively participate in obtaining a significant portion of the program's prospects and who does not assume management responsibility for drilling, completing, equipping and operating a significant portion of a program's wells, unless such sponsor shall satisfactorily demonstrate that his compensation together with the costs of procuring such services for the program from third parties does not exceed the permissible compensation to the sponsor set forth above in this rule. For purposes of these rules, a sponsor shall be deemed to be actively participating in obtaining a significant portion of a program's prospects if the sponsor has in-house or under contract the technical capability of originating or fully evaluating the prospects to be acquired by that program. "Prospect origination" is the process of formulating a geological or geophysical concept and negotiating for the acquisition of a sufficient acreage interest in the area to warrant drilling and testing. "Prospect evaluation" is the process of determining the viability of a prospect which has been originated by a third party.

(a) The sponsor's ability to originate or evaluate the prospects he intends to transfer to the program shall be disclosed in the "Operation" section of the offering circular and in the "Management Section" if in-house or if the capability is provided by third parties under contract, the third party should be identified, their qualifications described and the contracted nature of the arrangement fully disclosed, including the administrative process involved.

(b) If the capability is provided by third parties, it will be deemed presumptively unreasonable if the contracts do not provide the program with comparable capabilities to those that would be provided if the sponsor's capability was in-house, including, among other things, availability of technical expertise and the provision of adequate response time. Unless the sponsor can adequately demonstrate the availability of such capability, it will not be permitted to elect any of the sharing of costs and revenues described in the rules of this chapter.

NEW SECTION

WAC 460-34A-045 PROGRAM EXPENSES. (1) All actual and necessary expenses incurred by the program may be paid by the sponsor out of capital contributions and out of program revenues.

(2) A sponsor may be reimbursed out of capital contributions and program revenues for all actual and necessary direct expenses paid or incurred by it in connection with its operation of a program, and for an allocable portion of its general and administrative overhead, computed on a cost basis and determined in accordance with generally accepted accounting principles, subject to annual independent audit. Administrative and similar charges for services must be fully supportable as to the necessity thereof and the reasonableness of the amount charged.

(3) The sponsor shall bear a percentage of general and administrative overhead equal to its percentage of revenue participation.

(4) The following is a sample format for tabular disclosure for information described in this rule. The format tabular presentation should be modified to fit a particular circumstance of each program and the allocation formula chosen should be adequately disclosed.

ESTIMATED PROGRAM EXPENSES

The sponsor estimates that direct expenses and general and administrative expenses allocable to the program for the first twelve months of operation will be approximately \$ if the minimum program capital is received (representing % of program capital) and approximately \$ if the maximum program capital is received (representing % of program capital). The sponsor estimates that the components of such allocable amounts will be as follows:

P/c OK 1/89

	Minimum Program	Maximum Program
General and Administrative Overhead		
Legal	\$	\$
Accounting		
Geological		
Engineering		
Well Supervision Fees		
Travel		
Office Rent		
Telephone		
Secretarial		
	Minimum Program	Maximum Program
Salaries of Officers, Directors and Other Principals	\$	\$
Other (List)		
Direct Expenses		
External Legal		
Audit Fees		
Independent Engineering Reports		
Outside Computer Services		
Other (List)		
TOTAL	\$	\$

The steps followed to determine the amounts of general and administrative overhead to be allocated to the program are enumerated as follows:

- 1.
- 2.
- 3.
4. etc.

NEW SECTION

WAC 460-34A-050 TRANSACTIONS WITH AFFILIATES. (1) Sales and Purchases of Properties (a) Neither the sponsor of a drilling program nor any affiliated person shall sell, transfer or convey any property to or purchase any property from the program, directly or indirectly, except pursuant to transactions that are fair and reasonable to the participants of the program and then subject to the following conditions:

(i) In the case of a sale, transfer or conveyance to a program;

(A) The prospectus discloses the fact that the sponsor will sell, transfer or convey property to the program and whether or not the property will be sold from the sponsor's existing inventory.

(B) The property is sold, transferred or conveyed to the program at the cost of the sponsor, unless the seller has reasonable grounds to believe that cost is materially more than the fair market value of such property, in which case such sale should be made for a price not in excess of its fair market value.

(C) If the sponsor sells, transfers or conveys any oil, gas or other mineral interests or property to the program, he must, at the same time, sell to the program an equal proportionate interest in all his other property in the same prospect. If the sponsor or any affiliate subsequently proposes to acquire an interest in a prospect in which the program possesses an interest or in a prospect abandoned by the program within one year preceding such proposed acquisition, the sponsor shall offer an equivalent interest therein to the program; and, if cash or financing is not available to the program to enable it to consummate a purchase of an equivalent interest in such property, neither the sponsor nor any of its affiliates shall acquire such interest or property. The term "abandon" for the purpose of the subsection shall mean the termination, either voluntarily or by operation of the lease or otherwise, of all of the program's interest in the prospect. The provisions of this subsection shall not apply after the lapse of 5 years from the date of formation of the program. For the purpose of this subsection, the terms "sponsor" and "affiliate" shall not include another program where the interest of the sponsor is identical to, or less than, his interest in the subject program.

(D) A sale, transfer or conveyance of less than all of the ownership of the sponsor in any interest or property is prohibited unless the interest retained by the sponsor is a proportionate working interest, the respective obligations of the sponsor and the program are substantially the same after the sale of the interest by the sponsor and his interest in revenues does not exceed the amount proportionate to his retained working interest. The sponsor may not retain any overrides or other burden on the interest conveyed to the program and may not enter into any farm-out arrangements with respect to his retained interest, except to nonaffiliated third parties or other programs managed by the sponsor.

(ii) In the case of a transfer of nonproducing property from a program, the transfer is made at a price which is the higher of the fair market value or the cost of such property.

(iii) The sponsor, or affiliates other than other public programs, shall not be permitted to purchase producing property from a program.

(b) Neither the sponsor of a production purchase program nor any affiliated person shall sell, transfer or convey any property to or purchase any property from the program, directly or indirectly, except pursuant to transactions that are fair and reasonable to the participants of the program and then subject to the following conditions:

(i) In the case of a purchase from or sale to a program.

(A) The Prospectus discloses the fact that the sponsor may sell property to the program and whether or not the property will be sold from the sponsor's existing inventory.

(B) The purchase from or sale to the program is at cost as adjusted for intervening operations, unless the sponsor has reasonable grounds to believe that cost is materially more than or less than the fair market value of such property, in which case such sale or purchase should be made for a price not in excess of its fair market value, as determined by an independent petroleum reservoir engineer.

(ii) Any such transaction must be consistent with the objectives of the program.

(c) The program shall not purchase properties from nor sell properties to any program in which its sponsor or any affiliated person has an interest. This subsection shall not apply to transactions among programs for whom the same person acts as sponsor by which property is transferred from one to another in exchange for the transferee's obligation to conduct drilling activities on such property or to joint ventures among such programs, provided that the respective obligations and revenue sharing of all parties to the transactions are substantially the same and provided further that the compensation arrangement or any other interest or right of the sponsor and any affiliated person of such sponsor is the same in each program, or, if different, the aggregate compensation of the sponsor does not exceed the lower of the compensation he would have received in any one of the programs.

(2) Restricted and Prohibited Transactions (a) During the existence of a program and before it has ceased operations, neither the sponsor nor any affiliate (excluding another program where the interest of the sponsor is identical to or less than his interest in the first program) shall acquire, retain, or drill for its own account any oil and gas interest in any prospect upon which such program possesses an interest, except for transactions which comply with WAC 460-34A-050(1)(a)(i)(D). In the event the program abandons its interest in a prospect, this restriction shall continue for one year following abandonment. The geological limits of a prospect shall be enlarged or contracted on the basis of subsequently acquired geological data to define the productive limits of a reservoir, and must include all of the acreage determined by the subsequent data to be encompassed by such reservoir; provided however, that the program shall not be required to expend additional funds unless they

are available from the initial capitalization of the program or if the sponsor believes it is prudent to borrow for the purpose of acquiring such additional acreage. If the geological limits of a prospect as so enlarged encompass any interest held by a sponsor or affiliate, that interest shall be sold to the program in accordance with the provisions of WAC 460-34A-050(1)(a)(i)(C) above if the interest held by the sponsor at the time of the prospect's enlargement has been proved up by the program.

(b) A sponsor shall not take any action with respect to the assets or property of the program which does not primarily benefit the program, including among other things:

(i) the utilization of program funds as compensating balances for its own benefit, and

(ii) the commitment of future production.

(c) All benefits from marketing arrangements or other relationships affecting property of the sponsor and the program shall be fairly and equitably apportioned according to the respective interests of each.

(d) Any agreements or arrangements which bind the program must be fully disclosed in the prospectus.

(e) Anything to the contrary notwithstanding, a sponsor may never profit by drilling in contravention of his fiduciary obligation to the participants.

(f) Neither the sponsor nor any affiliate shall render to the program any oil field, equipage or drilling services nor sell or lease to the program any equipment or related supplies unless:

(i) such person is engaged, independently of the program and as an ordinary and ongoing business, in the business of rendering such services or selling or leasing such equipment and supplies to a substantial extent to other persons in the oil and gas industry in addition to programs in which he has an interest,

(ii) the compensation, price or rental therefor is competitive with the compensation, price or rental of other persons in the area engaged in the business of rendering comparable services or selling or leasing comparable equipment and supplies which could reasonably be made available to the program,

(iii) the drilling services are billed on either a per foot, per day, or per hour rate, or some combination thereof, and

(iv) provided, that, if such person is not engaged in a business within the meaning of subdivision (i), then such compensation, price or rental shall be the cost of such services, equipment or supplies to such person or the competitive rate which could be obtained in the area whichever is less.

(g) With the exception of compensation authorized by WAC 460-34A-040, all services for which the sponsor and any affiliated person is to receive compensation shall be embodied in a written contract which precisely describes the services to be rendered and all compensation to be paid.

(h) No loans may be made by the program to the sponsor.

(i) On loans made available to the program by the sponsor, the sponsor may not receive interest in excess of its interest costs, nor may the sponsor receive interest in

excess of the amounts which would be charged the program (without reference to the sponsor's financial abilities or guarantees) by unrelated banks on comparable loans for the same purpose and the sponsor shall not receive points or other financing charges or fees regardless of the amount.

(3) Custody of Program Funds and Properties (a) Funds of a program must not be commingled with funds of any other entity and the prospectus must so state. Advance payments to the sponsor or its affiliates should be prohibited, except where necessary to secure tax benefits of prepaid drilling costs. Advance payments should not include nonrefundable payments for completion costs prior to the time that a decision is made that the well or wells warrant a completion attempt.

(b) Program properties may be held in the names of nominees temporarily to facilitate the acquisition of properties and for similar valid purposes. On a permanent basis, program properties may be held in the name of a special nominee entity organized by the general partner provided the nominee's sole purpose is holding of record title for oil and gas properties and it engages in no other business and incurs no other liabilities.

NEW SECTION

WAC 460-34A-055 FARM-OUTS. (1) Disclosure (a) The prospectus shall state the circumstances under which the sponsor may farm-out a prospect or lease, the ability to farm-out to other public programs of the sponsor or its affiliates and any limitations on the ability to farm-out to such public programs.

(b) If the sponsor or any of its affiliates enters into a farm-out or other similar agreement with its program all such transactions must be in accordance with these guidelines and subject to the following conditions:

(i) The sponsor, exercising the standard of a prudent operator shall determine that the farm-out is in the best interests of the program, and

(ii) The terms of the farm-out are consistent with and in any case no less favorable than those utilized in the geographic area for similar arrangements.

(c) No program lease will be farmed out, sold or otherwise disposed of unless the sponsor, exercising the standard of a prudent operator, determines:

(i) The program lacks sufficient funds to drill on the leases and cannot obtain suitable alternative financing for such drilling; or

(ii) The leases have been downgraded by events occurring after assignment to the program so that drilling would no longer be desirable for the program; or

(iii) Drilling on the leases would result in an excessive concentration of program funds creating in the sponsor's opinion undue risk to the program; or

(iv) The best interests of the program would be served by the farm-out.

(2) Conflict of Interest. (a) The prospectus shall state that the decision with respect to making a farm-out and the terms of a farm-out to a program involve conflicts of interest, as the sponsor may benefit from cost savings and reduction of risk, and in the event of a farm-out to an affiliated public program, the sponsor will represent both partnerships.

(b) The prospectus shall contain a statement regarding farm-outs from a drilling or combination program to another such program meeting the requirements of WAC 460-34A-050(1)(c).

(c) Except as required by WAC 460-34A-050(1)(a)(i)(C) the prospectus shall state that the program shall acquire only those leases that are reasonably acquired for the stated purpose of the program and no leases shall be acquired for the purpose of subsequent sale or farm-out, unless the acquisition of such leases by the program is made after a well has been drilled to a depth sufficient to indicate that such an acquisition is believed to be in the best interests of the program.

(d) The prospectus shall state that the sponsor shall not farm-out a lease for the primary purpose of avoiding payment of sponsor's costs relating to drilling a lease or prospect.

NEW SECTION

WAC 460-34A-060 RIGHTS AND OBLIGATIONS OF PARTICIPANTS. (1) Meetings. Meetings of the participants may be called by the general partner(s) or by participants holding more than 10% of the then outstanding units for any matters for which the participants may vote as set forth in the limited partnership agreement or charter document. Such call for a meeting shall be deemed to have been made upon receipt by the general partner of a written request from holders of the requisite percentage of units stating the purpose(s) of the meeting. The general partner shall deposit in the United States mails within fifteen days after receipt of said request, written notice to all participants of the meeting and the purpose of such meeting, which shall be held on a date not less than thirty nor more than sixty days after the date of mailing of said notice, at a reasonable time and place.

(2) Annual and Periodic Reports (a) The partnership agreement or charter document shall provide for the transmittal to each participant of an annual report within 120 days after the close of the fiscal year, and commencing with the year following investment of substantially all the program subscriptions, a report within 75 days after the end of the first six months of its fiscal year, containing, except as otherwise indicated, at least the following information:

(i) Financial statements, including a balance sheet and statements of income, partners' equity and changes in financial position prepared in accordance with generally accepted accounting principles and accompanied by a report of an independent certified public accountant or independent public accountant stating that his examination was made in accordance with generally accepted auditing standards and that in his opinion such financial statements present fairly the financial position, results of operations and the changes in financial position in accordance with generally accepted accounting principles consistently applied, except that semiannual reports need not be audited. Along with such financial statements shall be a summary itemization, by type and/or classification of the total fees and compensation, including any

overhead reimbursements, paid by the program, or indirectly on behalf of the program, to the sponsor and affiliates of the sponsor. If compensation is paid on a subordinated interest, a reconciliation of all such payments to the conditions precedent and limitations thereto.

(ii) A description of each geological prospect in which the program owns an interest, except succeeding reports need contain only material changes, if any, regarding such geological prospects.

(iii) A list of the wells drilled by such program (indicating whether each of such wells has or has not been completed), and a statement of the cost of each well completed or abandoned. Justification shall be included for wells abandoned after production has commenced.

(iv) With respect to a program which compensates the sponsor on a basis related to certain costs paid by the sponsor, (A) a schedule reflecting the total program costs, and where applicable, the costs pertaining to each prospect, the costs paid by the sponsor and the costs paid by the participants, (B) the total program revenues, the revenues received or credited to the sponsor and the revenues received or credited to the participants and (C) a reconciliation of such expenses and revenues to the limitations prescribed.

(v) Annually, beginning with the fiscal year succeeding the fiscal year in which the program commenced operations, a computation of the total oil and gas proven reserves of the program and dollar value thereof at then existing prices and of each participant's interest in such reserve value. The reserve computations shall be based upon engineering reports prepared by qualified independent petroleum consultants. In addition, there shall be included an estimate of the time required for the extraction of such reserves and the present worth of such reserves, with a statement that because of the time period required to extract such reserves the present value of revenues to be obtained in the future is less than if immediately receivable. In addition to the annual computation and estimate required, as soon as possible, and in no event more than 90 days after the occurrence of an event leading to a reduction of such reserves of the program of more than 10%, excluding reduction as a result of normal production, a computation and estimate shall be sent to each participant.

(b) By March 15 of each year, the general partner must furnish a report to each participant containing such information as is pertinent for tax purposes.

(c) Production purchase programs that are subject to the continuing reporting requirements of the Securities Exchange Act of 1934 and agree to make all such reports available to participants on request, will not be required to transmit to participants reports other than the annual reports required under subsection (a) above, and the reports for tax purposes required by subsection (b) above.

(d) The semi-annual report shall contain a description of all farm-outs including sponsors' justification, location, time, to whom, and general description of terms.

(3) Access to Program Records (a) The general partner shall maintain a list of the names and addresses of all participants at the principal office of the partnership.

Such list shall be made available for the review of any participant or his representative at reasonable times, and upon request either in person or by mail the general partner shall furnish a copy of such list to any participant or his representative for the cost of reproduction and mailing.

(b) The participants and/or their accredited representatives shall be permitted access to all records of the program, after adequate notice, at any reasonable time. The sponsor shall maintain and preserve during the term of the program and for four (4) years thereafter all accounts, books, and other relevant program documents. Notwithstanding the foregoing, the sponsor may keep logs, well reports and other drilling data confidential for a reasonable period of time.

(c) The sponsor shall agree to file with the administrator, if he so requests it, concurrently to their transmittal to participants, a copy of each report made pursuant to (3)(a) of this rule.

(4) Transferability of Program Interests. Restrictions on assignment of units will be looked upon with disfavor. Restrictions on the substitution of a limited partner are generally disfavored and will be allowed only to the extent necessary to preserve the tax status of the partnership and any restriction must be supported by opinion of counsel as to its legal necessity.

NEW SECTION

WAC 460-34A-065 ASSESSABILITY AND DEFAULTS. (1) In appropriate cases there may be a provision for assessability; provided, however, that the maximum amount for voluntary assessments shall not exceed 100% of initial subscriptions and for mandatory assessments shall not exceed 25% of initial subscriptions, and provided further, that in no case shall the total of all assessments exceed 100% of initial subscriptions. All assessments shall be made solely for the purpose of conducting subsequent operation on prospects upon which evaluation had begun during a program's initial operation, or on leases sufficiently related to such prospects as to merit, in the sponsor's judgment, additional operations to fully develop those prospects. In such cases, the aggregate offering price of the units as set forth in the application shall include and show separately the basic unit offering price and the maximum amount of the assessment.

(2) In the event of a default in all or a portion of the payment of assessments, the participant's percentage interest in the program represented by his unit should not be subject to forfeiture, but may be subject to a reasonable reduction for the failure of the participant to meet his commitment. Provisions which conform to the following will be considered reasonable.

(a) For voluntary assessments,

(i) A proportionate reduction of the participant's percentage interest in revenues derived from future development based on the ratio of his unpaid assessment to all capital contributions and assessments used for such future development, or

(ii) A subordination of the defaulting participant's right to receive revenues from future development until

those nondefaulting participants who have paid the defaulting participant's assessment have received an amount of revenues from revenues of the program from future development equal to 300% of the proportionate amount of the defaulted assessment which they paid.

(b) For mandatory assessments,

(i) A proportionate reduction of the participant's percentage interest in program revenues based on the ratio of his unpaid assessment to all capital contributions and assessments, or

(ii) A subordination of the defaulting participant's right to receive revenues from the program until those nondefaulting participants who have paid the defaulting participant's assessment have received an amount of revenues from all revenues of the program equal to 300% of the proportionate amount of the defaulted assessment which they paid, or

(iii) Personal liability of a participant as to the amount defaulted upon. The sponsor may enforce such personal liability through the lien on the participant's program interest, which permits the sponsor to withhold and apply all revenues attributable to the participant to the payment of any delinquent assessment. For purposes of this subsection, voluntary assessments which a participant has committed to pay will be considered mandatory assessments.

(c) In order to make any assessment, the sponsor shall include with the call for such assessment a statement of the purpose and intended use of the proceeds from such assessment, a statement of the reduction to be imposed for failure of the participant to meet the assessment, and to the extent practicable, a summary of pertinent geological data on the relevant properties to which the assessments relate.

(d) The above alternatives, set forth in (a) and (b), are not exclusive and other provisions demonstrated to be essentially equivalent to these alternatives may be permitted by the administrator.

NEW SECTION

WAC 460-34A-070 VOTING RIGHTS OF LIMITED PARTNERS. To the extent the law of the state of organization is not inconsistent, the limited partnership agreement must provide that holders of a majority of the then outstanding units may, without the necessity for concurrence by the general partner, vote to (1) amend the limited partnership agreement or charter document, (2) dissolve the program, (3) remove the general partner and elect a new general partner, (4) elect a new general partner if the general partner elects to withdraw from the program, (5) approve or disapprove the sale of all or substantially all of the assets of the program, and (6) cancel any contract for services with the sponsor or any affiliate without penalty upon sixty days notice.

NEW SECTION

WAC 460-34A-075 MINIMUM PROGRAM CAPITAL. The minimum amount of funds to activate a partnership shall be sufficient to accomplish the objectives of the program, including "spreading the risk". Any

minimum less than \$1,000,000 will be presumed to be inadequate to spread the risk of the public investors. In those instances where it appears unlikely that the stated objectives of the program can be achieved with the minimum subscriptions, the administrator may require a greater amount or a reduction of the stated objectives of the program. Provision must be made for the return to public investors of one hundred percent (100%) of paid subscriptions in the event that the established minimum to activate the program is not reached. All funds received prior to activation of the program must be deposited with an independent custodian, trustee, or escrow agent whose name and address shall be disclosed in the prospectus.

NEW SECTION

WAC 460-34A-080 TEMPORARY INVESTMENT OF PROCEEDS. Until proceeds from the public offering are invested in the program's operations, such proceeds may be temporarily invested in short-term highly liquid investments, where there is appropriate safety of principal, such as U.S. Treasury Bills.

NEW SECTION

WAC 460-34A-085 RETURN OF UNUSED PROCEEDS. (1) Any proceeds of the public offering of a drilling program not used, or committed for use, in the program's operations within one year of the closing of the offering, except for necessary operating capital, must be distributed pro rata to the participants as a return of capital, and without any deductions for selling and offering expenses.

(2) If a production purchase program sponsor has not used, or committed for use, an amount equal to 80% of the proceeds of the public offering which are available for property acquisitions within one year of the closing of the offering, such sponsor shall not be permitted to continue offering interests in subsequent programs of a similar nature, until such time as the requirement has been met. If the production purchase program sponsor has not used, or committed for use, an amount equal to 100% of the proceeds of the public offering which are available for property acquisitions within two years of the closing of the offering, any excess proceeds, except for necessary operating capital, must be distributed pro rata to the participants as a return on capital, and without any charges for selling or offering expenses being allocable to the return of capital.

NEW SECTION

WAC 460-34A-090 DEFERRED PAYMENTS. (1) Arrangements for deferred payments on account of the purchase price of program interests may be allowed when warranted by the investment objectives of the partnership, but in any event such arrangements shall be subject to the following conditions:

(a) The period of deferred payments shall coincide with the anticipated cash needs of the program, but the full amount of the purchase price shall be paid within nine (9) months of the date on which the program commences operations.

(b) Selling commissions paid upon deferred payments are collectible when such payment is made.

(c) The program shall not sell or assign the deferred payments.

(2) In the event of a default in the payment of any deferred payment when due, the participant's percentage interests in the program shall not be subject to forfeiture but may be subject to a reasonable reduction for failure of the participant to meet his commitment. Reduction provisions will be considered reasonable if they conform to the reduction provisions provided for in WAC 460-34A-065(2)(b) relating to defaults of mandatory assessments.

NEW SECTION

WAC 460-34A-095 CASH REDEMPTION VALUES. When cash redemption values of units are computed, such value must be clearly based on appraisal of properties by qualified independent petroleum consultants. Any evaluation by company personnel must be based on such independent appraisals. Any redemption must be for cash. No redemption shall be considered effective until after cash payments have been paid to the participants.

NEW SECTION

WAC 460-34A-100 FUTURE EXCHANGE. (1) No sponsor or any affiliate shall make or cause to be made any offer to a participant to exchange his units for a security of any company, unless:

(a) such offer is made after the expiration of two years after such program commenced operations;

(b) such offer is made to all participants;

(c) such offer, if made by a third party to the sponsor or principal underwriter, or any affiliate of such sponsor or principal underwriter, is on a basis not more advantageous to such sponsor, principal underwriter or affiliate than to participants;

(d) the value of the security or other consideration offered is at least equivalent to the value of the units;

(e) the value of any reserves used in computing the exchange ratio is supported by an appraisal prepared by an independent petroleum consultant within 120 days of the date such exchange is to be made; the value of any undeveloped acreage used in computing the exchange ratio is at cost unless fair market value, as evidenced by supporting data, is higher; and the value of other assets used in computing the exchange ratio is based upon audited financial statements prepared in accordance with generally accepted accounting principles consistently applied, and

(f) the offer is made pursuant to all registration requirements under both federal and state laws.

(2) For the purposes of this section, an "offer of exchange" includes any security of a program which is convertible into a security issued by the sponsor or another issuer.

NEW SECTION

WAC 460-34A-105 REINVESTMENT OF REVENUES. No offering will be approved by the Administrator that includes a provision which requires that the participant reinvest his share of distributable cash distributions. Subject to compliance with applicable securities laws, a program may make available to its participants a voluntary plan for systematic reinvestments in such program or in any other program. No sales commissions may be charged the participants, however, for effecting such reinvestment.

NEW SECTION

WAC 460-34A-110 DISTRIBUTION OF REVENUES. From time to time and not less often than quarterly, the sponsor will review the program's accounts to determine whether cash distributions are appropriate. The program will distribute pro rata to the participants' funds received by the program and allocated to their accounts which the sponsor deems unnecessary to retain in the program. Cash distributions from the program to the sponsor shall only be made out of funds properly allocated to the sponsor's account.

NEW SECTION

WAC 460-34A-112 SELLING OF UNITS. (1) Compensation to broker-dealers shall be a cash commission. Indeterminate compensation to broker-dealers, such as overriding interest and net profit interests, for example, is prohibited. In the absence of a firm underwriting, warrants or options to broker-dealers are prohibited.

(2) Compensation to wholesale dealers must be a cash commission, must be reasonable and must be fully disclosed.

(3) Sales commissions based on assessment of units are prohibited.

NEW SECTION

WAC 460-34A-115 SALES MATERIALS AND MARKETING RESTRICTIONS. (1) Sales Literature. Sales literature, including without limitation, books, pamphlets, movies, slides, article reprints, and television and radio commercials, sales presentations (including prepared presentations to prospective participants at group meetings) and all other advertising used in the offer or sale of units shall conform in all applicable respects to filing, disclosure and adequacy requirements currently imposed on the sale of corporate securities under chapter 460-28A WAC. When periodic or other reports, except those required by and filed with the Securities and Exchange Commission, furnished to participants in prior programs are furnished to prospective participants in a program not yet sold, such reports will be treated as sales literature subject to the above requirements. Sales literature shall not be so excessive in size or amount as to detract from the prospectus, nor shall any sales literature be used by securities broker-dealers or agents unless such literature has been approved by the sponsor in writing.

(2) Group Meetings. All advertisements of, and oral or written invitations to "seminars" or other group meetings at which units are to be described, offered or sold shall clearly indicate that the purpose of such meeting is to offer such units for sale, the minimum purchase price thereof, the suitability standards to be employed, and the name of the person selling the units. No cash, merchandise or other items of value shall be offered as an inducement to any prospective participants to attend any such meeting.

(3) Supplementary material (including prepared presentations for group meetings) must be submitted to the Administrator in advance of use, and its use must either be preceded by or accompanied with an effective prospectus.

(4) The provisions of this section shall not apply to meetings consisting only of representatives of securities broker-dealers.

NEW SECTION

WAC 460-34A-120 CONTENTS OF THE PROSPECTUS. (1) The following information shall be included in the prospectus of each program.

(a) Initial Information:

(i) Information on Cover Page. There should be set forth briefly on the cover page of the prospectus a summary which should include the following: The title and general nature of the units being offered; the maximum aggregate amount of the offering; the minimum amount of net proceeds; the minimum subscription price; the period of the offering; the maximum amount of any sales or underwriting commissions to be paid (or, if none, or if such commissions are paid by the sponsor); the nature of any sharing arrangement and fees; the estimated amount to be paid during the first twelve (12) months following commencement of operations for administrative and similar services.

(ii) Sales to Appropriate Persons. There should be set forth in the second page of the prospectus, the suitability requirements for participants as set forth in WAC 460-34A-025.

(b) Definitions. Technical terms used in the prospectus should be defined either in a glossary or as they appear in the prospectus.

(c) Risk Factors. Offerees should be advised in a carefully organized series of short, concise paragraphs, under subcaptions where appropriate, of the risks to be considered before making an investment in the program. These paragraphs should include a cross-reference to further information in the Prospectus. In particular, in those cases where the sponsor has elected the compensation arrangement described in WAC 460-34A-040(2), there should be set forth the fact that there is a conflict where the sponsor must decide whether to complete a well which is anticipated to have a marginal return since the tangible costs he would incur would not appear to warrant his investment, although completion of the well would be in the best interests of the participants.

(d) Business Experience. The business experience of the sponsor(s), including general partner(s), principal officers of a corporate general partner (chairman of the

board, president, vice president, treasurer, secretary or any person having similar authority or performing like function) and others responsible for the program, shall be prominently disclosed in the prospectus, such disclosure indicating their business experience for the past ten years. The lack of experience or limited experience of the sponsor, or other person supplying services to the program, shall be prominently disclosed in the prospectus.

(e) Compensation:

(i) All indirect and direct compensation which may be paid by the program to the sponsor or any affiliate of every type and from every source shall be summarized in tabular form and in narrative where appropriate to fully disclose material information, in one location, in the forepart of the prospectus. Also include estimates of all actual and necessary direct expenses paid or incurred or to be paid or incurred by the sponsor for a period of three years in connection with its operations of a program for which the sponsor is to be reimbursed out of capital contributions and program revenues. Such table shall also include administrative and similar charges for services.

(ii) In a program where the sponsor elects to receive a promotional interest in the form of a subordinated percentage of the working interest, whether determined in accordance with the formula stated in WAC 460-34A-040(3)(a)(i) or (ii), the following factor shall be disclosed: The sponsor shall be entitled to receive program revenues attributable to this subordinated percentage of the working interest after the participants have had program revenues credited or allocated to their respective accounts in an amount sufficient to trigger the subordinated percentage of the working interest in favor of the sponsor. This method of crediting program revenues is an allocation method and does not necessarily result in the distribution of cash to participants. Distribution of cash will be delayed to the extent such allocated revenues are applied in satisfaction of program or prospects costs and expenses attributable to the participants.

(iii) In a program where the sponsor elects to receive a promotional interest in the form of a subordinated percentage of the working interest based upon the formula stated in WAC 460-34A-040(3)(a)(i), the following factor shall be disclosed: It is possible that the sponsor may receive cash distributions prior to participants receiving the same since revenues of participants which might otherwise be available for distribution to participants incurred before the sponsor commenced sharing in program revenues or because such revenues could be used to pay the participants costs and expenses arising out of developments, production, and operations of other program prospects which have not attained the status set forth in the formula stated in WAC 460-34A-040(3)(a)(i).

(f) Use of Proceeds. State the purposes for which the net proceeds to the program are intended to be used and the approximate amount and percentages intended to be used for each such purpose. Also state the minimum aggregate amount necessary to initiate the program and the disposition of the funds raised if they are not sufficient for the purpose.

(g) **Deferred Payment Schedule.** If deferred payments are called for or allowed, the schedule of payment shall be set forth.

(h) **Assessments.** If provisions for assessments are provided, the method of assessment and the penalty for default shall be prominently set forth.

(i) **Investment Objectives and Policies.** Describe the investment objectives and policies of the program (indicating whether they may be changed by the general partner without a vote of the limited partners) and, if and to the extent that the sponsor is able to do so, the approximate percentage of assets which the program may invest in any one type of investment. State the approximate percentage of exploratory and developmental drilling to be done by the program, the method of acquisition of leases, including information as to possible farm-outs, and the approximate percentage of development drilling to be done through acquisition of offsetting leases as opposed to development of drilling sites acquired in the exploratory state. State also the expected percentage of leases where the program will not have control of drilling and operation.

(j) **Farm-outs.** The prospectus shall disclose in tabular form an estimate of such expenses to be charged to the program showing direct expenses and general and administrative overhead separately, and the sponsor must demonstrate that it has a reasonable basis for such estimates. The estimate of general and administrative overhead shall be broken down into the various types of services and costs, with a separate breakdown for salaries to officers, directors and other principals of the sponsor and any affiliate of the sponsor; a summary of the manner in which such expenses are allocated shall be included. In addition, the prospectus shall disclose in tabular form for each program formed in the last three years the dollar amount of the expenses so charged and allocated, and the percentage of subscriptions raised reflected thereby.

(k) **Description of Oil and Gas Interests.** State the location and describe the general character of all materially important oil and gas interests now held or presently intended to be acquired by the program.

(l) "Performance," when required or permitted by the administrator, shall contain the following information:

(i) The previous program experience of the sponsor and other relevant parties shall be disclosed in the prospectus for all programs during the past five years which:

(A) Involved a public offering registered under state or federal securities laws;

(B) Involved a private or limited offering, the results of which are material to an informed investment decision by the offeree.

(ii) Information on previous programs shall include, but not be limited to, the following:

(A) Name of the program, including the type of legal entity and state of incorporation or organization;

(B) The effective date of the offering, the date it commenced operations and the date of dissolution or termination, or if it is continuing;

(C) The total amount of units, the gross amount of capital raised by the program, the number of participants, and the amount of investment of the sponsor, if applicable;

(D) The drilling results of the program, including the number of gross and net wells drilled, both oil and gas, both exploratory and developmental, and both successful and unsuccessful;

(E) Total dollar amounts of federal tax deductible items passed on to participants;

(F) Income credited and cash distributed to participants and the sponsor;

(G) Compensation and fees to the sponsor and its affiliates, segregated as to type;

(H) Disclosure of any development wells drilled which did not or have not returned the investment therein within four years;

(I) Such additional or different disclosures of the success or failure of the programs as may be permitted or required by the Administrator.

(iii) All of the foregoing information shall be set forth on a cumulative basis for each program, and in tabular form wherever possible.

(iv) The following caveat should be prominently featured in the presentation of the foregoing information: "It should not be assumed that participants in the offering covered by this prospectus will experience returns, if any, comparable to those experienced by investors in prior programs.

(v) The foregoing information shall be supported in the application by an affidavit of the sponsor that the performance summary is a fair representation of the information containing the audited financial statement or the federal income tax returns of the program or in other reports or data of the program or sponsor.

(m) **Operating Data.** Include appropriate data with respect to each property which is separately described in answer to paragraph (j) above.

(n) **The Program:**

(i) Date of formation.

(ii) Place of formation.

(iii) Sponsor.

(iv) Address and telephone number of the program and the sponsor.

(v) Duration.

(vi) Information called for in items (i) through (v) hereof shall be given for any other programs in which the program invests.

(o) **Summary of Terms of the Program:**

(i) Powers of the sponsor.

(ii) Rights and liabilities of the participants.

(iii) Allocation of costs and revenues.

(iv) Termination and dissolution.

(v) Meetings and reports.

(vi) Indemnification to sponsor.

(vii) Amendment of partnership agreement.

(viii) Provision for additional assessments.

(ix) Other pertinent matters.

(p) **Federal Tax Consequences:**

(i) A summary of an opinion of tax counsel acceptable to the administrator or a ruling from the IRS covering federal tax questions relative to the program, which may

be based on reasonable assumptions described in the opinion letter. To the extent the opinion of counsel or IRS ruling is based on the maintenance of or compliance with certain requirements or conditions by the sponsor(s), the prospectus shall to the extent practicable contain representations that such requirements or conditions have been met and that the sponsors shall use their best efforts to continue to meet such requirements or conditions.

- (ii) Tax treatment of the program.
- (iii) Tax treatment of the participants.
- (iv) Allocation of intangible drilling deductions, depreciation, depletion allowances.
- (v) Method of allocation of losses or profits and cash distributions upon transfer of a unit or the rights to income or revenues.
- (vi) Any other pertinent information applicable to the tax shelter aspects of the investment.
- (vii) Possibility of requirement for filing tax returns with states in which prospects are located.
- (viii) In all programs where applicable, the prospectus shall disclose that participants will have to pay federal income taxes upon program revenues allocated to their respective accounts which revenues are not distributed to the participants, but rather are used to pay other program or prospect costs attributable to their respective accounts.
- (q) Units:
 - (i) Amount.
 - (ii) Minimum purchase.
 - (iii) Assessability.
 - (iv) Transferability.
 - (v) Voting rights.
 - (vi) Redemption provisions, including the basis for appraisal.
- (r) Plan of Distribution:
 - (i) Discounts and commissions.
 - (ii) Estimated fees and expenses paid or reimbursed by the program.
 - (iii) Indemnification and hold harmless provisions.
 - (iv) Terms of payment.
 - (v) Identity of underwriter, managing dealer and/or principal selling agent.
 - (vi) Type of underwriting—best efforts or firm commitment.
 - (vii) Minimum and maximum sales.
 - (viii) Escrow provisions.
 - (ix) Material relationship of underwriter to the program, if any.
- (s) Pending Legal Proceedings. Briefly describe any legal proceedings to which the program or the sponsor is a party which is material to the program and any material legal proceedings between sponsor and participants in any prior program of the sponsor. Also, describe any material legal proceedings to which any of the program's or sponsor's property is subject.
- (t) Conflicts of Interest and Transactions with Affiliates. Describe fully any transactions and the dollar amount thereof which may be entered into between the program and the sponsor or any affiliate. Include a full description of the material terms of any agreement and the dollar amount thereof between the program and the

sponsor or any affiliate. Where the sponsor originates or promotes other programs, describe the equitable principles which will apply in resolving any conflict between the programs. In the case where the program has been in existence, include all transactions and contracts of the program with the sponsor or any affiliate during the period of such existence. All conflicts shall be set forth in one section and shall be denominated with the title of this subsection.

(u) Interest of Affiliates in Program Property. If within the past five years the sponsor or any affiliate has been in the chain of title or had a beneficial interest in any property to be acquired by the program this fact must be disclosed.

(v) Interest of Counsel and Experts in the Sponsor or Program. Where counsel for the selling representatives or the sponsor are named in the prospectus as having passed upon the legality of the units being registered or upon other legal matters in connection with the registration or offering of such units, there should be disclosed in the conflict of interests section in the prospectus the nature and amount of any direct or indirect material interest of any such counsel, other than legal fees to be received by such counsel, in the sponsor or any affiliate. Any such interest received or to be received in connection with the registration or offering of the units being registered, including the ownership or receipt by counsel, or by members of the firm participating in the matter, of securities of the sponsor or any affiliate of the program, for services shall be disclosed. Employment by the sponsor, other than retainer as legal counsel, should be disclosed in the prospectus.

(w) Investment Company Act of 1940. Where beneficial interests of a program are to be sold, treatment under the Investment Company Act of 1940 must be disclosed.

(x) Financial Statements. As provided in WAC 460-34A-125.

(y) Additional Information. Any additional information which is material should be included.

NEW SECTION

WAC 460-34A-125 FINANCIAL INFORMATION REQUIRED ON APPLICATIONS. The sponsor or the program shall provide as an exhibit to the application or where indicated below shall provide as part of the prospectus, the following financial information and financial statements:

(1) Balance Sheet of General Partner. (a) Corporate General Partner. A balance sheet of any corporate general partners as of the end of their most recent fiscal year, prepared in accordance with generally accepted accounting principles and accompanied by an auditor's report containing an unqualified opinion of an independent certified public accountant or independent public accountant, and an unaudited balance sheet as of a date not more than ninety days prior to the date of filing. Such statements shall be included in the prospectus.

(b) Other General Partners. A balance sheet for each non-corporate general partner (including individual partners or individual joint ventures of a sponsor) as of a time not more than ninety days prior to the date of filing

an application; such balance sheet, which may be unaudited, should conform to generally accepted accounting principles and shall be signed and sworn to by such general partners. A representation of the amount of such net worth must be included in the prospectus.

(2) **Statement of Income for Corporate General Partners.** A statement of income for the last fiscal year of any corporate general partner (or for the life of the corporate general partner, if less) prepared in accordance with generally accepted accounting principles and accompanied by an auditor's report containing an unqualified opinion of an independent certified public accountant or independent public accountant, and an unaudited statement for any interim period ending not more than ninety days prior to the date of filing an application.

(3) **Balance Sheet of Program.** As part of the prospectus, a balance sheet of the program as of the end of its most recent fiscal year prepared in accordance with generally accepted accounting principles and accompanied by an auditor's report containing an unqualified opinion of an independent certified public accountant or independent public accountant, and an unaudited balance sheet as of a date not more than ninety days prior to the date of filing.

(4) **Statements of Income, Partner's Equity, and Changes in Financial Position of Program.** As part of the prospectus, if the program has been formed and owns assets, statements of income, statements of partner's equity, and statements of changes in financial position for the program for each of the last three fiscal years of the program (or for the life of the program, if less), all of which statements shall be prepared in accordance with generally accepted accounting principles and accompanied by an auditor's report containing an unqualified opinion of an independent certified public accountant or independent public accountant, and unaudited statements for any interim period ending not more than ninety days prior to the date of filing an application.

(5) **Cash flow Statement of Program.** As part of the prospectus, if the program has been formed and owns assets, a cash flow statement, which may be unaudited, for the program for each of the last three fiscal years of the program (or for the life of the program, if less) and unaudited statements for any interim period between the end of the latest fiscal year and the date of the balance sheet furnished, and for the corresponding interim period of the preceding years.

(6) **Filing of Other Statements.** Upon request by an applicant, the administrator may, where consistent with the protection of investors, permit the omission of one or more of the statements required under this section and the filing, in substitution thereof, of appropriate statements verifying financial information having comparable relevance to an investor in determining whether he should invest in the program.

NEW SECTION

WAC 460-34A-130 OPINIONS OF COUNSEL.

(1) The application for qualification shall contain a favorable ruling from the IRS or an opinion of counsel to

the effect that the program will be treated as a "partnership" and not as an "association taxable as a corporation" for federal income tax purposes. An opinion of counsel shall be in form satisfactory to the administrator and shall be unqualified except to the extent permitted by the administrator. However, an opinion of counsel may be based on reasonable assumptions, such as (a) facts or proposed operations as set forth in the prospectus and organization document; (b) the absence of future changes in applicable laws; (c) compliance with certain procedures such as the execution and delivery of certain documents and the filing of a certificate of limited partnership or an amended certificate, and (d) the continued maintenance of or compliance with certain financial, ownership or other requirements by the sponsor or general partner. The administrator may request from counsel as supplemental information such supporting legal memoranda and an analysis as he shall deem appropriate under the circumstances. To the extent the opinion of counsel or IRS ruling is based on the maintenance of or compliance with certain requirements or conditions by the sponsor or general partner, the prospectus shall contain representations that such requirements or conditions will be met and the partnership agreement shall, to the extent practicable, contain provisions requiring such compliance.

There shall be included also an opinion of counsel to the effect that the units being offered will be duly authorized or created and validly issued interests in the program, and that the liability of the participants will be limited to their respective capital contributions, except as set forth in the prospectus.

NEW SECTION

WAC 460-34A-135 **LIABILITY AND INDEMNIFICATION.** The sponsors shall not attempt to pass on to participants the unlimited liability imposed upon them by law except that the program agreement may provide for indemnification of the sponsor(s) under the following circumstances and in the manner and to the extent indicated:

(1) In any threatened, pending or completed action, suit or proceeding to which the sponsor was or is a party or is threatened to be made a party by reason of the fact that he is or was the sponsor of the program (other than an action by or in the right of the program) involving an alleged cause of action for damages arising from the performance of oil and gas activities including exploration, development, completion, or operation or other activities relative to management and disposition of oil and gas properties or production from such properties, the program may indemnify such sponsor against expenses, including attorneys' fees, judgments and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding if the sponsor acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the program, and provided that his conduct does not constitute gross negligence, wilful or wanton misconduct, or a breach of his fiduciary obligations to the participants. The termination of any action, suit or proceeding

by judgment, order or settlement shall not, of itself, create a presumption that the sponsor did not act in good faith and in a manner which he reasonably believed to be in or not opposed to the best interests of the program.

(2) In any threatened, pending or completed action or suit by or in the right of the program, to which the sponsor was or is a party or is threatened to be made a party, involving an alleged cause of action by a participant or participants for damages arising from the activities of the sponsor in the performance of management of the internal affairs of the program as prescribed by the program agreement or by the law of the state of organization, or both, the program may indemnify such sponsor against expenses, including attorneys' fees, actually and reasonably incurred by him in connection with the defense or settlement of such action or suit if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the program as specified in this subsection (2), except that no indemnification shall be made in respect of any claim, issue or matter as to which the sponsor shall have been adjudged to be liable for negligence, misconduct, or breach of fiduciary obligation in the performance of his duty to the program as specified in this subsection (2), unless and only to the extent that the court in which such action or suit was brought shall determine upon application, that, despite the adjudication of liability but in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnity for such expenses which such court shall deem proper.

(3) To the extent that a sponsor has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in subsection (1) or (2) above, or in defense of any claim, issue or matter therein, the program may indemnify him against the expenses, including attorneys' fees, actually and reasonably incurred by him in connection therewith.

(4) Any indemnification under subsection (1) or (2) above, unless ordered by a court, shall be made by the program only as authorized in the specific case and only upon a determination by independent legal counsel in a written opinion that indemnification of the sponsor is proper in the circumstances because he has met the applicable standard of conduct set forth in subsection (1) or (2) above.

NEW SECTION

WAC 460-34A-200 REGULATION B FILINGS. An issuer filing with the Securities and Exchange Commission under Regulation B must register its offering in the state of Washington pursuant to registration by qualification, RCW 21.20.210, and this chapter.

WSR 83-19-046
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2024—Filed September 16, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home accounting and reimbursement system, amending chapter 388-96 WAC.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to implement chapter 67, Laws of 1983 1st ex. sess.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 14, 1983.

By David A. Hogan, Director
Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-010 TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" - Activities providing information, usually quantitative and often expressed in monetary units, for decision making, planning, evaluating performance, controlling resources and operations, and external financial reporting to investors, creditors, regulatory authorities, and the public.

((+)) (2) "Accrual method of accounting" - A method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" - Activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

((2)) (4) "Allowable costs" - See WAC 388-96-501.

((3)) (5) "Appraisal" - The process of establishing the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by an individual professionally designated either by the

American institute of real estate appraisers as a member, appraisal institute (MAI), or by the society of real estate appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). Appraisal includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

~~((4))~~ (6) "Arm's-length transaction" - A transaction resulting from good-faith bargaining between a buyer and seller who are unrelated and have adverse bargaining positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

~~((5))~~ (7) "Assets" - Economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges which are not resources but which are recognized and measured in accordance with generally accepted accounting principles.

~~((6))~~ (8) "Bad debts" - Amounts considered to be uncollectable from accounts and notes receivable.

~~((7))~~ (9) "Beds" - Unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

~~((8))~~ (10) "Beneficial owner" - Any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

~~((iv))~~ (iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

~~((v))~~ (iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection ~~((3))~~(a), (b), or

~~((c))~~ (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised: PROVIDED, That

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection ~~((2))~~ (b) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct or to direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such ~~((power(s)))~~ power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

~~((9))~~ (11) "Capitalization" - The recording of an expenditure as an asset.

~~((10))~~ (12) "Capitalized lease" - A lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

~~((11))~~ (13) "Cash method of accounting" - A method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

~~((12))~~ (14) "Change of ownership" - A change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home enterprise is transferred by the contractor to another party;

(iii) The nursing home enterprise is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event occurs which dissolves the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions,

(ii) If the contractor is a corporation, some or all of its stock is transferred.

~~((13))~~ (15) "Charity allowances" – Reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

~~((14))~~ (16) "Contract" – A contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

~~((15))~~ (17) "Contractor" – An entity which contracts with the department to deliver care services to medical care recipients in a facility and which entity is responsible for operational decisions.

~~((16))~~ (18) "Courtesy allowances" – Reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

~~((17))~~ (19) "CSO" – The local community services office of the department.

~~((18))~~ (20) "Department" – The department of social and health services (DSHS) and employees.

~~((19))~~ (21) "Depreciation" – The systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

~~((20))~~ (22) "Donated asset" – An asset which the contractor acquired without making any payment for the asset in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

~~((21))~~ (23) "Entity" – An individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

~~((22))~~ (24) "Equity capital" – Total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

~~((23))~~ (25) "Exceptional care recipient" – A medical care recipient determined by the department to require exceptionally heavy care.

~~((24))~~ (26) "Facility" – A nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

~~((25))~~ (27) "Fair market value" – The price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

(28) "Financial statements" – Statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to,

balance sheet, statement of operations, statement of changes in financial position, and related notes.

~~((26))~~ (29) "Fiscal year" – The operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

~~((27))~~ (30) "Generally accepted accounting principles" – Accounting principles approved by the financial accounting standards board (FASB).

(31) "Generally accepted auditing standards" – Auditing standards approved by the American institute of certified public accountants (AICPA).

~~((28))~~ (32) "Goodwill" – The excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. Also, the excess of the price paid for an asset over the fair market value of the asset.

~~((29))~~ (33) "Historical cost" – The actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((30))~~ (34) "ICF" – When referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

~~((31))~~ (35) "Imprest fund" – A fund which is regularly replenished in exactly the amount expended from it.

~~((32))~~ (36) "Interest" – The cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

~~((33))~~ (37) "Intermediate care facility" – A licensed facility certified to deliver intermediate care services to medical care recipients.

~~((34))~~ (38) "Joint facility costs" – Any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

~~((35))~~ (39) "Levels of care" – The classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

~~((36))~~ (40) "Medical care program" – Medical assistance provided under RCW 74.09.500 or authorized state medical care services.

~~((37))~~ (41) "Medical care recipient" – An individual determined eligible by the department for the services provided in chapter 74.09 RCW.

~~((38))~~ (42) "Multiservice facility" – A facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

~~((39))~~ (43) "Nonallowable costs" – Same as "unallowable costs."

~~((40))~~ (44) "Nonrestricted funds" – Funds which are not restricted to a specific use by the donor, e.g., general operating funds.

~~((41))~~ (45) "Nursing home" – A home, place, or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing and/or intermediate care services are delivered.

~~((42))~~ (46) "Operating lease" - A lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

~~((43))~~ (47) "Owner" - A sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

~~((44))~~ (48) "Ownership interest" - All interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

~~((45))~~ (49) "Patient day" - A calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

~~((46))~~ (50) "Per diem (per patient day) costs" - Total allowable costs for a fiscal period divided by total patient days for the same period.

~~((47))~~ (51) "Prospective daily payment rate" - The rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

~~((48))~~ (52) "Recipient" - A medical care recipient.

(53) "Records" - Those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, invoices, schedules, summaries, and transaction documentation, however such data are maintained.

~~((49))~~ (54) "Regression analysis" - A statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

(55) "Related care" - Includes the director of nursing services, activities and social services programs, medical and medical records specialists, and consultation provided by medical directors, pharmacists, occupational, physical, speech, and other therapists, and mental health professionals as defined in law and regulation.

~~((50))~~ (56) "Related organization" - An entity which, to a significant extent, is under common ownership and/or control with, or has control of or is controlled by, the contractor. An entity is deemed to "control" another entity if the entity has a five percent or greater ownership interest in the other, or if the entity has capacity, derived from any financial or other relationship, and whether or not exercised, to influence directly or indirectly the activities of the other.

~~((51))~~ (57) "Relative" - Spouse, natural parent, child, or sibling; adopted child or adoptive parent; ~~((step-parent))~~ stepparent, ~~((step-child))~~ stepchild, ~~((step-brother))~~ stepbrother, ~~((step-sister))~~ stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

~~((52))~~ (58) "Restricted fund" - A fund for which the use of the principal and/or income ~~((of which))~~ is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the

contractor has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

~~((53))~~ (59) "Secretary" - The secretary of the department of social and health services (DSHS).

~~((54))~~ (60) "Skilled nursing facility" - A licensed facility certified to deliver skilled nursing care services to medical care recipients.

~~((55))~~ (61) "SNF" - When referring to a facility, a skilled nursing facility. When referring to a level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

~~((56))~~ (62) "Start-up costs" - The one-time pre-opening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

~~((57))~~ (63) "Title XIX" - The 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((58))~~ (64) "Unallowable costs" - Costs which do not meet every test of an allowable cost.

~~((59))~~ (65) "Uniform chart of accounts" - A list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((60))~~ (66) "Vendor number" - A number assigned to each contractor delivering care services to medical care recipients.

~~((61))~~ (67) "Working capital" - Total current assets which are necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities which are necessary, ordinary, and related to patient care from the most recent cost report.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-020 PROSPECTIVE COST-RELATED REIMBURSEMENT. The prospective cost-related reimbursement system is the system used by the department to pay for skilled nursing facility services and intermediate care facility services provided to medical care recipients. Reimbursement rates for such services ~~((covering periods beginning on and after January 1, 1978;))~~ will be determined in accordance with the principles, methods and standards contained in this chapter and chapter 74.46 RCW.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-023 CONDITIONS OF PARTICIPATION. In order to participate in the prospective cost-related reimbursement system, the person or legal organization responsible for operation of a nursing home or multiservice facility shall:

(1) Obtain a state certificate of need ~~((and/or federal capital expenditure review (Section 1122))~~ approval

pursuant to chapter 70.38 RCW (~~and Part 100, Title 42 C.F.R.~~) where required (~~A certificate of need is required before commencement of a nursing home "construction" project (including acquisition) costing in excess of one hundred thousand dollars. Section 1122 approval is required for nursing home capital expenditures which (a) cost in excess of one hundred thousand dollars, (b) add or delete licensed beds, or (c) add or delete clinically related services~~);

(2) Hold the appropriate current license (e.g., nursing home license, hospital license);

(3) Hold current Title XIX certification to provide SNF and/or ICF services;

(4) Hold a current contract to provide SNF(~~;~~) and/or ICF (~~and/or IMR~~) services; and

(5) Comply with all provisions of the contract, chapter 74.46 RCW, and all applicable regulations, including but not limited to the provisions of this chapter and of chapter 388-88 WAC.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-026 PROJECTED BUDGET FOR NEW CONTRACTORS. (1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective. For purposes of this section, a "new contractor" is one which:

(a) Operates a new facility;

(b) Acquires or assumes responsibility for operating an existing facility;

(c) Enters the cost-related reimbursement system after providing service at the nursing home in the past, but either not under the program or receiving flat or class-rate reimbursement; or

(d) Obtains a certificate of need (~~or section 1122~~) approval due to an addition to or renovation of a facility.

(2) The projected budget shall cover the twelve months immediately following the date the contractor will enter the program. It shall be prepared on forms and in accordance with instructions provided by the department and shall include all earnest money, purchase and lease agreements involved in the transaction.

(3) A new contractor shall submit, at least sixty days before the effective date of the contract, a statement disclosing the identity of individuals or organizations who have a beneficial ownership interest in the current operating entity or in the land, building, or equipment of the facility and the identity of individuals or organizations who have a beneficial ownership interest in the purchasing or leasing entity.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-029 CHANGE OF OWNERSHIP.

(1) On the effective date of a change of ownership, as that term is defined in WAC 388-96-010, the department's contract with the old owner shall be terminated. The old owner shall give the department thirty days' written notice of such termination in accordance with the terms of the contract. When certificate of need

(~~and/or section 1122~~) approval is required for the new owner to acquire the facility, and the new owner wishes to continue to provide service to recipients without interruption, certificate of need (~~and/or section 1122~~) approval shall be obtained before the old owner submits a notice of termination.

(2) If the new owner desires to participate in the cost-related reimbursement system, it shall meet the conditions specified in WAC 388-96-023, and shall submit a projected budget in accordance with WAC 388-96-026 no later than sixty days before the date of the change of ownership. The nursing home contract with the new owner shall be effective as of the date of the change of ownership.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-032 TERMINATION OF CONTRACT. (1) When a contract is terminated for any reason, the old contractor shall submit final reports in accordance with WAC (~~388-96-125~~) 388-96-104. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final annual report, an audit has been completed by the department, and final settlement has been determined, such settlement to be issued within ninety days following completion of the audit process.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor, after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with WAC 388-96-904, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.

(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a reputable bonding company and acceptable to the department is filed by the contractor. The bond shall:

(a) Be in an amount equal to the released payment;

(b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;

(c) Provide that the full amount of the bond shall be paid to the department if a properly completed final annual report is not filed in accordance with this chapter, or if financial records supporting this report are not preserved and made available to the department's auditors; and

(d) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver

SNF or ICF services to a different class of medical care recipients at the same nursing home, the contractor is not required to submit final reports, and payment for the final thirty days will not be withheld.

(5) When a contract is terminated, any accumulated liabilities which are assumed by a new owner shall be reversed against the appropriate accounts by the contractor.

AMENDATORY SECTION (Amending Order 1370, filed 2/21/79)

WAC 388-96-101 REPORTS. ~~((1) In order for a contractor to receive payments under the cost-related reimbursement system for providing care to medical care recipients, an annual report based on the contractor's fiscal year, and four quarterly reports based on the calendar year, shall be submitted to the department.~~

~~((2)) Each contractor shall submit ((an annual report covering the period from the beginning of its fiscal year in 1977 through December 31, 1977. For contractors with fiscal year ends other than December 31, this report will replace an annual report, in accordance with a revised schedule and instructions issued by the department.~~

~~((3) By December 31, 1979, each contractor's fiscal year for federal tax and cost reporting purposes shall coincide with the calendar year)) to the department an annual cost report and financial statements for the period from January 1st through December 31st of the preceding year. Except as otherwise specified in this chapter, the terms "annual cost report," "cost report," and "annual report" shall be understood to include all financial statements, reports, and schedules required by the department.~~

AMENDATORY SECTION (Amending Order 1370, filed 2/21/79)

WAC 388-96-104 DUE DATES FOR REPORTS.

(1) ~~((Quarterly)) Annual cost reports for a calendar year shall be submitted ((within thirty days after the end of each calendar quarter)) by March 31st of the following year.~~

~~((2) ((Annual reports covering the complete fiscal year shall be submitted within ninety days after the end of the fiscal year)) If a contract is terminated for any reason, the old contractor shall submit a final cost report and financial statements, reports, and schedules within one hundred twenty days after the effective date of termination for the period January 1st of the year of termination through the effective date of termination.~~

~~((3) A new contractor shall submit, by March 31st of the following year, a cost report and financial statements, reports, and schedules for the period from the effective date of the contract through December 31st of the year the contract was made effective.~~

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-107 REQUESTS FOR EXTENSIONS. (1) The department may grant ~~((a thirty day)) two extensions of ((time for filing a required report if))~~

~~up to thirty days each upon receipt of a written request ((setting forth the reasons an extension is necessary is received prior to the expiration of the relevant time period)) at least ten days prior to the due date of the report. Requests must be addressed to the director, bureau of nursing home affairs, and must state the circumstances prohibiting compliance with the report due date.~~

~~((2) Extensions will be granted only if the circumstances stated clearly indicate the due date cannot be met and the following conditions are present:~~

~~((a) The circumstances were not foreseeable by the provider, and~~

~~((b) The circumstances were not avoidable by advance planning.~~

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-108 FAILURE TO SUBMIT FINAL REPORTS. (1) If a contract is terminated, the old contractor shall submit a final report as required by WAC 388-96-032(1) and ~~((388-96-125(3))) 388-96-104(2)~~. Such final reports must be received by the department within ~~((ninety)) one hundred twenty~~ days after the contract is terminated or prior to the expiration of any department-approved extension granted pursuant to WAC 388-96-107. If a final report is not submitted, all payments made to the contractor relating to the period for which a report has not been received shall be returned to the department within thirty days after receiving written demand from the department.

(2) Effective thirty days after written demand for payment is received by the contractor, interest will begin to accrue payable to the department on any unpaid balance at the rate of one percent per month.

AMENDATORY SECTION (Amending Order 1791, filed 4/14/82)

WAC 388-96-110 IMPROPERLY COMPLETED OR LATE REPORTS. (1) For 1981 and subsequent annual cost reporting periods, an annual report, including the proposed settlement computed by cost center pursuant to ~~((WAC 388-96-222))~~ regulation, must be completed in accordance with applicable statutes, departmental regulations and instructions. An annual cost report deficient in any of these respects may be returned in whole or in part to the contractor for proper completion. Annual reports must be submitted by the due date determined in accordance with WAC 388-96-104.

~~((2) ((For purposes of establishing rates effective July 1, 1982, if a contractor has not corrected errors in an annual cost report, including the proposed settlement, according to subsection (1) of this section by May 15, 1982, such report shall be excluded from computation of the redistribution pool established pursuant to RCW 74.09.610(2)(b)(i) and the contractor shall be subject to the provisions of subsection (3) of this section.~~

~~((3)) If a cost report or financial statement, report, or schedule is not properly completed or is not received by the department on or before the due date of the report, including any approved extensions, all or a part of any payments due under the contract may be held by the~~

department until the improperly completed or delinquent report or financial statement, report, or schedule is properly completed and received by the department.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-113 COMPLETING REPORTS AND MAINTAINING RECORDS. (1) All reports shall be legible, reproducible, and shall be submitted in original. All entries must be typed or completed in black or dark blue ink.

(2) Reports shall be completed in accordance with instructions provided by the department. If no specific instruction covers a situation, generally accepted accounting principles shall be followed.

(3) The accrual method of accounting shall be used(~~;~~ ~~except that for governmental institutions operated on a cash method of accounting, data based on this method of accounting will be acceptable~~). All revenue and expense accruals shall be reversed against the appropriate accounts if not received or paid within one hundred twenty days after the accrual is made, unless special circumstances are documented justifying continuing to carry all or part of the accrual (e.g., contested billings). Accruals for vacation, holiday, sick pay, and taxes may be carried for longer periods, provided the contractor's usual policy ~~((is))~~ and generally accepted accounting principles are followed.

(4) Methods of allocating costs shall be consistently applied. Written approval must be obtained from the department if a contractor wishes to change an allocation method. Contractors operating multiservice facilities or facilities incurring joint facility costs shall allocate costs using the methods approved by the department under WAC 388-96-534.

(5) The contractor's records relating to a nursing home shall be maintained so reported data can be audited for compliance with generally accepted accounting principles and the department's reimbursement principles and reporting instructions. If a contractor maintains records utilizing a chart of accounts other than that established by the department, the contractor shall provide to the department a written schedule which specifies the way in which the contractor's individual account numbers correspond to the department's chart of accounts. Records shall be available for review by authorized personnel of the department and of the United States Department of Health and Human Services during normal business hours at a location in the state of Washington specified by the contractor.

(6) If a contractor fails to maintain records adequate for audit purposes as provided in subsection (5) of this section or fails to allow inspection of such records by authorized personnel as provided in subsection (5) of this section, the department may suspend all or part of subsequent reimbursement payments due under the contract until compliance is forthcoming. Upon compliance, the department shall resume current contract payments and shall release payments suspended pursuant to subsection (6) of this section.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-128 REQUIREMENTS FOR RETENTION OF RECORDS BY THE CONTRACTOR. All financial and statistical data supporting the required reports shall be retained for a period of ~~((three))~~ four years subsequent to filing at a location in the state of Washington specified by the contractor. If at the end of ~~((three))~~ four years there are unresolved audit questions, the records shall be retained until these questions are resolved. All such data shall be made available upon demand to authorized representatives of the department and of the United States Department of Health ~~((; edu-))~~ and ((welfare)) Human Services. When a contract is terminated, final settlement will not be made and all payments due will be withheld until accessibility to and preservation of the records within the state of Washington are assured.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-131 REQUIREMENT FOR RETENTION OF REPORTS BY THE DEPARTMENT. The department will retain each required report for a period of ~~((three))~~ four years following the date the report was submitted. If at the end of ((three)) four years there are unresolved audit questions, the report will be retained until such questions are resolved.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-134 DISCLOSURE OF NURSING HOME REPORTS. ~~((All required financial and statistical))~~ (1) Cost reports ((submitted by nursing homes to the department)) and final audit reports will be made available for public disclosure. Financial statements, schedules summarizing adjustments to cost reports, reports or reviews of internal control and accounting procedures, and letters containing comments or recommendations relating to suggested improvements in internal control or accounting procedures shall be exempt from public disclosure.

(2) Whether or not subject to public disclosure all documents shall be provided by the secretary, upon written request, to the legislature and to state agencies or state and local law enforcement officials who have an official interest in the requested documents.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-204 FIELD AUDITS. (1) All cost reports for calendar year 1982 shall be field audited by the department.

(2) ((Each annual)) Cost reports ((will)) for years subsequent to 1982 may be field audited by auditors employed by or under contract with the department.

(3) Beginning with cost reports for calendar year 1983, facilities selected for audit shall be notified within one hundred twenty days after submission of a complete

and correct cost report of the department's intent to audit.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-207 PREPARATION FOR AUDIT BY THE CONTRACTOR. (1) The department will ~~((normally))~~ notify the contractor at least ~~((two weeks))~~ ten working days in advance of a field audit.

(2) The contractor shall provide the auditors with access to the nursing home and to all financial statements, reports, and schedules, including those pertaining to the filing of income taxes, and all such other financial and statistical records and work papers ~~((which support))~~ supporting the data in the cost report or relating to patient trust funds. Such records shall be made available at a location in the state of Washington specified by the contractor.

(3) The contractor shall reconcile reported data with applicable federal income and payroll tax returns and with the financial statement as of the end of the period covered by the report. Such reconciliation shall be in suitable form for verification by the auditors.

(4) The contractor shall designate and make available one or more individuals familiar with the internal operations of a facility being audited in order to respond to questions and requests for information and documentation from auditors. If the individual or individuals designated cannot answer all questions and respond to all requests, an alternate individual with sufficient knowledge and access to records and information must be provided by the contractor.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-210 SCOPE OF FIELD AUDITS. (1) Auditors will review the contractor's record-keeping and accounting practices and, where appropriate, make written recommendations for improvements.

(2) The audit will result in a schedule summarizing adjustments to the contractor's cost report whether such adjustments eliminate costs reported or include costs not reported. These adjustments shall include an explanation for the adjustment, the general ledger account or account group, and the dollar amount. Auditors will examine the contractor's financial and statistical records to verify that:

(a) Supporting records are in agreement with reported data;

(b) Only those assets, liabilities, and revenue and expense items the department has specified as allowable ~~((costs))~~ have been included by the contractor in computing the costs of services provided under its contract;

(c) Allowable costs have been accurately determined and are necessary, ordinary, and related to patient care, ~~((and))~~

(d) Related organizations and beneficial ownerships or interests have been correctly disclosed;

(e) Recipient trust funds have been properly maintained((-)); and

(f) The contractor is otherwise in compliance with provisions of this chapter and chapter 74.46 RCW.

(3) Auditors will prepare draft audit narratives and summaries and provide them to the contractor before final narratives and summaries are prepared.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-213 INADEQUATE DOCUMENTATION. The auditors will disallow any assets, liabilities, revenues or expenses reported as allowable ((costs)) which are not supported by adequate documentation in the contractor's financial records. Documentation must show both that ~~((the))~~ costs reported were incurred and ~~((that they))~~ were related to patient care, and that assets reported were used in the provision of patient care.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-216 DEADLINE FOR COMPLETION OF AUDITS. (1) Provided that auditors are given prompt and timely access to the nursing home and to all financial and statistical records necessary to audit the report, field audits will be completed within one year after a properly completed annual cost report is received by the department((; provided field auditors are given timely access to the nursing home and to all financial and statistical records necessary to audit the report)) or, beginning with audits of 1983 cost reports, within one year after a nursing home is notified it has been selected for audit.

(2) The department will give priority to field audits of final annual reports and whenever possible will begin such field audits within ~~((sixty))~~ ninety days after a properly completed final annual report is received.

NEW SECTION

WAC 388-96-220 PRINCIPLES OF SETTLEMENT. (1) For each cost center, a settlement shall be calculated at the lower of prospective reimbursement rate or audited allowable costs, except as otherwise provided in this chapter.

(2) Each contractor shall complete a proposed preliminary settlement by cost center as part of the annual cost report and submit it by the due date of the annual cost report. After review of the proposed preliminary settlement, the department shall issue by cost center a preliminary settlement report to the contractor.

(3) If a field audit is conducted, the audit findings shall be evaluated by the department after completion of the audit and a final settlement by cost center, including any allowable shifting or cost savings, shall be issued which takes account of such findings and evaluations.

(4) Pursuant to preliminary or final settlement and the procedures set forth in this chapter, the contractor shall refund overpayments to the department and the department shall pay underpayments to the contractor.

NEW SECTION

WAC 388-96-221 **PRELIMINARY SETTLEMENT.** (1) The proposed preliminary settlement submitted by a contractor pursuant to WAC 388-96-220(2) shall compare the prospective rates at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect, to the contractor's allowable costs for the reporting period. All authorized shifting, cost savings, and upper limits to rates shall be taken into account on a cost center basis.

(2) Within one hundred twenty days after a proposed preliminary settlement is received, the department shall review it for accuracy and either accept or reject the proposal of the contractor. If accepted, the proposed preliminary settlement shall become the preliminary settlement report. If rejected, the department shall issue a preliminary settlement report by cost center which shall fully substantiate disallowed costs, refunds, or underpayments due and adjustments to the proposed preliminary settlement.

(3) A contractor shall have thirty days after receipt of a preliminary settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, a preliminary settlement report shall not be subject to review.

NEW SECTION

WAC 388-96-224 **FINAL SETTLEMENT.** (1) If an audit is conducted, the department shall issue a final settlement report to the contractor after completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations. The final settlement shall be by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. The final settlement report shall compare the prospective rate at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect as verified by audit, to the contractor's audited allowable costs for the reporting period. All authorized shifting, cost savings, and upper limits to rates shall be taken into account on a cost center basis. If the contractor is pursuing an administrative or judicial review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement report in order to recover overpayments based on audit findings or determinations not in dispute on review or appeal.

(2) A contractor shall have thirty days after receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, a final settlement report shall not be subject to review.

(3) If no audit is conducted by the department, the preliminary settlement report shall become the final settlement report.

(4) A final settlement will be reopened by the department if necessary to make adjustments based upon findings resulting from an audit performed pursuant to section 5(4), chapter 67, Laws of 1983 1st ex. sess. A final settlement may also be reopened to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's medical care recipients, pursuant to RCW 74.46.180(5).

NEW SECTION

WAC 388-96-226 **SHIFTING PROVISIONS.** In computing a preliminary or final settlement, savings (overpayment) in a cost center may be shifted to cover a deficit (underpayment) in another cost center up to the amount of the savings, provided that:

(1) Not more than twenty percent of the rate in a cost center may be shifted into that cost center, and

(2) No shifting may be made into the property cost center.

NEW SECTION

WAC 388-96-228 **COST SAVINGS.** (1) In the patient care and food cost areas and in the administration and operations and property cost areas prior to July 1, 1983, the contractor shall refund all payments received for medical care recipients in excess of allowable costs for those recipients in those cost centers, taking into account any authorized shifting.

(2) Beginning July 1, 1983, in the administration and operations and property cost areas, contractors shall be permitted to retain a portion of payments received for recipients in excess of allowable costs for those recipients according to the following procedures:

(a) Based upon the latest information available, the department shall, by December 31st of each year, notify contractors of the fiftieth percentile rates in the administration and operations and property cost areas for the period July 1st through December 31st.

(b) A contractor shall be permitted to retain, after allowable shifting, seventy-five percent of cost savings in the administration and operations cost area or the property cost area multiplied by medical care recipient days of service if the average rate for the cost report period computed according to department instructions in such cost area is at or below the fiftieth percentile rate.

(c) A contractor shall be permitted to retain, after allowable shifting, fifty percent of cost savings in the administration and operations cost area or property cost area multiplied by medical care recipient days of service if the average rate for the cost report period computed according to department instructions in such cost area is above the fiftieth percentile rate.

(3) Cost savings attributable to any industrial insurance dividend or premium discount under RCW 51.16-.035 shall be recovered by the department in proportion to the ratio of medical care recipients to other patients at the facility.

(4) For the 1983 cost reporting period, cost savings shall be computed but allowable savings shall be prorated by the proportion of Medicaid patient days reported

for July 1st through December 31st to the total number of Medicaid patient days reported for the year.

NEW SECTION

WAC 388-96-229 PROCEDURES FOR OVERPAYMENTS AND UNDERPAYMENTS. (1) The department shall make payment of underpayments determined by preliminary or final settlement within thirty days after the preliminary or final settlement report is submitted to the contractor.

(2) A contractor found to have received overpayments or payments in error as determined by preliminary or final settlement shall refund such payments to the department within thirty days after receipt of the preliminary or final settlement report as applicable.

(3) If a contractor fails to comply with subsection (2) of this section, the department shall:

(a) Deduct from current monthly amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(b) If the contract has been terminated:

(i) Deduct from any amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(ii) Pursue, as authorized by law and regulation, recovery of the refund due and interest on the unpaid balance at the rate of one percent per month.

(4) If a facility is pursuing timely filed administrative or judicial remedies in good faith regarding a proposed preliminary settlement report which was rejected or a final settlement report, the contractor need not refund nor shall the department withhold from current amounts due the facility any refund or interest the department claims to be due from the facility, provided the refund is specifically disputed by the contractor on review or appeal. Portions of refunds due the department which are not specifically disputed by the contractor on review or appeal are subject to recovery and assessment of interest as provided in subsection (3) of this section. If the administrative or judicial remedy sought by the facility is not granted or is granted only in part after exhaustion or mutual termination of all appeals, the facility shall refund all amounts due the department within sixty days after the date of decision or termination plus interest as payable on judgments from the date the review was requested pursuant to WAC 388-96-901 and 388-96-904 to the date the repayment is made.

NEW SECTION

WAC 388-96-310 INTEREST ON OTHER EXCESS PAYMENTS. (1) Any contractor obtaining benefits or payments under the medical assistance program to which such contractor is not entitled or in an amount to which such contractor is not entitled, shall be liable for such benefits or payments received and for interest on the amount of benefits or payments from the date of receipt until repayment is made to the department at the rate of one percent per month, unless the contractor establishes the overpayment was the result of errors made by the department.

(2) Interest charged by the department or interest expense incurred by the contractor, from whatever source, in making refund to the department shall not be reimbursable by the department as an allowable cost. The contractor may, by payment of a disputed settlement in whole or in part, stop accrual of interest on the amount paid. Such payment will be without prejudice to obtain review of a settlement determination.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-369 THE PROVIDER SHALL MAINTAIN A SUBSIDIARY LEDGER WITH AN ACCOUNT FOR EACH RECIPIENT FOR WHOM THE PROVIDER HOLDS MONEY IN TRUST. (1) Each account and related supporting information shall:

(a) Be maintained at the facility,

(b) Be kept current,

(c) Be balanced each month, and

(d) Show in detail, with supporting verification, all moneys received on behalf of the individual patient and the disposition of all moneys so received.

(2) Each account shall be available for audit and inspection by a department representative and be maintained for a minimum of (~~three~~) four years. The provider further agrees to notify the community services office of the department when:

(a) The account of any individual certified on or before December 31, 1973, whose award letter indicates a limit of \$200.00 cash, reaches the sum of \$175.00.

The community services office will re-evaluate the status of each recipient certified under the eligibility criteria prior to January 1, 1974, who has an award letter specifying a \$200.00 cash limit.

(b) The account of any individual certified on or after January 1, 1974, whose award letter indicates a limit of \$1,500.00 reaches the sum of \$1,450.00.

(c) For both groups, the accumulation toward the limit, after admission to the facility, is permitted only from savings from the clothing and personal incidentals allowance and other income which the department specifically designates as exempt income from time to time.

(d) No patient account may be overdrawn (show a debit balance). If a patient wants to spend an amount greater than in such patient's trust account, the home may provide money from its own funds and collect the debt by installments from that portion of the patient's allowance remaining at the end of each month. No interest may be charged to patients for such loans.

(3) In order to ensure that patient trust accounts are not charged for services provided under the Title XIX program, any charge for medical services otherwise properly made to a patient's trust account must be supported by a written denial from the department.

(a) A request for additional equipment such as a walker, wheelchair, or crutches must have a written denial from the department of social and health services before a patient trust account can be charged.

(b) Except as otherwise provided as follows, a request for physical therapy, restorative therapy, drugs, or other medical services must have a written denial from the local CSO before a patient trust account can be charged.

(c) A written denial from the local CSO is not required when the pharmacist verifies that a drug is not covered by the program (e.g., items on the FDA list of ineffective or possible effective drugs, nonformulary over-the-counter (OTC) medications such as vitamins, laxatives, nose drops, etc.). The pharmacist's notation to this effect is sufficient.

AMENDATORY SECTION (Amending Order 1114, filed 4/21/76)

WAC 388-96-372 THE PROVIDER MAY MAINTAIN A PETTY CASH FUND ORIGINATING FROM TRUST MONEYS OF AN AMOUNT REASONABLE AND NECESSARY FOR THE SIZE OF THE FACILITY AND THE NEEDS OF THE PATIENTS, NOT TO EXCEED \$500.00. (1) This petty cash fund shall be an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact in a trust fund checking account, separate and apart from any other bank ((account(s))) account or accounts of the facility or other facilities.

(2) Cash deposits of recipient allowances must be made intact to the trust account within one week from the time that payment is received from the department, Social Security Administration, or other payor.

(3) Any related bankbooks, bank statements, checkbook, check register, and all voided and cancelled checks, shall be made available for audit and inspection by a department representative, and shall be maintained by the home for not less than ((three)) four years.

(4) No service charges for such checking account shall be paid by recipient trust moneys.

(5) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-521 START-UP COSTS. Necessary and ordinary start-up costs, as defined in WAC 388-96-010, will be allowable in the administration and operations cost area if they are amortized over not less than sixty consecutive months beginning with the month in which the first patient is admitted for care.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-523 ORGANIZATION COSTS. (1) Necessary and ordinary costs which are directly incident to the creation of a corporation or other form of business of the contractor and that are incurred prior to the admission of the first patient, will be allowable in the administration and operations cost area if they are amortized over not less than sixty consecutive months beginning with the month in which the first patient is admitted for care.

(2) Allowable organization costs include but are not limited to legal fees incurred in establishing the corporation or other organization and fees paid to states for incorporation. They do not include costs relating to the issuance and sale of shares of capital stock or other securities.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-529 TOTAL COMPENSATION—OWNERS, RELATIVES, AND CERTAIN ADMINISTRATIVE PERSONNEL. For purposes of the tests in WAC 388-96-531 ((and)), 388-96-533, and 388-96-535, total compensation ((includes)) shall be as provided in the employment contract, including benefits, whether such contract is written, verbal, or inferred from the acts of the parties. In the absence of a contract, total compensation shall include gross salary or wages and ((fringe)) benefits (e.g., health insurance) made available to all employees, but ((excludes)) excluding payroll taxes paid by the contractor.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-531 OWNER OR RELATIVE—COMPENSATION. (1) Total compensation of an owner or relative of an owner shall be limited to ordinary compensation for necessary services actually performed.

(a) Compensation is ordinary if it is the amount usually paid for comparable services in a comparable facility to an unrelated employee, and does not exceed limits set out in this chapter.

(b) A service is necessary if it is related to patient care and would have had to be performed by another person if the owner or relative had not done it.

(2) The contractor, in maintaining customary time records adequate for audit, shall include such records for owners and relatives who receive compensation. Such records shall document compensated time was spent in provision of necessary services actually performed.

(3) For purposes of this section, if the contractor with the department is a corporation, "owner" includes all corporate officers and directors.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-533 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL. (1) Compensation for administrative personnel shall be an allowable cost, subject to the limits contained in this section.

(2) Total compensation of the licensed administrator for services actually rendered to a nursing home on a full-time basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) will be allowable at the lower of:

(a) Actual compensation received, or

(b) The amount in the table in subsection (5) of this section corresponding to the number of beds in the nursing home.

Compensation of the licensed administrator will only be allowable if the department is given written notice of his or her employment within ten days after the employment begins.

(3) Total compensation of not more than one full-time licensed assistant administrator will be allowable if there are at least eighty beds in the nursing home, at the lower of:

- (a) Actual compensation received, or
- (b) Seventy-five percent of the appropriate amount in the table in subsection (5) of this section.
- (4) Total compensation of not more than one full-time registered administrator-in-training will be allowable at the lower of:
 - (a) Actual compensation received, or
 - (b) Sixty percent of the appropriate amount in the table in subsection (5) of this section.
- (5)

TABLE

Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year ((1981)) 1983

BED SIZE

1 - 79	\$((27,200)) 29,716
80 - 159	\$((30,100)) 32,884
160 and up	\$((32,000)) 34,960

- (6) A table to be promulgated by the department will apply for subsequent calendar years.
- (7) If the licensed administrator, licensed assistant administrator, or registered administrator-in-training regularly work fewer than forty hours per week, allowable compensation shall be the lower of:
 - (a) Actual compensation received, or
 - (b) The appropriate amount in the table in subsection (5) of this section multiplied by the percentage derived from the division of the actual hours worked by forty hours. Further discounting is required if the person was licensed or registered and/or worked for less than the entire report period.
- (8) The contractor shall maintain ((customary)) time records customary for employees which are adequate for audit for the licensed administrator, assistant administrator, and/or administrator-in-training.
- (9) Reimbursement for administrative and management services shall be limited in total amount to allowable compensation for administrative personnel set forth in this section regardless of the provisions of any employment, management or consultation agreement, or other arrangement which exists between the contractor and persons or organizations providing such services.
- (10) Costs of an administrator-in-training shall not be considered for the purpose of setting the administration and operations prospective rate. The costs of an approved administrator-in-training program shall be reimbursed by an adjustment to current rate. To obtain an adjustment, the contractor must submit a request for an increase in current rate together with necessary documentation which shall include a copy of the department of licensing approval of the administrator-in-training program and a schedule indicating the commencement date, expected termination date, salary or wage, hours, and costs of benefits. The contractor shall notify the department, at least thirty days in advance, of the actual termination date of the administrator-in-training program. Upon termination of the program, the current rate shall be reduced by an amount corresponding to the cost of the program.

AMENDATORY SECTION (Amending Order 1527, filed 7/22/80)

WAC 388-96-534 DISCLOSURE AND APPROVAL OF JOINT FACILITY COST ALLOCATION. (1) The contractor shall disclose to the department:

- (a) The nature and purpose of all costs which represent allocations of joint facility costs; and
- (b) The methodology of the allocation utilized.
- (2) Such disclosure shall demonstrate that:
 - (a) The services involved are necessary and non-duplicative; and
 - (b) Costs are allocated in accordance with benefits received from the resources represented by those costs.
- (3) Such disclosure shall be made ((not later than September 30, 1980, for the following year and)) not later than September 30th for each year ((thereafter)); except that a new contractor shall submit the first year's disclosure together with the submissions required by WAC 388-96-026. Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify no change will be made in lieu of the disclosure required in subsection (1) of this section.

~~((3))~~ The contractor shall demonstrate and certify that:

- (a) The services involved are necessary, ordinary, related to patient care and non-duplicative; and
- (b) Costs are allocated in accordance with the patient care related benefits and services received from the specific resources represented by those costs.)

(4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter.

(5) An amendment or revision to an approved methodology shall be submitted to the department for approval at least ninety days prior to the effective date of the amendment or revision.

(6) Where a contractor will begin to incur joint facility costs at some time other than the beginning of the calendar year, the contractor shall provide the information required in subsections (1) and ~~((3))~~ (2) of this section at least ninety days prior to the date at which the cost will first be incurred.

(7) Joint facility costs not disclosed, allocated, and reported in ~~((conformance))~~ conformity with this section are nonallowable costs.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-535 MANAGEMENT AGREEMENTS, MANAGEMENT FEES, AND CENTRAL OFFICE SERVICES. (1) If a contractor intends to enter into a management agreement with an individual or firm which will manage the nursing home as agent of the contractor, a copy of the agreement must be received by the department at least ~~((ninety))~~ sixty days before the agreement is to become effective. A copy of any amendment to a management agreement must ~~((also))~~ be received by the department at least thirty days in advance of the date the amendment is to become effective. No

management fees for periods prior to the time the department receives a copy of the applicable agreement will be allowable. When necessary for the health and safety of medical care recipients, the ~~((ninety-day))~~ sixty-day notice requirement may be waived, in writing, by the department.

(2) Management fees will be allowed only if:

(a) A written management agreement both creates a principal/agent relationship between the contractor and the manager, and sets forth the items, services, and activities to be provided by the manager; and

(b) Documentation demonstrates ((that)) the services contracted for were actually delivered.

To be allowable, fees must be for necessary, non-duplicative services.

(3) Allowable fees for general management services, including corporate or business entity management and board of director's fees and including the portion of a management fee which is not allocated to specific services such as accounting, are limited to:

(a) The maximum allowable compensation under WAC 388-96-533 of the licensed administrator and, if the facility has at least eighty beds, of an assistant administrator, less

(b) Actual compensation received by the licensed administrator and by the assistant administrator and administrator-in-training, if any. In computing maximum allowable compensation under WAC 388-96-533 for a facility with at least eighty set-up beds, include the maximum compensation of an assistant administrator even if no assistant administrator is employed.

(4) A management fee paid to or for the benefit of a related organization will be allowable to the extent the fee does not exceed the lesser of:

(a) The limits set out in subsection (3) of this section((;)); or

(b) The lower of the actual cost to the related organization of providing necessary services related to patient care under the agreement, or the cost of comparable services purchased elsewhere. Where costs to the related organization represent joint facility costs, the measurement of such costs shall comply with WAC 388-96-534.

(5) Central office costs, owner's compensation, and other fees or compensation, including joint facility costs, for general administrative and management services, including the portion of a management expense which is not allocated to specific services, shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-539 ALLOWABLE INTEREST.

(1) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(2) Interest paid to or for the benefit of a related organization will be allowed only to the extent the actual interest does not exceed the actual cost to the related organization of obtaining the use of the funds in an arm's-length transaction. However, if the loan from which the interest expense arises is classified as a part of a contractor's equity capital according to Medicare rules and regulations, the interest expense shall be unallowable.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-543 EXPENSE FOR CONSTRUCTION INTEREST. Interest expense and loan origination fees relating to construction of a nursing home incurred during the period of construction shall be capitalized and amortized over ~~((not less than sixty consecutive months))~~ the life of the facility from the date the first patient is admitted. The period of construction shall extend from the date of the construction loan to the date the facility is put into service for patient care, not to exceed the project certificate of need time period.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-553 CAPITALIZATION. The following costs shall be capitalized:

(1) Expenditures for and costs of equipment, including furniture and furnishings, with historical cost in excess of one hundred fifty dollars per unit and a useful life of more than one year from the date of purchase;

(2) Expenditures and costs for equipment, including furniture and furnishings, with historical cost of one hundred fifty dollars or less per unit if either:

(a) The item of equipment was acquired in a group purchase where the total cost exceeded one hundred fifty dollars; or

(b) The item of equipment was part of the initial equipment or stock of the nursing home.

(3) Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, subsections (1) and (2) of this section shall be applied with the sum of five hundred dollars replacing the sum of one hundred fifty dollars.

(4) Effective January 1, 1983, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1984, and subsequently subsections (1) and (2) of this section shall be applied with the sum of seven hundred fifty dollars replacing the sum of one hundred fifty dollars.

(5) Expenditures for and costs of building, and other real property items, components, and improvements, whether for leased or owner-operated facilities, in excess of five hundred dollars and involving one or more of the following:

- (a) Increase of the interior floor space of the structure;
- (b) Increase or renewal of paved areas outside the structure;
- (c) Exterior or interior remodeling of the structure;
- (d) Installation of additional heating, cooling, electrical, water-related, or similar fixed equipment;
- (e) Landscaping or redecorating;
- (f) Any change, including repairs, which increases the useful life of the structure or item if not a part of the structure by two years or more;
- (g) Any replacement or renewal of a real property item, component or improvement, whether structural or nonstructural.

~~((5))~~ (6) For a leasehold improvement, the asset shall be amortized over the asset's useful life in accordance with Internal Revenue Service class life ADR system guidelines or in accordance with American hospital association guidelines.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-554 EXPENSING. The following costs shall be expensed:

(1) Expenditures for and costs of equipment, including furniture and furnishings, with historical cost of one hundred fifty dollars or less per unit or a useful life of one year or less from the date of purchase.

(2) Subsection (1) of this section shall not apply if:

(a) The item of equipment was acquired in a group purchase where the total cost exceeded one hundred fifty dollars; or

(b) The item of equipment was part of the initial equipment or stock of the nursing home.

(3) Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, subsections (1) and (2) of this section shall be applied with the sum of five hundred dollars replacing the sum of one hundred fifty dollars.

(4) Effective January 1, 1983, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1984, and subsequently subsections (1) and (2) of this section shall be applied with the sum of seven hundred fifty dollars replacing the sum of one hundred fifty dollars.

(5) Expenditures for and costs of building and other real property items, components and improvements, whether for leased or owner-operated facilities, of five hundred dollars or less.

~~((5))~~ (6) Expenditures for and costs of repairs necessary to maintain the useful life of equipment, including furniture and furnishings, and real property items, components or improvements which do not increase the useful life of the asset by two years or more. If a repair is to the interior or exterior of the structure, the term "asset" shall refer to the structure.

~~((6))~~ (7) Remaining undepreciated cost of equipment, including furniture or furnishings or real property items, components, or improvements which are ~~((replaced, renewed or))~~ retired and not replaced, provided such cost shall be offset by any proceeds or compensations received for such assets, and such cost shall be expensed only if the contractor has made a reasonable effort to recover at least the outstanding book value of such assets. If a retired asset is replaced, WAC 388-96-572(3) shall apply and the replacement or renewal shall be capitalized if required by WAC 388-96-553.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-557 DEPRECIABLE ASSETS. (1) Tangible assets of the following types in which a contractor has an economic interest through ownership are subject to depreciation:

(a) Building - the basic structure or shell and additions thereto.

(b) Building fixed equipment - attachments to buildings, such as wiring, electrical fixtures, plumbing, elevators, heating system, and air conditioning system. The general characteristics of this equipment are:

(i) Affixed to the building and not subject to transfer, and

(ii) A fairly long life, but shorter than the life of the building to which affixed.

(c) Major movable equipment - such items as beds, wheelchairs, desks, and x-ray machines. The general characteristics of this equipment are:

(i) A relatively fixed location in the building;

(ii) Capable of being moved as distinguished from building equipment;

(iii) A unit cost sufficient to justify ledger control;

(iv) Sufficient size and identity to make control feasible by means of identification tags; and

(v) A minimum life of approximately three years. Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, this equipment shall be characterized by a minimum life of greater than one year.

(d) Minor equipment - such items as ~~((waste baskets))~~ wastebaskets, ~~((bed pans))~~ bedpans, syringes, catheters, silverware, mops, and buckets which are properly capitalized. No depreciation shall be taken on items which are not properly capitalized (see WAC 388-96-553). The general characteristics of minor equipment are:

(i) In general, no fixed location and subject to use by various departments;

(ii) Small in size and unit cost;

(iii) Subject to inventory control;

(iv) Large number in use; and

(v) Generally, a useful life of one to three years.

(e) Land improvements - such items as paving, tunnels, underpasses, on-site sewer and water lines, parking lots, shrubbery, fences, walls, etc., where replacement is the responsibility of the contractor.

(f) Leasehold improvements - betterments and additions made by the lessee to the leased property, which

become the property of the lessor after the expiration of the lease.

(2) Land is not depreciable. The cost of land includes, but is not limited to, the cost of such items as off-site sewer and water lines, public utility charges necessary to service the land, governmental assessments for street paving and sewers, the cost of permanent roadways and grading of a nondepreciable nature, and the cost of curbs and sidewalks, replacement of which is not the responsibility of the contractor.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-561 DEPRECIATION BASE—DONATED OR INHERITED ASSETS. (1) The depreciation base of donated assets, as defined in WAC 388-96-010, or of assets received through testate or intestate distribution, shall be the lesser of:

(a) Fair market value at the date of donation or death, less goodwill(;-), provided that, estimated salvage value shall be deducted from fair market value where the straight-line or sum-of-the-years digits method of depreciation is used; or

(b) The depreciation base under the cost-related reimbursement program of the owner last contracting with the department, if any.

(2) If the donation or distribution is between related organizations, the base shall be the lesser of:

(a) Fair market value, less goodwill and, where appropriate, salvage value(;-); or

(b) The depreciation base the related organization had or would have had for the asset under a contract with the department.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-565 LIVES. (1) The contractor shall use lives reflecting the estimated actual useful life of the asset and shall be no shorter than guideline lives contained in the Internal Revenue Service class life ADR system or published by the American hospital association in computing allowable depreciation. The shortest life which may be used for buildings is thirty years.

(2) Lives shall be measured from the date on which the assets were first used in the medical care program or from the date of the most recent arm's-length acquisition of the asset, whichever is more recent. Lives shall be extended to reflect periods, if any, during which assets were not used to provide nursing care.

(3) Building improvements shall be depreciated over the remaining useful life of the building, as modified by the improvement, but not less than fifteen years.

(4) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement.

(5) A contractor may change the estimate of an asset's useful life to a longer life for purposes of depreciation.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-572 HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS—OTHER PERIODS. (1) This section shall apply in the place of WAC 388-96-571 effective January 1, 1981, for purposes of settlement for settlement periods subsequent to that date, and for purposes of setting rates for rate periods beginning July 1, 1982, and subsequently.

(2) A gain or loss on the retirement of an asset shall be the difference between the remaining undepreciated base and any proceeds received for, or to compensate for loss of, the asset.

(3) If the retired asset is replaced, the gain or loss shall be applied against or added to the cost of the replacement asset, provided that a loss will only be so applied if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset.

(4) If the retired asset is not replaced, any gain shall be offset against property expense for the period during which it is retired and any loss shall be expensed subject to the provisions of WAC 388-96-554(6).

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-585 UNALLOWABLE COSTS. (1) Costs will be unallowable if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services will be unallowable even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution.

(b) Costs of services and items provided to SNF or ICF recipients which are covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC.

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations.

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained.

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes, or related to the part of a facility leased out for office space).

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care.

(g) Costs in excess of limits or violating principles set forth in this chapter.

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system.

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere.

(j) Bad debts. Beginning July 1, 1983, bad debts of Title XIX recipients are allowable if the debt is related to covered services, it arises from the recipient's required contribution toward the cost of care, the provider can establish reasonable collection efforts were made, the debt was actually uncollectible when claimed as worthless, and sound business judgment established there was no likelihood of recovery at any time in the future. Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery.

(k) Charity and courtesy allowances.

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Dues to national trade associations or that portion of dues paid to local or state trade associations attributable to membership in national associations shall be unallowable.

(m) Vending machine expenses.

(n) Expenses for barber or beautician services not included in routine care.

(o) Funeral and burial expenses.

(p) Costs of gift shop operations and inventory.

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care.

(r) Fund-raising expenses, except expenses directly related to the patient activity program.

(s) Penalties and fines.

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations.

(u) Federal, state, and other income taxes.

(v) Costs of special care services except where authorized by the department.

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees.

(x) Expenses of profit-sharing plans.

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary

and economic provision of such a transportation need related to patient care.

(z) Personal expenses and allowances of owners or relatives.

(aa) All expenses of maintaining professional licenses or membership in professional organizations.

(bb) Costs related to agreements not to compete.

(cc) Goodwill and amortization of goodwill.

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care.

(ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands.

(ff) Legal and consultant fees in connection with a lawsuit against the department.

(gg) Lease acquisition costs and other intangibles not related to patient care.

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-710 PROSPECTIVE REIMBURSEMENT RATE FOR NEW CONTRACTORS.

(1) A prospective reimbursement rate for a new contractor will be established within sixty days following receipt by the department of a properly completed projected budget (see WAC 388-96-026). It will be effective as of the effective date of the contract.

(2) This prospective reimbursement rate will be based on the contractor's projected cost of operations, and on costs and payment rates of the prior contractor, if any, and/or of other contractors in comparable circumstances, taking into account applicable lids or maximums.

(3) If a properly completed projected budget is not received at least sixty days prior to the effective date of the contract, the department will establish a preliminary rate based on the other factors specified in subsection (2) of this section. This preliminary prospective rate will remain in effect until an initial prospective rate can be set.

(4) Where a change of ownership is involved which is not an ~~((arms-length))~~ arm's-length transaction as defined in WAC 388-96-010, the new contractor's prospective rates in the administration and operation and property cost areas will be no higher than the rates of the old contractor, adjusted if necessary to take into account economic trends.

AMENDATORY SECTION (Amending Order 1669, filed 7/15/81)

WAC 388-96-713 RATE DETERMINATION.

(1) Each contractor's reimbursement rate will be determined prospectively ~~((at least))~~ once each calendar year to be effective July 1 ~~((and will be adjusted for inflation January 1 using the factors specified in WAC 388-96-~~

~~719(3))~~. Rates may be adjusted more frequently to take into account program changes.

(2) ~~((Where))~~ If the contractor participated in the program ~~((during all or part))~~ for at least six months of the prior ~~((fiscal period))~~ calendar year, its nursing services, administration and operations, property and return on equity rates ~~((and the nonwage component of its administration and operations rate,))~~ will be determined based on the contractor's allowable costs in the prior period. If the contractor participated in the program for less than six months of the prior calendar year, its rates will be determined by procedures set forth in WAC 388-96-710.

(3) Beginning with rates effective July 1, 1984, contractors submitting correct and complete cost reports by March 31st, shall be notified of their rates by July 1st, unless circumstances beyond the control of the department interfere.

AMENDATORY SECTION (Amending Order 1669, filed 7/15/81)

WAC 388-96-716 COST AREAS. A contractor's overall reimbursement rate for medical care recipients consists of the total of five component rates, each covering one cost area. The five cost areas are:

- (1) ~~((Patient care))~~ Nursing services;
- (2) Food;
- (3) Administration and operations;
- (4) Property; and
- (5) Return on equity.

NEW SECTION

WAC 388-96-717 DESK REVIEW ADJUSTMENTS. (1) The department shall analyze each annual cost report to determine if the information is correct, complete, and reported in conformity with generally accepted accounting principles, the nursing home accounting and reporting manual, and instructions issued by the department. An analysis by the department to determine whether reported information is correct and complete may include, but is not limited to:

- (a) An examination of reported costs for prior years;
- (b) An examination of desk review adjustments made in prior years and their final disposition; and
- (c) An examination of findings, if any, from field audits of cost reports from prior years and findings, if any, from the field audit of the cost report under analysis.

(2) If it appears from this analysis that a contractor has not correctly determined or reported its costs, the department may make adjustments to the reported information for the purpose of establishing reimbursement rates. A schedule of such adjustments shall be provided to contractors and shall include an explanation of the adjustment and the dollar amount of the adjustment for each adjustment made. If a contractor believes an adjustment is in error, it shall be subject to review pursuant to WAC 388-96-769 and, if a satisfactory resolution of issues is not reached, to further review pursuant to WAC 388-96-901 and 388-96-904.

(3) The department shall accumulate data from properly completed cost reports and financial statements, reports and schedules for use in exception profiling and establishing rates.

(4) The department may further utilize such accumulated data for analytical, statistical, or informational purposes as deemed necessary by the department.

AMENDATORY SECTION (Amending Order 1867, filed 8/18/82)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report ~~((and from certified quarterly reports))~~ submitted by contractors.

(2) Data containing obvious errors ~~((; data for facilities which are out of compliance with any condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than eighty-five percent for the report period;))~~ will be excluded from the determination of predicted costs and rate upper limits for WAC 388-96-743 and 388-96-735 ~~((3))~~.

(3) Inflation adjustments shall be applied as follows:

(a) ((Adjustments for inflation will be:

(i) 5.0 percent for July 1, 1981, rate setting;

(ii) 4.25 percent for January 1, 1982, rate setting; and

(iii) ~~No inflation adjustment increase shall be provided for setting rates effective July 1, 1982, through June 30, 1983. Inflation adjustments made to costs and other rate setting data used for this period shall reflect factors in subsection (3)(a)(i) and (3)(a)(ii) of this section))~~ In the nursing services and administration and operations cost areas for July 1, 1983, rate setting, an adjustment of 2.5 percent shall be applied to allowable costs in these cost areas if the cost report for a contractor covers all twelve months of 1982. If the cost report covers less than twelve months, the inflation factor shall be reduced to reflect the shorter period.

(b) In the food cost area, an inflation adjustment factor of 2.5 percent shall be applied to the January 1, 1983, rate for all contractors.

(c) Property and return on equity rates will not be adjusted for inflation.

(4) ~~((Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, a cost-related adjustment will be made to the appropriate cost area rates of each contractor affected by the program change. Adjustments will be made until reported costs used in setting rates reflect the new standards or program changes))~~ The occupancy level for each facility shall be computed by dividing the actual number of patient days by the product of the numbers of licensed beds and calendar days in the report period. For prospective rate computations, as well as determining lids for property and administration and operations reimbursement, if a facility's occupancy is below eighty-five percent, per patient day cost shall be computed utilizing patient days at the eighty-five percent occupancy level. Actual occupancy level shall be utilized for facilities at or above eighty-five percent occupancy.

AMENDATORY SECTION (Amending Orders 1808 and 1808A, filed 5/14/82 and 6/14/82)

WAC 388-96-722 ((PATIENT CARE)) NURSING SERVICES COST AREA RATE. (1) The ((patient care)) nursing services cost area reimbursement rate will reimburse for the necessary and ordinary costs of providing routine nursing and related ((services)) care to recipients ((in accordance with WAC 388-88-050 and 388-88-051)).

(2) ((Effective July 1, 1982, the patient care cost area rate will be computed according to this section.

(3)(a) For purposes of this section, patient care consultation refers to medical director, pharmaceutical, occupational therapy, physical therapy, speech therapy, other therapy, and patient activities consultation.

(b) The department shall determine the average per patient day expense weighted by patient days for patient care consultation taken from completed 1981 cost reports.

(c) The department shall determine each contractor's per patient day expense for patient care consultation.

(d) A contractor's reported patient care cost will be reduced by the amount the contractor's patient care consultation expense exceeds the average expense computed as provided in subsection (3)(b) of this section.

(e) As used in this section, "desk-reviewed patient care cost" shall be allowable patient care cost as determined by desk reviews conducted in accordance with WAC 388-96-201, including any reduction in expense for patient care consultation computed in accordance with subsection (3)(d) of this section.

(4) Effective July 1, 1982, through June 30, 1983, only:

(a) If a contractor's weighted patient care rate for 1981 as computed in accordance with departmental regulations and instructions is equal to or greater than the contractor's desk-reviewed 1981 patient care costs, the department shall reimburse the patient care cost center at the desk-reviewed 1981 patient care costs plus any patient care funds shifted to other cost centers pursuant to WAC 388-96-223, as adjusted for inflation.

(b) If a contractor's patient care rate for 1981 is less than the contractor's desk-reviewed 1981 patient care costs, the department shall reimburse the contractor's patient care cost at the January 1, 1982, reimbursement rate, less one and one-half percent, as adjusted for inflation, plus an allowance from the redistribution pool. The total reimbursement paid to a contractor, including any allowance from the redistribution pool, shall not exceed the contractor's 1981 desk-reviewed patient care costs, as adjusted for inflation. The total of allowances distributed pursuant to subsection (4)(b) of this section shall not exceed the total amount in the redistribution pool. If the total of funds in the redistribution pool is equal to or exceeds the total amount of underfunding for patient care for all contractors, each contractor's allowance shall be the amount the contractor was underfunded for patient care, if any, where

~~underfunding is defined as any excess of 1981 desk-reviewed cost over the 1981 rate in this cost area, as adjusted for inflation. If the total of funds in the redistribution pool is less than the total patient care underfunding for all contractors, the allowance distributed to each contractor shall be a percentage of the amount a contractor was underfunded, as defined in subsection (4)(b) of this section, for patient care, if any was experienced by the contractor. The percentage shall be computed by dividing the total of funds in the pool by the total amount of underfunding for all contractors.~~

~~(5) To patient care cost area rates determined in accordance with subsections (4)(a) and (b) of this section, a patient care enhancement shall be added. The enhancement shall be distributed among facilities proportionately based upon patient care cost area rates and shall not be adjusted for inflation. The total of enhancements distributed to contractors shall be one million, four hundred thousand dollars)) Nursing service costs will be subject to two reasonableness tests:~~

~~(a) A test for nursing staff hours; and~~

~~(b) A test for cost increases between the current and preceding report period.~~

~~(i) The test for nursing staff hours will use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' aids, including purchased and allocated nursing and aid staff time, and the average Battelle patient debility score for the corresponding facilities as computed by the department. Data for the regression shall be taken from correctly completed cost reports and from patient assessments completed by the department for the corresponding calendar report year, which are available at the time the regression equation is computed. A limit on nursing and nursing aid staffing hours will be calculated and set for each facility at predicted staffing hours plus 1.75 standard errors utilizing the regression equation calculated by the department. Costs for facilities with reported hours exceeding the limit will be reduced by an amount equivalent to the hours exceeding the limit times the average wage rate for nurses and aids indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. Contractors' reporting hours exceeding the limit shall receive the higher of their January 1983 patient care rate or the nursing services rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.~~

~~(ii) The test for cost increases shall compare the percentage change between the 1981 and 1982 allowable patient care costs for the facility against the percentage change between the July 1981 and July 1982 medical care component of the consumer price index for urban consumers nationwide. Facilities which report increases greater than the consumer price index shall be limited to a rate determined by their 1981 adjusted patient care costs inflated by the medical care component of the consumer price index. If a facility is affected by this limit due to special or unusual circumstances, such as a decrease in patient days, the department may grant an exception or partial exception to the limit.~~

AMENDATORY SECTION (Amending Order 1669, filed 7/15/81)

WAC 388-96-727 FOOD COST AREA RATE.

(1) The food cost area rate will reimburse for the necessary and ordinary costs of procuring food, dietary supplements, and beverages for meals and between-meal nourishment for recipients.

(2) ~~((Beginning July 1, 1981, food))~~ Reimbursement for the food cost center ~~((with))~~ shall be at the ~~((January 1, 1981))~~ January 1, 1983, rate, adjusted for inflation utilizing the inflation factor specified in WAC 388-96-719(3)(b).

AMENDATORY SECTION (Amending Order 1808, filed 5/14/82)

WAC 388-96-735 ADMINISTRATION AND OPERATIONS COST AREA RATE. (1) The administration and operations cost area reimbursement rate will reimburse for the necessary and ordinary costs of overall management of the facility, operation and maintenance of the physical plant, and providing dietary service (other than the cost of food and beverages), medical supplies, taxes, and insurance.

(2) ~~((For rates effective July 1, 1982, through June 30, 1983, a contractor's administration and operations wage component reimbursement rate will be set pursuant to subsection (2) of this section.~~

~~(a) If a contractor's administration and operations wage component rate for 1981 is greater than or equal to the contractor's desk-reviewed 1981 wage component costs, the department shall reimburse the contractor's wage component at the desk-reviewed 1981 administration and operations wage component costs, as adjusted for inflation.~~

~~(b) If a contractor's administration and operations wage component rate for 1981 is less than the contractor's desk-reviewed 1981 wage component costs, the department shall reimburse the contractor's wage component costs at the January 1, 1981, reimbursement rate, as adjusted for inflation.~~

~~(c) It is further provided, if any funds remain in the redistribution pool established pursuant to WAC 388-96-720 after distribution to contractors pursuant to WAC 388-96-722, the department shall distribute the funds to contractors underfunded in the wage component area, as determined by subsection (2)(b) of this section, according to the following rules:~~

~~(i) If the amount remaining in the redistribution pool exceeds or is equal to the total amount the contractors were underfunded in the wage component area, each contractor's allowance shall be the amount the contractor was underfunded for costs in this component, if any, where underfunding is defined as any excess of 1981 desk-reviewed cost over the 1981 rate in this component, as adjusted for inflation.~~

~~(ii) If the amount remaining in the redistribution pool is less than the total amount the contractors were underfunded in the wage component area, each contractor shall receive an allowance which shall be a percentage of the amount the contractor was underfunded as~~

~~defined in subsection (2)(c)(i) of this section. The percentage shall be computed by dividing the amount remaining in the redistribution pool by the total amount of underfunding in the wage component area for all contractors.~~

~~(iii) The distribution shall not exceed the total amount of underfunded wage component costs for all contractors nor the amount remaining in the redistribution pool, if any.~~

~~(3) For the July 1, 1982, to June 30, 1983, reimbursement period, the nonwage component of the administration and operations cost center shall be adjusted for certain consultation expenses as follows: The department shall calculate the average expense, weighted by patient days, for dietary, and medical record consultant services taken from the most recent, completed cost reports from all contractors and allowable administration and operations costs as defined in subsection (4)(a) of this section, shall exclude the amount a contractor's administration and operations consultation expense exceeds the average expense so calculated.~~

~~(4) The nonwage component of the administration and operations cost area reimbursement rate will be calculated as follows:~~

~~(a) Allowable administration and operations costs, including wages of administrators, assistant administrators, and administrators-in-training, but excluding wages of other support staff, will be taken from the most recent desk-reviewed annual cost report.~~

~~(b) Beginning July 1, 1982, if any amounts were shifted into the administration and operations cost area during the period covered by the most recent annual cost report, an annualized amount will be subtracted from administration and operations nonwage costs determined by the following formula:~~

$$AS = SS \times DR \text{ ————— where}$$

~~(i) "AS" is the amount to be subtracted from administration and operations nonwage costs;~~

~~(ii) "SS" is the amount of savings shifted into the administration and operations cost area; and~~

~~(iii) "DR" is the deficiency ratio, defined as the ratio of:~~

~~(A) Administration and operations nonwage costs minus the nonwage component of the administration and operations prospective rate; to~~

~~(B) Total administration and operations costs minus the total administration and operations prospective rate.~~

~~This ratio may not be less than zero nor more than one.~~

~~(c) Adjusted costs will be updated using factors specified in WAC 388-96-719.~~

~~(d) Reimbursement for this portion of administration and operations will be limited to the eighty-fifth percentile of costs, adjusted as described in subsection (4)(b) of this section, of all reporting facilities, except that facilities may be grouped by factors other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations)) Each contractor's allowable, inflation adjusted, per patient day administration and operations cost shall be determined.~~

(3) Costs for contractors having submitted correct and complete cost reports by the time July rates are initially to be established shall be ranked from highest to lowest. The eighty-fifth percentile of the ranking shall be determined.

(4) Administration and operations rates for individual providers shall be the lower of the provider's allowable cost or the eighty-fifth percentile.

(5) Beginning July 1, 1984, allowable costs for administration and operations for rate setting purposes shall include allowable retained savings for the preceding report year.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-743 PROPERTY COST AREA RATE. (1) Each contractor's allowable depreciation, property interest, and lease expense shall be based on information in the most recent desk-reviewed annual cost report, including any adjustments. The prospective rate for a contractor shall be the lower of these costs calculated on a per patient day basis or the maximum rate computed in accordance with subsection (2) of this section.

(2) Property reimbursement for both leased and owner-operated facilities will not exceed the predicted cost plus ~~((one))~~ 1.75 standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities as contained in annual cost reports for the preceding year, including adjustments, utilizing a multiple regression formula developed by the department, recognizing factors which may be significant, including location, age, and construction type of facility. Beginning July 1, 1981, allowable rental costs of leased facilities and depreciation and interest costs of owner-operated facilities based upon the most recent desk-reviewed annual cost report, for leases or mortgages entered into prior to July 1, 1979, will be reimbursed to the extent they do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, ~~((or July 1, 1979))~~ adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan, the reimbursement rate payable July 1, 1979, or the regression formula rate, whichever is higher, ~~((adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan;))~~ and adjusted for any approved capitalized additions or replacements.

(3) For purposes of this section, the following definitions shall apply:

(a) Location shall consist of location within a standard metropolitan statistical area (SMSA) as defined by the United States Bureau of the Census, or location outside of an SMSA;

(b) Age shall consist of the construction age of a facility. Where a facility is of several construction dates, an average facility age shall be computed by weighting each construction age by the number of licensed beds in the facility area of that construction age;

(c) Construction type shall consist of fire resistant construction (type 1 or 2 construction as determined by

the office of the state fire marshal); or nonfire resistant construction (type 3, 4, or 5 construction as determined by the office of the state fire marshal). Where a facility is of several construction types, an average facility construction type shall be computed by weighting the construction type of each area of the facility by the number of licensed beds in the facility area of that construction type.

(d) Those factors are significant which improve the explanatory power of the regression at a ninety percent level of confidence.

AMENDATORY SECTION (Amending Order 1716, filed 11/4/81)

WAC 388-96-750 RETURN ON INVESTMENT. (1) Beginning ~~((January 1, 1979))~~ July 1, 1983, the department will pay a return on equity to proprietary contractors utilizing applicable Medicare rules and regulations ~~((as of July 1, 1979;))~~ with the following modifications:

(a) Contractors will not be required to submit monthly equity calculations ~~((will not be used. A))~~ in order to calculate allowable equity for cost reporting periods unless a desk review of reported equity ~~((will be))~~ conducted pursuant to WAC ~~((388-96-201))~~ 388-96-717 discloses reported equity appears to exceed a level that is ordinary, necessary, and related to patient care. In such cases, the department may request and the contractor shall provide a monthly equity calculation as established by Medicare rules, regulations, and guidelines. The average ratio among proprietary contractors of current assets to expenses will be computed from the most recent desk reviewed cost reports. The standard deviation of the ratio and the average ratio plus one standard deviation will also be computed. Current assets in excess of the average ratio plus one standard deviation will not be allowed unless the contractor can document that the excess is ordinary, necessary, and related to patient care. No adjustments will be made to reported equity insofar as changes reflect additions to fixed assets which are ordinary, necessary, and related to patient care.

(b) ~~((Good will))~~ Goodwill is not includable in the determination of net equity.

(c) Net equity and the payment for net equity shall be calculated as described in subsections (2) and (3) of this section.

(2) A contractor's net equity will be calculated using the appropriate items from the contractor's most recent desk reviewed cost report utilizing the definition of equity in WAC 388-96-010 and applying relevant Medicare rules ~~((and)),~~ regulations ~~((as of July 1, 1979)),~~ and guidelines, with the modifications described in subsection (1) of this section.

(3) The contractor's net equity will be multiplied by ~~((the Medicare))~~ a rate of return on equity capital ~~((for the twelve-month period ending on the date of the closing date of the contractor's cost report))~~ of twelve percent. This amount will be divided by the contractor's annual patient days for the cost report period to determine a rate per patient day. Where a contractor's cost report covers less than a twelve-month period, annual

patient days will be estimated using the contractor's reported patient days. The contractor shall be paid at a prospective rate which is the lesser of the amount calculated pursuant to this section or two dollars per patient day.

(4) The information on which the return on equity is calculated is subject to field audit. If a field audit determines that the desk reviewed reported equity exceeds the equity which can be documented and calculated in ~~((conformance))~~ conformity with Medicare rules ~~((and))~~, regulations, and guidelines as modified by this section, the contractor's return on equity rate for the rate period during which a return on equity rate calculated on the basis of that cost report was in effect shall be recalculated using the determinations of the field audit, not to exceed a maximum of two dollars per patient day. Any payments in excess of this rate shall be refunded to the department as part of the settlement procedure established by ~~((WAC 388-96-222. In particular, subsections (4), (5), and (6) of WAC 388-96-222 shall apply))~~ this chapter.

~~((5) For the period January 1, 1978, through June 30, 1979, the rate of return used to calculate this return on investment will be eleven percent.~~

~~((6) For the period January 1, 1978, through December 31, 1978, a contractor may choose to retain savings in the administrative and operations and property and related cost centers in lieu of receiving a return based on equity capital.))~~

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-760 UPPER LIMITS TO REIMBURSEMENT RATE. The reimbursement rate shall not exceed the contractor's customary charges to the general public for the services covered by the rate, except that public facilities rendering such services free of charge or at a nominal charge will be reimbursed according to the methods and standards set out in this chapter. The contractor shall immediately inform the department if its reimbursement rate does exceed customary charges for comparable services. If necessary, the rate will be adjusted in accordance with WAC 388-96-769. ~~((Rates will not exceed the limits set out at 42 C.F.R. 447.316.))~~

NEW SECTION

WAC 388-96-773 REVISIONS OF PROSPECTIVE RATES. (1) Prospective rates are intended as maximum payment rates for contractors for the periods to which they apply. Rate adjustments shall not be granted for cost increases subject to management control or negotiation, cost increases which can reasonably be expected to be met from a contractor's existing or available resources, or for cost increases attributable to reasons not expressly authorized in this section and in chapter 74.46 RCW.

(2) Adjustments to prospective rates may be granted by the department for the following reasons:

(a) The facility's average debility score for the latest available twelve-month period differs from the score

employed in establishing the facility's preceding July 1st rate by ten percent or more;

(b) Changes in staffing levels required by the department; or

(c) Other reasons deemed sufficient by the department which are established and documented by a contractor in the course of an administrative review conducted pursuant to WAC 388-96-901 and 388-96-904.

(3) Adjustments to prospective rates shall be granted by the department for capital additions, improvements, or replacements made as a condition of licensure or certification.

(4) Contractors requesting an adjustment to a prospective rate shall:

(a) Provide a detailed written explanation of the reasons the adjustment is necessary;

(b) A financial analysis which sufficiently demonstrates the increased costs cannot be funded from existing resources available to the contractor; and

(c) An estimate of the rate and adjustment computed according to allowable methods, necessary to fund the increased costs.

(5) Adjustments requested pursuant to subsection (2) of this section shall not be granted unless the department determines the contractor will incur substantial hardship as determined by applicable facts and circumstances, provided that, hardship shall not be deemed to exist by the department unless the increased costs are expected to equal or exceed ten cents per patient day.

(6) Adjustments for economic trends and conditions shall be provided exclusively by means of inflation adjustments pursuant to WAC 388-96-719.

(7) The department shall inform a contractor of the disposition of a rate adjustment request within sixty days after its receipt by the department if the request is adequately documented and meets the conditions set forth in subsection (4) of this section. Unless otherwise specified, a revised rate shall be effective on the first day of the month in which it is issued by the department.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-807 CHARGES TO PATIENTS.

(1) The department will notify a contractor of the amount each medical care recipient is required to pay for care provided under the contract and the effective date of such required contribution. It is the contractor's responsibility to collect that portion of the cost of care from the patient, and to account for any authorized reduction from his or her contribution in accordance with procedures established by the department.

(2) If a contractor receives documentation showing a change in the income or resources of a recipient which will mean a change in his or her contribution toward the cost of care, this shall be reported in writing to the CSO within seventy-two hours. If necessary, appropriate corrections shall be made in the next nursing home statement, and a copy of documentation supporting the change shall be attached. If increased funds for a recipient are received by a contractor, the normal amount shall be allowed for clothing, personal and incidental expense, and the balance applied to the cost of care.

(3) The contractor shall accept the reimbursement rate established by the department as full compensation for all services it is obligated to provide under the contract, certification as specified by Title XIX, and licensure under chapter 18.51 RCW. ~~((†))~~ The contractor shall not seek or accept additional compensation from or on behalf of a recipient for any or all such services.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-813 **SUSPENSION OF PAYMENT.** (1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extensions. Payments will be released as soon as a properly completed report is received.

(b) Auditors or other authorized department personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided.

(c) A refund in connection with ~~((an annual))~~ a settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund.

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is given to the contractor, stating the reason therefor.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-816 **TERMINATION OF PAYMENTS.** All payments to a contractor will end no later than ~~((thirty))~~ sixty days after any of the following occurs:

(1) A contract expires, is terminated, or is not renewed;

(2) A facility license is revoked; or

(3) A facility is decertified as a Title XIX facility.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 388-96-125 **REPORTING FOR AN ABBREVIATED PERIOD.**

(2) WAC 388-96-201 **DESK REVIEW.**

(3) WAC 388-96-219 **DISCLOSURE OF AUDIT NARRATIVES AND SUMMARIES.**

(4) WAC 388-96-222 **SETTLEMENT.**

(5) WAC 388-96-223 **SHIFTING.**

(6) WAC 388-96-225 **DATE SETTLEMENT BECOMES FINAL.**

(7) WAC 388-96-227 **INTEREST ON SETTLEMENTS.**

(8) WAC 388-96-720 **REDISTRIBUTION POOL.**

(9) WAC 388-96-772 **REQUESTS FOR REVISION OF A PROSPECTIVE RATE.**



WSR 83-19-047
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2025—Filed September 16, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home accounting and reimbursement system, amending chapter 388-96 WAC.

This action is taken pursuant to Notice No. WSR 83-14-046 filed with the code reviser on July 1, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 14, 1983.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-010 **TERMS.** Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accounting" - Activities providing information, usually quantitative and often expressed in monetary units, for decision making, planning, evaluating performance, controlling resources and operations, and external financial reporting to investors, creditors, regulatory authorities, and the public.

~~((†))~~ (2) "Accrual method of accounting" - A method of accounting in which revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period in which incurred, regardless of when paid.

(3) "Administration and management" - Activities employed to maintain, control, and evaluate the efforts and resources of an organization for the accomplishment of the objectives and policies of that organization.

~~((†))~~ (4) "Allowable costs" - See WAC 388-96-501.

~~((†))~~ (5) "Appraisal" - The process of establishing the fair market value or reconstructing the historical cost of an asset acquired in a past period as performed by an individual professionally designated either by the

American institute of real estate appraisers as a member, appraisal institute (MAI), or by the society of real estate appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). Appraisal includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

~~((4))~~ (6) "Arm's-length transaction" - A transaction resulting from good-faith bargaining between a buyer and seller who are unrelated and have adverse bargaining positions in the market place. Sales or exchanges of nursing home facilities among two or more parties in which all parties subsequently continue to own one or more of the facilities involved in the transactions shall not be considered as arm's-length transactions for purposes of this chapter. Sale of a nursing home facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered as an arm's-length transaction for purposes of this chapter.

~~((5))~~ (7) "Assets" - Economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. "Assets" also include certain deferred charges which are not resources but which are recognized and measured in accordance with generally accepted accounting principles.

~~((6))~~ (8) "Bad debts" - Amounts considered to be uncollectable from accounts and notes receivable.

~~((7))~~ (9) "Beds" - Unless otherwise specified, the number of set-up beds in the nursing home, not to exceed the number of licensed beds.

~~((8))~~ (10) "Beneficial owner" - Any person who:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power which includes the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power which includes the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting himself or herself of beneficial ownership of an ownership interest, or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter.

(c) Subject to subsection (4) of this section, has the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

~~((iv))~~ (iii) Pursuant to the power to revoke a trust, discretionary account, or similar arrangement; or

~~((v))~~ (iv) Pursuant to the automatic termination of a trust, discretionary account, or similar arrangement;

Except that, any person who acquires an ownership interest or power specified in subsection ~~((3)(a), (b), or~~

~~(c))~~ (10)(c)(i), (ii), or (iii) of this section with the purpose or effect of changing or influencing the control of the contractor, or in connection with or as a participant in any transaction having such purpose or effect, immediately upon such acquisition shall be deemed to be the beneficial owner of the ownership interest which may be acquired through the exercise or conversion of such ownership interest or power.

(d) Any person who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement shall not be deemed to be the beneficial owner of such pledged ownership interest until the pledgee has taken all formal steps necessary which are required to declare a default and determines that the power to vote or to direct the vote or to dispose or to direct the disposition of such pledged ownership interest will be exercised: PROVIDED, That

(i) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including persons meeting the conditions set forth in subsection ~~((2))~~ (b) of this section; and

(ii) The pledge agreement, prior to default, does not grant to the pledgee:

(A) The power to vote or direct or to direct the vote of the pledged ownership interest; or

(B) The power to dispose or direct the disposition of the pledged ownership interest, other than the grant of such ~~((power(s)))~~ power or powers pursuant to a pledge agreement under which credit is extended and in which the pledgee is a broker or dealer.

~~((9))~~ (11) "Capitalization" - The recording of an expenditure as an asset.

~~((10))~~ (12) "Capitalized lease" - A lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

~~((11))~~ (13) "Cash method of accounting" - A method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for those expenditures and assets.

~~((12))~~ (14) "Change of ownership" - A change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(a) Events which change ownership include but are not limited to the following:

(i) The form of legal organization of the contractor is changed (e.g., a sole proprietor forms a partnership or corporation);

(ii) Title to the nursing home enterprise is transferred by the contractor to another party;

(iii) The nursing home enterprise is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event occurs which dissolves the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following, without more, occur:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, i.e., subject to the contractor's general approval of daily operating decisions;

(ii) If the contractor is a corporation, some or all of its stock is transferred.

~~((13))~~ (15) "Charity allowances" - Reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

~~((14))~~ (16) "Contract" - A contract between the department and a contractor for the delivery of SNF or ICF services to medical care recipients.

~~((15))~~ (17) "Contractor" - An entity which contracts with the department to deliver care services to medical care recipients in a facility and which entity is responsible for operational decisions.

~~((16))~~ (18) "Courtesy allowances" - Reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

~~((17))~~ (19) "CSO" - The local community services office of the department.

~~((18))~~ (20) "Department" - The department of social and health services (DSHS) and employees.

~~((19))~~ (21) "Depreciation" - The systematic distribution of the cost or other base of tangible assets, less salvage, over the estimated useful life of the assets.

~~((20))~~ (22) "Donated asset" - An asset which the contractor acquired without making any payment for the asset in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

~~((21))~~ (23) "Entity" - An individual, partnership, corporation, or any other association of individuals capable of entering enforceable contracts.

~~((22))~~ (24) "Equity capital" - Total tangible and other assets which are necessary, ordinary, and related to patient care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

~~((23))~~ (25) "Exceptional care recipient" - A medical care recipient determined by the department to require exceptionally heavy care.

~~((24))~~ (26) "Facility" - A nursing home licensed in accordance with chapter 18.51 RCW, or that portion of a hospital licensed in accordance with chapter 70.41 RCW which operates as a nursing home.

~~((25))~~ (27) "Fair market value" - The price for which an asset would have been purchased on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

(28) "Financial statements" - Statements prepared and presented in conformity with generally accepted accounting principles and the provisions of chapter 74.46 RCW and this chapter including, but not limited to,

balance sheet, statement of operations, statement of changes in financial position, and related notes.

~~((26))~~ (29) "Fiscal year" - The operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

~~((27))~~ (30) "Generally accepted accounting principles" - Accounting principles approved by the financial accounting standards board (FASB).

(31) "Generally accepted auditing standards" - Auditing standards approved by the American institute of certified public accountants (AICPA).

~~((28))~~ (32) "Goodwill" - The excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. Also, the excess of the price paid for an asset over the fair market value of the asset.

~~((29))~~ (33) "Historical cost" - The actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((30))~~ (34) "ICF" - When referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

~~((31))~~ (35) "Imprest fund" - A fund which is regularly replenished in exactly the amount expended from it.

~~((32))~~ (36) "Interest" - The cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

~~((33))~~ (37) "Intermediate care facility" - A licensed facility certified to deliver intermediate care services to medical care recipients.

~~((34))~~ (38) "Joint facility costs" - Any costs representing expenses incurred which benefit more than one facility, or one facility and any other entity.

~~((35))~~ (39) "Levels of care" - The classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

~~((36))~~ (40) "Medical care program" - Medical assistance provided under RCW 74.09.500 or authorized state medical care services.

~~((37))~~ (41) "Medical care recipient" - An individual determined eligible by the department for the services provided in chapter 74.09 RCW.

~~((38))~~ (42) "Multiservice facility" - A facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

~~((39))~~ (43) "Nonallowable costs" - Same as "unallowable costs."

~~((40))~~ (44) "Nonrestricted funds" - Funds which are not restricted to a specific use by the donor, e.g., general operating funds.

~~((41))~~ (45) "Nursing home" - A home, place, or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing and/or intermediate care services are delivered.

~~((42))~~ (46) "Operating lease" - A lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

~~((43))~~ (47) "Owner" - A sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

~~((44))~~ (48) "Ownership interest" - All interests beneficially owned by a person, calculated in the aggregate, regardless of the form which such beneficial ownership takes.

~~((45))~~ (49) "Patient day" - A calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

~~((46))~~ (50) "Per diem (per patient day) costs" - Total allowable costs for a fiscal period divided by total patient days for the same period.

~~((47))~~ (51) "Prospective daily payment rate" - The rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

~~((48))~~ (52) "Recipient" - A medical care recipient.

(53) "Records" - Those data supporting all financial statements and cost reports including, but not limited to, all general and subsidiary ledgers, books of original entry, invoices, schedules, summaries, and transaction documentation, however such data are maintained.

~~((49))~~ (54) "Regression analysis" - A statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

(55) "Related care" - Includes the director of nursing services, activities and social services programs, medical and medical records specialists, and consultation provided by medical directors, pharmacists, occupational, physical, speech, and other therapists, and mental health professionals as defined in law and regulation.

~~((50))~~ (56) "Related organization" - An entity which, to a significant extent, is under common ownership and/or control with, or has control of or is controlled by, the contractor. An entity is deemed to "control" another entity if the entity has a five percent or greater ownership interest in the other, or if the entity has capacity, derived from any financial or other relationship, and whether or not exercised, to influence directly or indirectly the activities of the other.

~~((51))~~ (57) "Relative" - Spouse; natural parent, child, or sibling; adopted child or adoptive parent; ~~((step-parent))~~ stepparent, ~~((step-child))~~ stepchild, ~~((step-brother))~~ stepbrother, ~~((step-sister))~~ stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

~~((52))~~ (58) "Restricted fund" - A fund for which the use of the principal and/or income ~~((of which))~~ is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the

contractor has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

~~((53))~~ (59) "Secretary" - The secretary of the department of social and health services (DSHS).

~~((54))~~ (60) "Skilled nursing facility" - A licensed facility certified to deliver skilled nursing care services to medical care recipients.

~~((55))~~ (61) "SNF" - When referring to a facility, a skilled nursing facility. When referring to a level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

~~((56))~~ (62) "Start-up costs" - The one-time pre-opening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

~~((57))~~ (63) "Title XIX" - The 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((58))~~ (64) "Unallowable costs" - Costs which do not meet every test of an allowable cost.

~~((59))~~ (65) "Uniform chart of accounts" - A list of account titles identified by code numbers established by the department for contractors to use in reporting costs.

~~((60))~~ (66) "Vendor number" - A number assigned to each contractor delivering care services to medical care recipients.

~~((61))~~ (67) "Working capital" - Total current assets which are necessary, ordinary, and related to patient care from the most recent cost report minus total current liabilities which are necessary, ordinary, and related to patient care from the most recent cost report.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-020 PROSPECTIVE COST-RELATED REIMBURSEMENT. The prospective cost-related reimbursement system is the system used by the department to pay for skilled nursing facility services and intermediate care facility services provided to medical care recipients. Reimbursement rates for such services ~~((covering periods beginning on and after January 1, 1978;))~~ will be determined in accordance with the principles, methods and standards contained in this chapter and chapter 74.46 RCW.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-023 CONDITIONS OF PARTICIPATION. In order to participate in the prospective cost-related reimbursement system, the person or legal organization responsible for operation of a nursing home or multiservice facility shall:

(1) Obtain a state certificate of need ~~((and/or federal capital expenditure review (Section 1122))~~) approval

pursuant to chapter 70.38 RCW (~~and Part 100, Title 42 C.F.R.~~) where required (~~A certificate of need is required before commencement of a nursing home "construction" project (including acquisition) costing in excess of one hundred thousand dollars. Section 1122 approval is required for nursing home capital expenditures which (a) cost in excess of one hundred thousand dollars, (b) add or delete licensed beds, or (c) add or delete clinically related services~~);

(2) Hold the appropriate current license (e.g., nursing home license, hospital license);

(3) Hold current Title XIX certification to provide SNF and/or ICF services;

(4) Hold a current contract to provide SNF(;) and/or ICF (~~and/or IMR~~) services; and

(5) Comply with all provisions of the contract, chapter 74.46 RCW, and all applicable regulations, including but not limited to the provisions of this chapter and of chapter 388-88 WAC.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-026 PROJECTED BUDGET FOR NEW CONTRACTORS. (1) Each new contractor shall submit a projected budget to the department at least sixty days before its contract will become effective. For purposes of this section, a "new contractor" is one which:

(a) Operates a new facility;

(b) Acquires or assumes responsibility for operating an existing facility;

(c) Enters the cost-related reimbursement system after providing service at the nursing home in the past, but either not under the program or receiving flat or class-rate reimbursement; or

(d) Obtains a certificate of need (~~or section 1122~~) approval due to an addition to or renovation of a facility.

(2) The projected budget shall cover the twelve months immediately following the date the contractor will enter the program. It shall be prepared on forms and in accordance with instructions provided by the department and shall include all earnest money, purchase and lease agreements involved in the transaction.

(3) A new contractor shall submit, at least sixty days before the effective date of the contract, a statement disclosing the identity of individuals or organizations who have a beneficial ownership interest in the current operating entity or in the land, building, or equipment of the facility and the identity of individuals or organizations who have a beneficial ownership interest in the purchasing or leasing entity.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-029 CHANGE OF OWNERSHIP. (1) On the effective date of a change of ownership, as that term is defined in WAC 388-96-010, the department's contract with the old owner shall be terminated. The old owner shall give the department thirty days' written notice of such termination in accordance with the terms of the contract. When certificate of need

(~~and/or section 1122~~) approval is required for the new owner to acquire the facility, and the new owner wishes to continue to provide service to recipients without interruption, certificate of need (~~and/or section 1122~~) approval shall be obtained before the old owner submits a notice of termination.

(2) If the new owner desires to participate in the cost-related reimbursement system, it shall meet the conditions specified in WAC 388-96-023, and shall submit a projected budget in accordance with WAC 388-96-026 no later than sixty days before the date of the change of ownership. The nursing home contract with the new owner shall be effective as of the date of the change of ownership.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-032 TERMINATION OF CONTRACT. (1) When a contract is terminated for any reason, the old contractor shall submit final reports in accordance with WAC (~~388-96-125~~) 388-96-104. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final annual report, an audit has been completed by the department, and final settlement has been determined, such settlement to be issued within ninety days following completion of the audit process.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor, after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with WAC 388-96-904, the department will hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.

(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a reputable bonding company and acceptable to the department is filed by the contractor. The bond shall:

(a) Be in an amount equal to the released payment;

(b) Be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;

(c) Provide that the full amount of the bond shall be paid to the department if a properly completed final annual report is not filed in accordance with this chapter, or if financial records supporting this report are not preserved and made available to the department's auditors; and

(d) Provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver

SNF or ICF services to a different class of medical care recipients at the same nursing home, the contractor is not required to submit final reports, and payment for the final thirty days will not be withheld.

(5) When a contract is terminated, any accumulated liabilities which are assumed by a new owner shall be reversed against the appropriate accounts by the contractor.

AMENDATORY SECTION (Amending Order 1370, filed 2/21/79)

WAC 388-96-101 REPORTS. ~~((1) In order for a contractor to receive payments under the cost-related reimbursement system for providing care to medical care recipients, an annual report based on the contractor's fiscal year, and four quarterly reports based on the calendar year, shall be submitted to the department.~~

~~(2)) Each contractor shall submit ((an annual report covering the period from the beginning of its fiscal year in 1977 through December 31, 1977. For contractors with fiscal year ends other than December 31, this report will replace an annual report, in accordance with a revised schedule and instructions issued by the department.~~

~~(3) By December 31, 1979, each contractor's fiscal year for federal tax and cost reporting purposes shall coincide with the calendar year)) to the department an annual cost report and financial statements for the period from January 1st through December 31st of the preceding year. Except as otherwise specified in this chapter, the terms "annual cost report," "cost report," and "annual report" shall be understood to include all financial statements, reports, and schedules required by the department.~~

AMENDATORY SECTION (Amending Order 1370, filed 2/21/79)

WAC 388-96-104 DUE DATES FOR REPORTS. (1) ~~((Quarterly)) Annual cost reports for a calendar year shall be submitted ((within thirty days after the end of each calendar quarter)) by March 31st of the following year.~~

~~(2) ((Annual reports covering the complete fiscal year shall be submitted within ninety days after the end of the fiscal year)) If a contract is terminated for any reason, the old contractor shall submit a final cost report and financial statements, reports, and schedules within one hundred twenty days after the effective date of termination for the period January 1st of the year of termination through the effective date of termination.~~

~~(3) A new contractor shall submit, by March 31st of the following year, a cost report and financial statements, reports, and schedules for the period from the effective date of the contract through December 31st of the year the contract was made effective.~~

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-107 REQUESTS FOR EXTENSIONS. (1) The department may grant ~~((a thirty day)) two extensions of ((time for filing a required report if))~~

~~up to thirty days each upon receipt of a written request ((setting forth the reasons an extension is necessary is received prior to the expiration of the relevant time period)) at least ten days prior to the due date of the report. Requests must be addressed to the director, bureau of nursing home affairs, and must state the circumstances prohibiting compliance with the report due date.~~

~~(2) Extensions will be granted only if the circumstances stated clearly indicate the due date cannot be met and the following conditions are present:~~

~~(a) The circumstances were not foreseeable by the provider; and~~

~~(b) The circumstances were not avoidable by advance planning.~~

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-108 FAILURE TO SUBMIT FINAL REPORTS. (1) If a contract is terminated, the old contractor shall submit a final report as required by WAC 388-96-032(1) and ~~((388-96-125(3))) 388-96-104(2)~~. Such final reports must be received by the department within ~~((ninety)) one hundred twenty days~~ after the contract is terminated or prior to the expiration of any department-approved extension granted pursuant to WAC 388-96-107. If a final report is not submitted, all payments made to the contractor relating to the period for which a report has not been received shall be returned to the department within thirty days after receiving written demand from the department.

(2) Effective thirty days after written demand for payment is received by the contractor, interest will begin to accrue payable to the department on any unpaid balance at the rate of one percent per month.

AMENDATORY SECTION (Amending Order 1791, filed 4/14/82)

WAC 388-96-110 IMPROPERLY COMPLETED OR LATE REPORTS. (1) For 1981 and subsequent annual cost reporting periods, an annual report, including the proposed settlement computed by cost center pursuant to ~~((WAC 388-96-222)) regulation~~, must be completed in accordance with applicable statutes, departmental regulations and instructions. An annual cost report deficient in any of these respects may be returned in whole or in part to the contractor for proper completion. Annual reports must be submitted by the due date determined in accordance with WAC 388-96-104.

~~(2) ((For purposes of establishing rates effective July 1, 1982, if a contractor has not corrected errors in an annual cost report, including the proposed settlement, according to subsection (1) of this section by May 15, 1982, such report shall be excluded from computation of the redistribution pool established pursuant to RCW 74.09.610(2)(b)(i) and the contractor shall be subject to the provisions of subsection (3) of this section.~~

~~(3)) If a cost report or financial statement, report, or schedule is not properly completed or is not received by the department on or before the due date of the report, including any approved extensions, all or a part of any payments due under the contract may be held by the~~

department until the improperly completed or delinquent report or financial statement, report, or schedule is properly completed and received by the department.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-113 COMPLETING REPORTS AND MAINTAINING RECORDS. (1) All reports shall be legible, reproducible, and shall be submitted in original. All entries must be typed or completed in black or dark blue ink.

(2) Reports shall be completed in accordance with instructions provided by the department. If no specific instruction covers a situation, generally accepted accounting principles shall be followed.

(3) The accrual method of accounting shall be used (~~except that for governmental institutions operated on a cash method of accounting, data based on this method of accounting will be acceptable~~). All revenue and expense accruals shall be reversed against the appropriate accounts if not received or paid within one hundred twenty days after the accrual is made, unless special circumstances are documented justifying continuing to carry all or part of the accrual (e.g., contested billings). Accruals for vacation, holiday, sick pay, and taxes may be carried for longer periods, provided the contractor's usual policy (~~is~~) and generally accepted accounting principles are followed.

(4) Methods of allocating costs shall be consistently applied. Written approval must be obtained from the department if a contractor wishes to change an allocation method. Contractors operating multiservice facilities or facilities incurring joint facility costs shall allocate costs using the methods approved by the department under WAC 388-96-534.

(5) The contractor's records relating to a nursing home shall be maintained so reported data can be audited for compliance with generally accepted accounting principles and the department's reimbursement principles and reporting instructions. If a contractor maintains records utilizing a chart of accounts other than that established by the department, the contractor shall provide to the department a written schedule which specifies the way in which the contractor's individual account numbers correspond to the department's chart of accounts. Records shall be available for review by authorized personnel of the department and of the United States Department of Health and Human Services during normal business hours at a location in the state of Washington specified by the contractor.

(6) If a contractor fails to maintain records adequate for audit purposes as provided in subsection (5) of this section or fails to allow inspection of such records by authorized personnel as provided in subsection (5) of this section, the department may suspend all or part of subsequent reimbursement payments due under the contract until compliance is forthcoming. Upon compliance, the department shall resume current contract payments and shall release payments suspended pursuant to subsection (6) of this section.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-128 REQUIREMENTS FOR RETENTION OF RECORDS BY THE CONTRACTOR. All financial and statistical data supporting the required reports shall be retained for a period of ~~((three))~~ four years subsequent to filing at a location in the state of Washington specified by the contractor. If at the end of ~~((three))~~ four years there are unresolved audit questions, the records shall be retained until these questions are resolved. All such data shall be made available upon demand to authorized representatives of the department and of the United States Department of Health ~~((education))~~ and ~~((welfare))~~ Human Services. When a contract is terminated, final settlement will not be made and all payments due will be withheld until accessibility to and preservation of the records within the state of Washington are assured.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-131 REQUIREMENT FOR RETENTION OF REPORTS BY THE DEPARTMENT. The department will retain each required report for a period of ~~((three))~~ four years following the date the report was submitted. If at the end of ((three)) four years there are unresolved audit questions, the report will be retained until such questions are resolved.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-134 DISCLOSURE OF NURSING HOME REPORTS. ~~((All required financial and statistical))~~ (1) Cost reports ((submitted by nursing homes to the department)) and final audit reports will be made available for public disclosure. Financial statements, schedules summarizing adjustments to cost reports, reports or reviews of internal control and accounting procedures, and letters containing comments or recommendations relating to suggested improvements in internal control or accounting procedures shall be exempt from public disclosure.

(2) Whether or not subject to public disclosure all documents shall be provided by the secretary, upon written request, to the legislature and to state agencies or state and local law enforcement officials who have an official interest in the requested documents.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-204 FIELD AUDITS. (1) All cost reports for calendar year 1982 shall be field audited by the department.

(2) ((Each annual)) Cost reports ((with)) for years subsequent to 1982 may be field audited by auditors employed by or under contract with the department.

(3) Beginning with cost reports for calendar year 1983, facilities selected for audit shall be notified within one hundred twenty days after submission of a complete

and correct cost report of the department's intent to audit.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-207 PREPARATION FOR AUDIT BY THE CONTRACTOR. (1) The department will ~~((normally))~~ notify the contractor at least ~~((two weeks))~~ ten working days in advance of a field audit.

(2) The contractor shall provide the auditors with access to the nursing home and to all financial statements, reports, and schedules, including those pertaining to the filing of income taxes, and all such other financial and statistical records and work papers ~~((which support))~~ supporting the data in the cost report or relating to patient trust funds. Such records shall be made available at a location in the state of Washington specified by the contractor.

(3) The contractor shall reconcile reported data with applicable federal income and payroll tax returns and with the financial statement as of the end of the period covered by the report. Such reconciliation shall be in suitable form for verification by the auditors.

(4) The contractor shall designate and make available one or more individuals familiar with the internal operations of a facility being audited in order to respond to questions and requests for information and documentation from auditors. If the individual or individuals designated cannot answer all questions and respond to all requests, an alternate individual with sufficient knowledge and access to records and information must be provided by the contractor.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-210 SCOPE OF FIELD AUDITS.

(1) Auditors will review the contractor's record-keeping and accounting practices and, where appropriate, make written recommendations for improvements.

(2) The audit will result in a schedule summarizing adjustments to the contractor's cost report whether such adjustments eliminate costs reported or include costs not reported. These adjustments shall include an explanation for the adjustment, the general ledger account or account group, and the dollar amount. Auditors will examine the contractor's financial and statistical records to verify that:

(a) Supporting records are in agreement with reported data;

(b) Only those assets, liabilities, and revenue and expense items the department has specified as allowable ~~((costs))~~ have been included by the contractor in computing the costs of services provided under its contract;

(c) Allowable costs have been accurately determined and are necessary, ordinary, and related to patient care; ~~((and))~~

(d) Related organizations and beneficial ownerships or interests have been correctly disclosed;

(e) Recipient trust funds have been properly maintained((-)); and

(f) The contractor is otherwise in compliance with provisions of this chapter and chapter 74.46 RCW.

(3) Auditors will prepare draft audit narratives and summaries and provide them to the contractor before final narratives and summaries are prepared.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-213 INADEQUATE DOCUMENTATION. The auditors will disallow any assets, liabilities, revenues or expenses reported as allowable ~~((costs))~~ which are not supported by adequate documentation in the contractor's financial records. Documentation must show both that ~~((the))~~ costs reported were incurred and ~~((that they))~~ were related to patient care, and that assets reported were used in the provision of patient care.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-216 DEADLINE FOR COMPLETION OF AUDITS. (1) Provided that auditors are given prompt and timely access to the nursing home and to all financial and statistical records necessary to audit the report, field audits will be completed within one year after a properly completed annual cost report is received by the department~~((, provided field auditors are given timely access to the nursing home and to all financial and statistical records necessary to audit the report))~~ or, beginning with audits of 1983 cost reports, within one year after a nursing home is notified it has been selected for audit.

(2) The department will give priority to field audits of final annual reports and whenever possible will begin such field audits within ~~((sixty))~~ ninety days after a properly completed final annual report is received.

NEW SECTION

WAC 388-96-220 PRINCIPLES OF SETTLEMENT. (1) For each cost center, a settlement shall be calculated at the lower of prospective reimbursement rate or audited allowable costs, except as otherwise provided in this chapter.

(2) Each contractor shall complete a proposed preliminary settlement by cost center as part of the annual cost report and submit it by the due date of the annual cost report. After review of the proposed preliminary settlement, the department shall issue by cost center a preliminary settlement report to the contractor.

(3) If a field audit is conducted, the audit findings shall be evaluated by the department after completion of the audit and a final settlement by cost center, including any allowable shifting or cost savings, shall be issued which takes account of such findings and evaluations.

(4) Pursuant to preliminary or final settlement and the procedures set forth in this chapter, the contractor shall refund overpayments to the department and the department shall pay underpayments to the contractor.

NEW SECTION

WAC 388-96-221 PRELIMINARY SETTLEMENT. (1) The proposed preliminary settlement submitted by a contractor pursuant to WAC 388-96-220(2) shall compare the prospective rates at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect, to the contractor's allowable costs for the reporting period. All authorized shifting, cost savings, and upper limits to rates shall be taken into account on a cost center basis.

(2) Within one hundred twenty days after a proposed preliminary settlement is received, the department shall review it for accuracy and either accept or reject the proposal of the contractor. If accepted, the proposed preliminary settlement shall become the preliminary settlement report. If rejected, the department shall issue a preliminary settlement report by cost center which shall fully substantiate disallowed costs, refunds, or underpayments due and adjustments to the proposed preliminary settlement.

(3) A contractor shall have thirty days after receipt of a preliminary settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, a preliminary settlement report shall not be subject to review.

NEW SECTION

WAC 388-96-224 FINAL SETTLEMENT. (1) If an audit is conducted, the department shall issue a final settlement report to the contractor after completion of the audit process, including exhaustion or mutual termination of reviews and appeals of audit findings or determinations. The final settlement shall be by cost center and shall fully substantiate disallowed costs, refunds, underpayments, or adjustments to the cost report and financial statements, reports, and schedules submitted by the contractor. The final settlement report shall compare the prospective rate at which the contractor was paid during the report period, weighted by the number of patient days reported for the period each rate was in effect as verified by audit, to the contractor's audited allowable costs for the reporting period. All authorized shifting, cost savings, and upper limits to rates shall be taken into account on a cost center basis. If the contractor is pursuing an administrative or judicial review or appeal in good faith regarding audit findings or determinations, the department may issue a partial final settlement report in order to recover overpayments based on audit findings or determinations not in dispute on review or appeal.

(2) A contractor shall have thirty days after receipt of a final settlement report to contest such report pursuant to WAC 388-96-901 and 388-96-904. Upon expiration of the thirty-day period, a final settlement report shall not be subject to review.

(3) If no audit is conducted by the department, the preliminary settlement report shall become the final settlement report.

(4) A final settlement will be reopened by the department if necessary to make adjustments based upon findings resulting from an audit performed pursuant to section 5(4), chapter 67, Laws of 1983 1st ex. sess. A final settlement may also be reopened to recover an industrial insurance dividend or premium discount under RCW 51.16.035 in proportion to a contractor's medical care recipients, pursuant to RCW 74.46.180(5).

NEW SECTION

WAC 388-96-226 SHIFTING PROVISIONS. In computing a preliminary or final settlement, savings (overpayment) in a cost center may be shifted to cover a deficit (underpayment) in another cost center up to the amount of the savings, provided that:

(1) Not more than twenty percent of the rate in a cost center may be shifted into that cost center; and

(2) No shifting may be made into the property cost center.

NEW SECTION

WAC 388-96-228 COST SAVINGS. (1) In the patient care and food cost areas and in the administration and operations and property cost areas prior to July 1, 1983, the contractor shall refund all payments received for medical care recipients in excess of allowable costs for those recipients in those cost centers, taking into account any authorized shifting.

(2) Beginning July 1, 1983, in the administration and operations and property cost areas, contractors shall be permitted to retain a portion of payments received for recipients in excess of allowable costs for those recipients according to the following procedures:

(a) Based upon the latest information available, the department shall, by December 31st of each year, notify contractors of the fiftieth percentile rates in the administration and operations and property cost areas for the period July 1st through December 31st.

(b) A contractor shall be permitted to retain, after allowable shifting, seventy-five percent of cost savings in the administration and operations cost area or the property cost area multiplied by medical care recipient days of service if the average rate for the cost report period computed according to department instructions in such cost area is at or below the fiftieth percentile rate.

(c) A contractor shall be permitted to retain, after allowable shifting, fifty percent of cost savings in the administration and operations cost area or property cost area multiplied by medical care recipient days of service if the average rate for the cost report period computed according to department instructions in such cost area is above the fiftieth percentile rate.

(3) Cost savings attributable to any industrial insurance dividend or premium discount under RCW 51.16.035 shall be recovered by the department in proportion to the ratio of medical care recipients to other patients at the facility.

(4) For the 1983 cost reporting period, cost savings shall be computed but allowable savings shall be prorated by the proportion of Medicaid patient days reported

for July 1st through December 31st to the total number of Medicaid patient days reported for the year.

NEW SECTION

WAC 388-96-229 PROCEDURES FOR OVERPAYMENTS AND UNDERPAYMENTS. (1) The department shall make payment of underpayments determined by preliminary or final settlement within thirty days after the preliminary or final settlement report is submitted to the contractor.

(2) A contractor found to have received overpayments or payments in error as determined by preliminary or final settlement shall refund such payments to the department within thirty days after receipt of the preliminary or final settlement report as applicable.

(3) If a contractor fails to comply with subsection (2) of this section, the department shall:

(a) Deduct from current monthly amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(b) If the contract has been terminated:

(i) Deduct from any amounts due the contractor the refund due the department and interest on the unpaid balance at the rate of one percent per month; or

(ii) Pursue, as authorized by law and regulation, recovery of the refund due and interest on the unpaid balance at the rate of one percent per month.

(4) If a facility is pursuing timely filed administrative or judicial remedies in good faith regarding a proposed preliminary settlement report which was rejected or a final settlement report, the contractor need not refund nor shall the department withhold from current amounts due the facility any refund or interest the department claims to be due from the facility, provided the refund is specifically disputed by the contractor on review or appeal. Portions of refunds due the department which are not specifically disputed by the contractor on review or appeal are subject to recovery and assessment of interest as provided in subsection (3) of this section. If the administrative or judicial remedy sought by the facility is not granted or is granted only in part after exhaustion or mutual termination of all appeals, the facility shall refund all amounts due the department within sixty days after the date of decision or termination plus interest as payable on judgments from the date the review was requested pursuant to WAC 388-96-901 and 388-96-904 to the date the repayment is made.

NEW SECTION

WAC 388-96-310 INTEREST ON OTHER EXCESS PAYMENTS. (1) Any contractor obtaining benefits or payments under the medical assistance program to which such contractor is not entitled or in an amount to which such contractor is not entitled, shall be liable for such benefits or payments received and for interest on the amount of benefits or payments from the date of receipt until repayment is made to the department at the rate of one percent per month, unless the contractor establishes the overpayment was the result of errors made by the department.

(2) Interest charged by the department or interest expense incurred by the contractor, from whatever source, in making refund to the department shall not be reimbursable by the department as an allowable cost. The contractor may, by payment of a disputed settlement in whole or in part, stop accrual of interest on the amount paid. Such payment will be without prejudice to obtain review of a settlement determination.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-369 THE PROVIDER SHALL MAINTAIN A SUBSIDIARY LEDGER WITH AN ACCOUNT FOR EACH RECIPIENT FOR WHOM THE PROVIDER HOLDS MONEY IN TRUST. (1) Each account and related supporting information shall:

(a) Be maintained at the facility,

(b) Be kept current,

(c) Be balanced each month, and

(d) Show in detail, with supporting verification, all moneys received on behalf of the individual patient and the disposition of all moneys so received.

(2) Each account shall be available for audit and inspection by a department representative and be maintained for a minimum of ~~((three))~~ four years. The provider further agrees to notify the community services office of the department when:

(a) The account of any individual certified on or before December 31, 1973, whose award letter indicates a limit of \$200.00 cash, reaches the sum of \$175.00.

The community services office will re-evaluate the status of each recipient certified under the eligibility criteria prior to January 1, 1974, who has an award letter specifying a \$200.00 cash limit.

(b) The account of any individual certified on or after January 1, 1974, whose award letter indicates a limit of \$1,500.00 reaches the sum of \$1,450.00.

(c) For both groups, the accumulation toward the limit, after admission to the facility, is permitted only from savings from the clothing and personal incidentals allowance and other income which the department specifically designates as exempt income from time to time.

(d) No patient account may be overdrawn (show a debit balance). If a patient wants to spend an amount greater than in such patient's trust account, the home may provide money from its own funds and collect the debt by installments from that portion of the patient's allowance remaining at the end of each month. No interest may be charged to patients for such loans.

(3) In order to ensure that patient trust accounts are not charged for services provided under the Title XIX program, any charge for medical services otherwise properly made to a patient's trust account must be supported by a written denial from the department.

(a) A request for additional equipment such as a walker, wheelchair, or crutches must have a written denial from the department of social and health services before a patient trust account can be charged.

(b) Except as otherwise provided as follows, a request for physical therapy, restorative therapy, drugs, or other medical services must have a written denial from the local CSO before a patient trust account can be charged.

(c) A written denial from the local CSO is not required when the pharmacist verifies that a drug is not covered by the program (e.g., items on the FDA list of ineffective or possible effective drugs, nonformulary over-the-counter (OTC) medications such as vitamins, laxatives, nose drops, etc.). The pharmacist's notation to this effect is sufficient.

AMENDATORY SECTION (Amending Order 1114, filed 4/21/76)

WAC 388-96-372 THE PROVIDER MAY MAINTAIN A PETTY CASH FUND ORIGINATING FROM TRUST MONEYS OF AN AMOUNT REASONABLE AND NECESSARY FOR THE SIZE OF THE FACILITY AND THE NEEDS OF THE PATIENTS, NOT TO EXCEED \$500.00. (1) This petty cash fund shall be an imprest fund. All moneys over and above the trust fund petty cash amount shall be deposited intact in a trust fund checking account, separate and apart from any other bank ((account(s))) account or accounts of the facility or other facilities.

(2) Cash deposits of recipient allowances must be made intact to the trust account within one week from the time that payment is received from the department, Social Security Administration, or other payor.

(3) Any related bankbooks, bank statements, checkbook, check register, and all voided and cancelled checks, shall be made available for audit and inspection by a department representative, and shall be maintained by the home for not less than ((three)) four years.

(4) No service charges for such checking account shall be paid by recipient trust moneys.

(5) The trust account per bank shall be reconciled monthly to the trust account per patient ledgers.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-521 START-UP COSTS. Necessary and ordinary start-up costs, as defined in WAC 388-96-010, will be allowable in the administration and operations cost area if they are amortized over not less than sixty consecutive months beginning with the month in which the first patient is admitted for care.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-523 ORGANIZATION COSTS. (1) Necessary and ordinary costs which are directly incident to the creation of a corporation or other form of business of the contractor and that are incurred prior to the admission of the first patient, will be allowable in the administration and operations cost area if they are amortized over not less than sixty consecutive months beginning with the month in which the first patient is admitted for care.

(2) Allowable organization costs include but are not limited to legal fees incurred in establishing the corporation or other organization and fees paid to states for incorporation. They do not include costs relating to the issuance and sale of shares of capital stock or other securities.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-529 TOTAL COMPENSATION—OWNERS, RELATIVES, AND CERTAIN ADMINISTRATIVE PERSONNEL. For purposes of the tests in WAC 388-96-531 ((and)), 388-96-533, and 388-96-535, total compensation ((includes)) shall be as provided in the employment contract, including benefits, whether such contract is written, verbal, or inferred from the acts of the parties. In the absence of a contract, total compensation shall include gross salary or wages and ((fringe)) benefits (e.g., health insurance) made available to all employees, but ((excludes)) excluding payroll taxes paid by the contractor.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-531 OWNER OR RELATIVE—COMPENSATION. (1) Total compensation of an owner or relative of an owner shall be limited to ordinary compensation for necessary services actually performed.

(a) Compensation is ordinary if it is the amount usually paid for comparable services in a comparable facility to an unrelated employee, and does not exceed limits set out in this chapter.

(b) A service is necessary if it is related to patient care and would have had to be performed by another person if the owner or relative had not done it.

(2) The contractor, in maintaining customary time records adequate for audit, shall include such records for owners and relatives who receive compensation. Such records shall document compensated time was spent in provision of necessary services actually performed.

(3) For purposes of this section, if the contractor with the department is a corporation, "owner" includes all corporate officers and directors.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-533 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL. (1) Compensation for administrative personnel shall be an allowable cost, subject to the limits contained in this section.

(2) Total compensation of the licensed administrator for services actually rendered to a nursing home on a full-time basis (at least forty hours per week, including reasonable vacation, holiday, and sick time) will be allowable at the lower of:

(a) Actual compensation received, or

(b) The amount in the table in subsection (5) of this section corresponding to the number of beds in the nursing home.

Compensation of the licensed administrator will only be allowable if the department is given written notice of his or her employment within ten days after the employment begins.

(3) Total compensation of not more than one full-time licensed assistant administrator will be allowable if there are at least eighty beds in the nursing home, at the lower of:

- (a) Actual compensation received, or
- (b) Seventy-five percent of the appropriate amount in the table in subsection (5) of this section.

(4) Total compensation of not more than one full-time registered administrator-in-training will be allowable at the lower of:

- (a) Actual compensation received, or
- (b) Sixty percent of the appropriate amount in the table in subsection (5) of this section.

(5)

TABLE

Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year ~~((1987))~~ 1983

BED SIZE

1 - 79	\$(27,200) 29,716
80 - 159	\$(30,100) 32,884
160 and up	\$(32,000) 34,960

(6) A table to be promulgated by the department will apply for subsequent calendar years.

(7) If the licensed administrator, licensed assistant administrator, or registered administrator-in-training regularly work fewer than forty hours per week, allowable compensation shall be the lower of:

- (a) Actual compensation received, or
- (b) The appropriate amount in the table in subsection (5) of this section multiplied by the percentage derived from the division of the actual hours worked by forty hours. Further discounting is required if the person was licensed or registered and/or worked for less than the entire report period.

(8) The contractor shall maintain ((customary)) time records customary for employees which are adequate for audit for the licensed administrator, assistant administrator, and/or administrator-in-training.

(9) Reimbursement for administrative and management services shall be limited in total amount to allowable compensation for administrative personnel set forth in this section regardless of the provisions of any employment, management or consultation agreement, or other arrangement which exists between the contractor and persons or organizations providing such services.

(10) Costs of an administrator-in-training shall not be considered for the purpose of setting the administration and operations prospective rate. The costs of an approved administrator-in-training program shall be reimbursed by an adjustment to current rate. To obtain an adjustment, the contractor must submit a request for an increase in current rate together with necessary documentation which shall include a copy of the department of licensing approval of the administrator-in-training program and a schedule indicating the commencement date, expected termination date, salary or wage, hours, and costs of benefits. The contractor shall notify the department, at least thirty days in advance, of the actual termination date of the administrator-in-training program. Upon termination of the program, the current rate shall be reduced by an amount corresponding to the cost of the program.

AMENDATORY SECTION (Amending Order 1527, filed 7/22/80)

WAC 388-96-534 DISCLOSURE AND APPROVAL OF JOINT FACILITY COST ALLOCATION. (1) The contractor shall disclose to the department:

- (a) The nature and purpose of all costs which represent allocations of joint facility costs; and
 - (b) The methodology of the allocation utilized.
- (2) Such disclosure shall demonstrate that:
- (a) The services involved are necessary and nonduplicative; and
 - (b) Costs are allocated in accordance with benefits received from the resources represented by those costs.

(3) Such disclosure shall be made ((not later than September 30, 1980, for the following year and)) not later than September 30th for each year ((thereafter)); except that a new contractor shall submit the first year's disclosure together with the submissions required by WAC 388-96-026. Where a contractor will make neither a change in the joint costs to be incurred nor in the allocation methodology, the contractor may certify no change will be made in lieu of the disclosure required in subsection (1) of this section.

~~((3))~~ The contractor shall demonstrate and certify that:

- (a) The services involved are necessary, ordinary, related to patient care and nonduplicative; and
- (b) Costs are allocated in accordance with the patient care related benefits and services received from the specific resources represented by those costs.)

(4) The department shall approve such methodology not later than December 31, 1980, and not later than December 31st for each year thereafter.

(5) An amendment or revision to an approved methodology shall be submitted to the department for approval at least ninety days prior to the effective date of the amendment or revision.

(6) Where a contractor will begin to incur joint facility costs at some time other than the beginning of the calendar year, the contractor shall provide the information required in subsections (1) and ~~((3))~~ (2) of this section at least ninety days prior to the date at which the cost will first be incurred.

(7) Joint facility costs not disclosed, allocated, and reported in ~~((conformance))~~ conformity with this section are nonallowable costs.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-535 MANAGEMENT AGREEMENTS, MANAGEMENT FEES, AND CENTRAL OFFICE SERVICES. (1) If a contractor intends to enter into a management agreement with an individual or firm which will manage the nursing home as agent of the contractor, a copy of the agreement must be received by the department at least ~~((ninety))~~ sixty days before the agreement is to become effective. A copy of any amendment to a management agreement must ~~((also))~~ be received by the department at least thirty days in advance of the date the amendment is to become effective. No

management fees for periods prior to the time the department receives a copy of the applicable agreement will be allowable. When necessary for the health and safety of medical care recipients, the ~~((ninety-day))~~ sixty-day notice requirement may be waived, in writing, by the department.

(2) Management fees will be allowed only if:

(a) A written management agreement both creates a principal/agent relationship between the contractor and the manager, and sets forth the items, services, and activities to be provided by the manager; and

(b) Documentation demonstrates ~~((that))~~ the services contracted for were actually delivered.

To be allowable, fees must be for necessary, non-duplicative services.

(3) Allowable fees for general management services, including corporate or business entity management and board of director's fees and including the portion of a management fee which is not allocated to specific services such as accounting, are limited to:

(a) The maximum allowable compensation under WAC 388-96-533 of the licensed administrator and, if the facility has at least eighty beds, of an assistant administrator, less

(b) Actual compensation received by the licensed administrator and by the assistant administrator and administrator-in-training, if any. In computing maximum allowable compensation under WAC 388-96-533 for a facility with at least eighty set-up beds, include the maximum compensation of an assistant administrator even if no assistant administrator is employed.

(4) A management fee paid to or for the benefit of a related organization will be allowable to the extent the fee does not exceed the lesser of:

(a) The limits set out in subsection (3) of this section~~((:));~~ or

(b) The lower of the actual cost to the related organization of providing necessary services related to patient care under the agreement, or the cost of comparable services purchased elsewhere. Where costs to the related organization represent joint facility costs, the measurement of such costs shall comply with WAC 388-96-534.

(5) Central office costs, owner's compensation, and other fees or compensation, including joint facility costs, for general administrative and management services, including the portion of a management expense which is not allocated to specific services, shall be subject to the management fee limits determined in subsections (3) and (4) of this section.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-539 ALLOWABLE INTEREST.

(1) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill will not be allowed.

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arm's-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(2) Interest paid to or for the benefit of a related organization will be allowed only to the extent the actual interest does not exceed the actual cost to the related organization of obtaining the use of the funds in an arm's-length transaction. However, if the loan from which the interest expense arises is classified as a part of a contractor's equity capital according to Medicare rules and regulations, the interest expense shall be unallowable.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-543 EXPENSE FOR CONSTRUCTION INTEREST. Interest expense and loan origination fees relating to construction of a nursing home incurred during the period of construction shall be capitalized and amortized over ~~((not less than sixty consecutive months))~~ the life of the facility from the date the first patient is admitted. The period of construction shall extend from the date of the construction loan to the date the facility is put into service for patient care, not to exceed the project certificate of need time period.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-553 CAPITALIZATION. The following costs shall be capitalized:

(1) Expenditures for and costs of equipment, including furniture and furnishings, with historical cost in excess of one hundred fifty dollars per unit and a useful life of more than one year from the date of purchase;

(2) Expenditures and costs for equipment, including furniture and furnishings, with historical cost of one hundred fifty dollars or less per unit if either:

(a) The item of equipment was acquired in a group purchase where the total cost exceeded one hundred fifty dollars; or

(b) The item of equipment was part of the initial equipment or stock of the nursing home.

(3) Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, subsections (1) and (2) of this section shall be applied with the sum of five hundred dollars replacing the sum of one hundred fifty dollars.

(4) Effective January 1, 1983, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1984, and subsequently subsections (1) and (2) of this section shall be applied with the sum of seven hundred fifty dollars replacing the sum of one hundred fifty dollars.

(5) Expenditures for and costs of building, and other real property items, components, and improvements, whether for leased or owner-operated facilities, in excess of five hundred dollars and involving one or more of the following:

- (a) Increase of the interior floor space of the structure;
- (b) Increase or renewal of paved areas outside the structure;
- (c) Exterior or interior remodeling of the structure;
- (d) Installation of additional heating, cooling, electrical, water-related, or similar fixed equipment;
- (e) Landscaping or redecorating;
- (f) Any change, including repairs, which increases the useful life of the structure or item if not a part of the structure by two years or more;
- (g) Any replacement or renewal of a real property item, component or improvement, whether structural or nonstructural.

~~((5))~~ (6) For a leasehold improvement, the asset shall be amortized over the asset's useful life in accordance with Internal Revenue Service class life ADR system guidelines or in accordance with American hospital association guidelines.

AMENDATORY SECTION (Amending Order 1944, filed 2/4/83)

WAC 388-96-554 EXPENSING. The following costs shall be expensed:

(1) Expenditures for and costs of equipment, including furniture and furnishings, with historical cost of one hundred fifty dollars or less per unit or a useful life of one year or less from the date of purchase.

(2) Subsection (1) of this section shall not apply if:

- (a) The item of equipment was acquired in a group purchase where the total cost exceeded one hundred fifty dollars; or
- (b) The item of equipment was part of the initial equipment or stock of the nursing home.

(3) Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, subsections (1) and (2) of this section shall be applied with the sum of five hundred dollars replacing the sum of one hundred fifty dollars.

(4) Effective January 1, 1983, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1984, and subsequently subsections (1) and (2) of this section shall be applied with the sum of seven hundred fifty dollars replacing the sum of one hundred fifty dollars.

(5) Expenditures for and costs of building and other real property items, components and improvements, whether for leased or owner-operated facilities, of five hundred dollars or less.

~~((5))~~ (6) Expenditures for and costs of repairs necessary to maintain the useful life of equipment, including furniture and furnishings, and real property items, components or improvements which do not increase the useful life of the asset by two years or more. If a repair is to the interior or exterior of the structure, the term "asset" shall refer to the structure.

~~((6))~~ (7) Remaining undepreciated cost of equipment, including furniture or furnishings or real property items, components, or improvements which are ~~((replaced, renewed or))~~ retired and not replaced, provided such cost shall be offset by any proceeds or compensations received for such assets, and such cost shall be expensed only if the contractor has made a reasonable effort to recover at least the outstanding book value of such assets. If a retired asset is replaced, WAC 388-96-572(3) shall apply and the replacement or renewal shall be capitalized if required by WAC 388-96-553.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-557 DEPRECIABLE ASSETS. (1) Tangible assets of the following types in which a contractor has an economic interest through ownership are subject to depreciation:

(a) Building - the basic structure or shell and additions thereto.

(b) Building fixed equipment - attachments to buildings, such as wiring, electrical fixtures, plumbing, elevators, heating system, and air conditioning system. The general characteristics of this equipment are:

(i) Affixed to the building and not subject to transfer; and

(ii) A fairly long life, but shorter than the life of the building to which affixed.

(c) Major movable equipment - such items as beds, wheelchairs, desks, and x-ray machines. The general characteristics of this equipment are:

(i) A relatively fixed location in the building;

(ii) Capable of being moved as distinguished from building equipment;

(iii) A unit cost sufficient to justify ledger control;

(iv) Sufficient size and identity to make control feasible by means of identification tags; and

(v) A minimum life of approximately three years. Effective January 1, 1981, for settlement purposes for periods subsequent to that date, and for purposes of setting rates for periods beginning July 1, 1982, and subsequently, this equipment shall be characterized by a minimum life of greater than one year.

(d) Minor equipment - such items as ~~((waste baskets))~~ wastebaskets, ~~((bed pans))~~ bedpans, syringes, catheters, silverware, mops, and buckets which are properly capitalized. No depreciation shall be taken on items which are not properly capitalized (see WAC 388-96-553). The general characteristics of minor equipment are:

(i) In general, no fixed location and subject to use by various departments;

(ii) Small in size and unit cost;

(iii) Subject to inventory control;

(iv) Large number in use; and

(v) Generally, a useful life of one to three years.

(e) Land improvements - such items as paving, tunnels, underpasses, on-site sewer and water lines, parking lots, shrubbery, fences, walls, etc., where replacement is the responsibility of the contractor.

(f) Leasehold improvements - betterments and additions made by the lessee to the leased property, which

become the property of the lessor after the expiration of the lease.

(2) Land is not depreciable. The cost of land includes, but is not limited to, the cost of such items as off-site sewer and water lines, public utility charges necessary to service the land, governmental assessments for street paving and sewers, the cost of permanent roadways and grading of a nondepreciable nature, and the cost of curbs and sidewalks, replacement of which is not the responsibility of the contractor.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-561 DEPRECIATION BASE—DONATED OR INHERITED ASSETS. (1) The depreciation base of donated assets, as defined in WAC 388-96-010, or of assets received through testate or intestate distribution, shall be the lesser of:

(a) Fair market value at the date of donation or death, less goodwill(;;), provided that, estimated salvage value shall be deducted from fair market value where the straight-line or sum-of-the-years digits method of depreciation is used; or

(b) The depreciation base under the cost-related reimbursement program of the owner last contracting with the department, if any.

(2) If the donation or distribution is between related organizations, the base shall be the lesser of:

(a) Fair market value, less goodwill and, where appropriate, salvage value(;;); or

(b) The depreciation base the related organization had or would have had for the asset under a contract with the department.

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-565 LIVES. (1) The contractor shall use lives reflecting the estimated actual useful life of the asset and shall be no shorter than guideline lives contained in the Internal Revenue Service class life ADR system or published by the American hospital association in computing allowable depreciation. The shortest life which may be used for buildings is thirty years.

(2) Lives shall be measured from the date on which the assets were first used in the medical care program or from the date of the most recent arm's-length acquisition of the asset, whichever is more recent. Lives shall be extended to reflect periods, if any, during which assets were not used to provide nursing care.

(3) Building improvements shall be depreciated over the remaining useful life of the building, as modified by the improvement, but not less than fifteen years.

(4) Improvements to leased property which are the responsibility of the contractor under the terms of the lease shall be depreciated over the useful life of the improvement.

(5) A contractor may change the estimate of an asset's useful life to a longer life for purposes of depreciation.

AMENDATORY SECTION (Amending Order 1613, filed 2/25/81)

WAC 388-96-572 HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS—OTHER PERIODS. (1) This section shall apply in the place of WAC 388-96-571 effective January 1, 1981, for purposes of settlement for settlement periods subsequent to that date, and for purposes of setting rates for rate periods beginning July 1, 1982, and subsequently.

(2) A gain or loss on the retirement of an asset shall be the difference between the remaining undepreciated base and any proceeds received for, or to compensate for loss of, the asset.

(3) If the retired asset is replaced, the gain or loss shall be applied against or added to the cost of the replacement asset, provided that a loss will only be so applied if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset.

(4) If the retired asset is not replaced, any gain shall be offset against property expense for the period during which it is retired and any loss shall be expensed subject to the provisions of WAC 388-96-554(6).

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-585 UNALLOWABLE COSTS. (1) Costs will be unallowable if not documented, necessary, ordinary, and related to the provision of care services to authorized patients.

(2) Unallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the medical care program. Costs of nonprogram items or services will be unallowable even if indirectly reimbursed by the department as the result of an authorized reduction in patient contribution.

(b) Costs of services and items provided to SNF or ICF recipients which are covered by the department's medical care program but not included in SNF or ICF services respectively. Items and services covered by the medical care program are listed in chapters 388-86 and 388-88 WAC.

(c) Costs associated with a capital expenditure subject to Section 1122 approval (Part 100, Title 42 C.F.R.) if the department found the capital expenditure was not consistent with applicable standards, criteria, or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be nonallowable as of the date the costs are determined not to be reimbursable under applicable federal regulations.

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained.

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes, or related to the part of a facility leased out for office space).

(f) Salaries or other compensation of owners, officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care.

(g) Costs in excess of limits or violating principles set forth in this chapter.

(h) Costs resulting from transactions or the application of accounting methods circumventing the principles of the prospective cost-related reimbursement system.

(i) Costs applicable to services, facilities, and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities, or supplies purchased elsewhere.

(j) Bad debts. Beginning July 1, 1983, bad debts of Title XIX recipients are allowable if the debt is related to covered services, it arises from the recipient's required contribution toward the cost of care, the provider can establish reasonable collection efforts were made, the debt was actually uncollectible when claimed as worthless, and sound business judgment established there was no likelihood of recovery at any time in the future. Reasonable collection efforts shall consist of three documented attempts by the contractor to obtain payment. Such documentation shall demonstrate the effort devoted to collect the bad debts of Title XIX recipients is at the same level as the effort normally devoted by the contractor to collect the bad debts of non-Title XIX patients. Should a contractor collect on a bad debt, in whole or in part, after filing a cost report, reimbursement for the debt by the department shall be refunded to the department to the extent of recovery.

(k) Charity and courtesy allowances.

(l) Cash, assessments, or other contributions, excluding dues, to charitable organizations, professional organizations, trade associations, or political parties, and costs incurred to improve community or public relations. Dues to national trade associations or that portion of dues paid to local or state trade associations attributable to membership in national associations shall be unallowable.

(m) Vending machine expenses.

(n) Expenses for barber or beautician services not included in routine care.

(o) Funeral and burial expenses.

(p) Costs of gift shop operations and inventory.

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except items used in patient activity programs where clothing is a part of routine care.

(r) Fund-raising expenses, except expenses directly related to the patient activity program.

(s) Penalties and fines.

(t) Expenses related to telephones, televisions, radios, and similar appliances in patients' private accommodations.

(u) Federal, state, and other income taxes.

(v) Costs of special care services except where authorized by the department.

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees.

(x) Expenses of profit-sharing plans.

(y) Expenses related to the purchase and/or use of private or commercial airplanes which are in excess of what a prudent contractor would expend for the ordinary

and economic provision of such a transportation need related to patient care.

(z) Personal expenses and allowances of owners or relatives.

(aa) All expenses of maintaining professional licenses or membership in professional organizations.

(bb) Costs related to agreements not to compete.

(cc) Goodwill and amortization of goodwill.

(dd) Expense related to vehicles which are in excess of what a prudent contractor would expend for the ordinary and economic provision of transportation needs related to patient care.

(ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands.

(ff) Legal and consultant fees in connection with a lawsuit against the department.

(gg) Lease acquisition costs and other intangibles not related to patient care.

(hh) Interest charges assessed by the state of Washington for failure to make timely refund of overpayments and interest expenses incurred for loans obtained to make such refunds.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-710 PROSPECTIVE REIMBURSEMENT RATE FOR NEW CONTRACTORS.

(1) A prospective reimbursement rate for a new contractor will be established within sixty days following receipt by the department of a properly completed projected budget (see WAC 388-96-026). It will be effective as of the effective date of the contract.

(2) This prospective reimbursement rate will be based on the contractor's projected cost of operations, and on costs and payment rates of the prior contractor, if any, and/or of other contractors in comparable circumstances, taking into account applicable lids or maximums.

(3) If a properly completed projected budget is not received at least sixty days prior to the effective date of the contract, the department will establish a preliminary rate based on the other factors specified in subsection (2) of this section. This preliminary prospective rate will remain in effect until an initial prospective rate can be set.

(4) Where a change of ownership is involved which is not an ~~((arms-length))~~ arm's-length transaction as defined in WAC 388-96-010, the new contractor's prospective rates in the administration and operation and property cost areas will be no higher than the rates of the old contractor, adjusted if necessary to take into account economic trends.

AMENDATORY SECTION (Amending Order 1669, filed 7/15/81)

WAC 388-96-713 RATE DETERMINATION.

(1) Each contractor's reimbursement rate will be determined prospectively ~~((at least))~~ once each calendar year to be effective July 1 ~~((and will be adjusted for inflation January 1 using the factors specified in WAC 388-96-~~

719(3)). Rates may be adjusted more frequently to take into account program changes.

(2) ~~((Where))~~ If the contractor participated in the program ~~((during all or part))~~ for at least six months of the prior ~~((fiscal period))~~ calendar year, its nursing services, administration and operations, property and return on equity rates ~~((, and the nonwage component of its administration and operations rate,))~~ will be determined based on the contractor's allowable costs in the prior period. If the contractor participated in the program for less than six months of the prior calendar year, its rates will be determined by procedures set forth in WAC 388-96-710.

(3) Beginning with rates effective July 1, 1984, contractors submitting correct and complete cost reports by March 31st, shall be notified of their rates by July 1st, unless circumstances beyond the control of the department interfere.

AMENDATORY SECTION (Amending Order 1669, filed 7/15/81)

WAC 388-96-716 COST AREAS. A contractor's overall reimbursement rate for medical care recipients consists of the total of five component rates, each covering one cost area. The five cost areas are:

- (1) ~~((Patient care))~~ Nursing services;
- (2) Food;
- (3) Administration and operations;
- (4) Property; and
- (5) Return on equity.

NEW SECTION

WAC 388-96-717 DESK REVIEW ADJUSTMENTS. (1) The department shall analyze each annual cost report to determine if the information is correct, complete, and reported in conformity with generally accepted accounting principles, the nursing home accounting and reporting manual, and instructions issued by the department. An analysis by the department to determine whether reported information is correct and complete may include, but is not limited to:

- (a) An examination of reported costs for prior years;
 - (b) An examination of desk review adjustments made in prior years and their final disposition; and
 - (c) An examination of findings, if any, from field audits of cost reports from prior years and findings, if any, from the field audit of the cost report under analysis.
- (2) If it appears from this analysis that a contractor has not correctly determined or reported its costs, the department may make adjustments to the reported information for the purpose of establishing reimbursement rates. A schedule of such adjustments shall be provided to contractors and shall include an explanation of the adjustment and the dollar amount of the adjustment for each adjustment made. If a contractor believes an adjustment is in error, it shall be subject to review pursuant to WAC 388-96-769 and, if a satisfactory resolution of issues is not reached, to further review pursuant to WAC 388-96-901 and 388-96-904.

(3) The department shall accumulate data from properly completed cost reports and financial statements, reports and schedules for use in exception profiling and establishing rates.

(4) The department may further utilize such accumulated data for analytical, statistical, or informational purposes as deemed necessary by the department.

AMENDATORY SECTION (Amending Order 1867, filed 8/18/82)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report ~~((and from certified quarterly reports))~~ submitted by contractors.

(2) Data containing obvious errors ~~((, data for facilities which are out of compliance with any condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than eighty-five percent for the report period,))~~ will be excluded from the determination of predicted costs and rate upper limits for WAC 388-96-743 and 388-96-735 ~~((3))~~.

(3) Inflation adjustments shall be applied as follows:

(a) ~~((Adjustments for inflation will be:~~

(i) 5.0 percent for July 1, 1981, rate setting;

(ii) 4.25 percent for January 1, 1982, rate setting; and

(iii) No inflation adjustment increase shall be provided

for setting rates effective July 1, 1982, through June 30, 1983. Inflation adjustments made to costs and other rate setting data used for this period shall reflect factors in subsection (3)(a)(i) and (3)(a)(ii) of this section)) In the nursing services and administration and operations cost areas for July 1, 1983, rate setting, an adjustment of 2.5 percent shall be applied to allowable costs in these cost areas if the cost report for a contractor covers all twelve months of 1982. If the cost report covers less than twelve months, the inflation factor shall be reduced to reflect the shorter period.

(b) In the food cost area, an inflation adjustment factor of 2.5 percent shall be applied to the January 1, 1983, rate for all contractors.

(c) Property and return on equity rates will not be adjusted for inflation.

(4) ~~((Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, a cost-related adjustment will be made to the appropriate cost area rates of each contractor affected by the program change. Adjustments will be made until reported costs used in setting rates reflect the new standards or program changes))~~ The occupancy level for each facility shall be computed by dividing the actual number of patient days by the product of the numbers of licensed beds and calendar days in the report period. For prospective rate computations, as well as determining lids for property and administration and operations reimbursement, if a facility's occupancy is below eighty-five percent, per patient day cost shall be computed utilizing patient days at the eighty-five percent occupancy level. Actual occupancy level shall be utilized for facilities at or above eighty-five percent occupancy.

AMENDATORY SECTION (Amending Orders 1808 and 1808A, filed 5/14/82 and 6/14/82)

WAC 388-96-722 ((PATIENT CARE)) NURSING SERVICES COST AREA RATE. (1) The ((patient care)) nursing services cost area reimbursement rate will reimburse for the necessary and ordinary costs of providing routine nursing and related ((services)) care to recipients ((in accordance with WAC 388-88-050 and 388-88-051)).

(2) ((Effective July 1, 1982, the patient care cost area rate will be computed according to this section.

(3)(a) For purposes of this section, patient care consultation refers to medical director, pharmaceutical, occupational therapy, physical therapy, speech therapy, other therapy, and patient activities consultation.

(b) The department shall determine the average per patient day expense weighted by patient days for patient care consultation taken from completed 1981 cost reports:

(c) The department shall determine each contractor's per patient day expense for patient care consultation.

(d) A contractor's reported patient care cost will be reduced by the amount the contractor's patient care consultation expense exceeds the average expense computed as provided in subsection (3)(b) of this section.

(e) As used in this section, "desk-reviewed patient care cost" shall be allowable patient care cost as determined by desk reviews conducted in accordance with WAC 388-96-201, including any reduction in expense for patient care consultation computed in accordance with subsection (3)(d) of this section:

(4) Effective July 1, 1982, through June 30, 1983, only:

(a) If a contractor's weighted patient care rate for 1981 as computed in accordance with departmental regulations and instructions is equal to or greater than the contractor's desk-reviewed 1981 patient care costs, the department shall reimburse the patient care cost center at the desk-reviewed 1981 patient care costs plus any patient care funds shifted to other cost centers pursuant to WAC 388-96-223, as adjusted for inflation.

(b) If a contractor's patient care rate for 1981 is less than the contractor's desk-reviewed 1981 patient care costs, the department shall reimburse the contractor's patient care cost at the January 1, 1982, reimbursement rate, less one and one-half percent, as adjusted for inflation, plus an allowance from the redistribution pool. The total reimbursement paid to a contractor, including any allowance from the redistribution pool, shall not exceed the contractor's 1981 desk-reviewed patient care costs, as adjusted for inflation. The total of allowances distributed pursuant to subsection (4)(b) of this section shall not exceed the total amount in the redistribution pool. If the total of funds in the redistribution pool is equal to or exceeds the total amount of underfunding for patient care for all contractors, each contractor's allowance shall be the amount the contractor was underfunded for patient care, if any, where

underfunding is defined as any excess of 1981 desk-reviewed cost over the 1981 rate in this cost area, as adjusted for inflation. If the total of funds in the redistribution pool is less than the total patient care underfunding for all contractors, the allowance distributed to each contractor shall be a percentage of the amount a contractor was underfunded, as defined in subsection (4)(b) of this section, for patient care, if any was experienced by the contractor. The percentage shall be computed by dividing the total of funds in the pool by the total amount of underfunding for all contractors.

(5) To patient care cost area rates determined in accordance with subsections (4)(a) and (b) of this section, a patient care enhancement shall be added. The enhancement shall be distributed among facilities proportionately based upon patient care cost area rates and shall not be adjusted for inflation. The total of enhancements distributed to contractors shall be one million, four hundred thousand dollars)) Nursing service costs will be subject to two reasonableness tests:

(a) A test for nursing staff hours; and

(b) A test for cost increases between the current and preceding report period.

(i) The test for nursing staff hours will use a regression of hours reported by facilities for registered nurses, licensed practical nurses, and nurses' aids, including purchased and allocated nursing and aid staff time, and the average Battelle patient debility score for the corresponding facilities as computed by the department. Data for the regression shall be taken from correctly completed cost reports and from patient assessments completed by the department for the corresponding calendar report year, which are available at the time the regression equation is computed. A limit on nursing and nursing aid staffing hours will be calculated and set for each facility at predicted staffing hours plus 1.75 standard errors utilizing the regression equation calculated by the department. Costs for facilities with reported hours exceeding the limit will be reduced by an amount equivalent to the hours exceeding the limit times the average wage rate for nurses and aids indicated on cost reports for the year in question, including benefits and payroll taxes allocated to such staff. Contractors' reporting hours exceeding the limit shall receive the higher of their January 1983 patient care rate or the nursing services rate computed for them according to the provisions of this subsection, plus applicable inflation adjustments.

(ii) The test for cost increases shall compare the percentage change between the 1981 and 1982 allowable patient care costs for the facility against the percentage change between the July 1981 and July 1982 medical care component of the consumer price index for urban consumers nationwide. Facilities which report increases greater than the consumer price index shall be limited to a rate determined by their 1981 adjusted patient care costs inflated by the medical care component of the consumer price index. If a facility is affected by this limit due to special or unusual circumstances, such as a decrease in patient days, the department may grant an exception or partial exception to the limit.

AMENDATORY SECTION (Amending Order 1669, filed 7/15/81)

WAC 388-96-727 FOOD COST AREA RATE.

(1) The food cost area rate will reimburse for the necessary and ordinary costs of procuring food, dietary supplements, and beverages for meals and between-meal nourishment for recipients.

(2) ~~((Beginning July 1, 1981, food))~~ Reimbursement for the food cost center ~~((with))~~ shall be at the ~~((January 1, 1981))~~ January 1, 1983, rate, adjusted for inflation utilizing the inflation factor specified in WAC 388-96-719(3)(b).

AMENDATORY SECTION (Amending Order 1808, filed 5/14/82)

WAC 388-96-735 ADMINISTRATION AND OPERATIONS COST AREA RATE. (1) The administration and operations cost area reimbursement rate will reimburse for the necessary and ordinary costs of overall management of the facility, operation and maintenance of the physical plant, and providing dietary service (other than the cost of food and beverages), medical supplies, taxes, and insurance.

(2) ~~((For rates effective July 1, 1982, through June 30, 1983, a contractor's administration and operations wage component reimbursement rate will be set pursuant to subsection (2) of this section:~~

(a) ~~If a contractor's administration and operations wage component rate for 1981 is greater than or equal to the contractor's desk-reviewed 1981 wage component costs, the department shall reimburse the contractor's wage component at the desk-reviewed 1981 administration and operations wage component costs, as adjusted for inflation:~~

(b) ~~If a contractor's administration and operations wage component rate for 1981 is less than the contractor's desk-reviewed 1981 wage component costs, the department shall reimburse the contractor's wage component costs at the January 1, 1981, reimbursement rate, as adjusted for inflation:~~

(c) ~~It is further provided, if any funds remain in the redistribution pool established pursuant to WAC 388-96-720 after distribution to contractors pursuant to WAC 388-96-722, the department shall distribute the funds to contractors underfunded in the wage component area, as determined by subsection (2)(b) of this section, according to the following rules:~~

(i) ~~If the amount remaining in the redistribution pool exceeds or is equal to the total amount the contractors were underfunded in the wage component area, each contractor's allowance shall be the amount the contractor was underfunded for costs in this component, if any, where underfunding is defined as any excess of 1981 desk-reviewed cost over the 1981 rate in this component, as adjusted for inflation:~~

(ii) ~~If the amount remaining in the redistribution pool is less than the total amount the contractors were underfunded in the wage component area, each contractor shall receive an allowance which shall be a percentage of the amount the contractor was underfunded as~~

~~defined in subsection (2)(c)(i) of this section. The percentage shall be computed by dividing the amount remaining in the redistribution pool by the total amount of underfunding in the wage component area for all contractors:~~

~~(iii) The distribution shall not exceed the total amount of underfunded wage component costs for all contractors nor the amount remaining in the redistribution pool, if any:~~

~~(3) For the July 1, 1982, to June 30, 1983, reimbursement period, the nonwage component of the administration and operations cost center shall be adjusted for certain consultation expenses as follows: The department shall calculate the average expense, weighted by patient days, for dietary, and medical record consultant services taken from the most recent, completed cost reports from all contractors and allowable administration and operations costs as defined in subsection (4)(a) of this section, shall exclude the amount a contractor's administration and operations consultation expense exceeds the average expense so calculated:~~

~~(4) The nonwage component of the administration and operations cost area reimbursement rate will be calculated as follows:~~

~~(a) Allowable administration and operations costs, including wages of administrators, assistant administrators, and administrators-in-training, but excluding wages of other support staff, will be taken from the most recent desk-reviewed annual cost report:~~

~~(b) Beginning July 1, 1982, if any amounts were shifted into the administration and operations cost area during the period covered by the most recent annual cost report, an annualized amount will be subtracted from administration and operations nonwage costs determined by the following formula:~~

$$AS = SS \times DR \text{ ————— where}$$

~~(i) "AS" is the amount to be subtracted from administration and operations nonwage costs;~~

~~(ii) "SS" is the amount of savings shifted into the administration and operations cost area; and~~

~~(iii) "DR" is the deficiency ratio, defined as the ratio of:~~

~~(A) Administration and operations nonwage costs minus the nonwage component of the administration and operations prospective rate; to~~

~~(B) Total administration and operations costs minus the total administration and operations prospective rate:~~

~~This ratio may not be less than zero nor more than one:~~

~~(c) Adjusted costs will be updated using factors specified in WAC 388-96-719:~~

~~(d) Reimbursement for this portion of administration and operations will be limited to the eighty-fifth percentile of costs, adjusted as described in subsection (4)(b) of this section, of all reporting facilities, except that facilities may be grouped by factors other than ownership or legal organizational characteristics, which could reasonably influence cost requirements for administration and operations)) Each contractor's allowable, inflation adjusted, per patient day administration and operations cost shall be determined.~~

(3) Costs for contractors having submitted correct and complete cost reports by the time July rates are initially to be established shall be ranked from highest to lowest. The eighty-fifth percentile of the ranking shall be determined.

(4) Administration and operations rates for individual providers shall be the lower of the provider's allowable cost or the eighty-fifth percentile.

(5) Beginning July 1, 1984, allowable costs for administration and operations for rate setting purposes shall include allowable retained savings for the preceding report year.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-743 PROPERTY COST AREA RATE. (1) Each contractor's allowable depreciation, property interest, and lease expense shall be based on information in the most recent desk-reviewed annual cost report, including any adjustments. The prospective rate for a contractor shall be the lower of these costs calculated on a per patient day basis or the maximum rate computed in accordance with subsection (2) of this section.

(2) Property reimbursement for both leased and owner-operated facilities will not exceed the predicted cost plus ~~((one))~~ 1.75 standard deviation of the necessary and ordinary costs of depreciation, and interest, of owner-operated facilities as contained in annual cost reports for the preceding year, including adjustments, utilizing a multiple regression formula developed by the department, recognizing factors which may be significant, including location, age, and construction type of facility. Beginning July 1, 1981, allowable rental costs of leased facilities and depreciation and interest costs of owner-operated facilities based upon the most recent desk-reviewed annual cost report, for leases or mortgages entered into prior to July 1, 1979, will be reimbursed to the extent they do not exceed the reimbursement rate payable for the property cost center as of June 30, 1979, ~~((or July 1, 1979))~~ adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan, the reimbursement rate payable July 1, 1979, or the regression formula rate, whichever is higher, ~~((adjusted to meet any discrepancies as determined by the federal government between the reimbursements made and the approved state Medicaid plan,))~~ and adjusted for any approved capitalized additions or replacements.

(3) For purposes of this section, the following definitions shall apply:

(a) Location shall consist of location within a standard metropolitan statistical area (SMSA) as defined by the United States Bureau of the Census, or location outside of an SMSA;

(b) Age shall consist of the construction age of a facility. Where a facility is of several construction dates, an average facility age shall be computed by weighting each construction age by the number of licensed beds in the facility area of that construction age;

(c) Construction type shall consist of fire resistant construction (type 1 or 2 construction as determined by

the office of the state fire marshal); or nonfire resistant construction (type 3, 4, or 5 construction as determined by the office of the state fire marshal). Where a facility is of several construction types, an average facility construction type shall be computed by weighting the construction type of each area of the facility by the number of licensed beds in the facility area of that construction type.

(d) Those factors are significant which improve the explanatory power of the regression at a ninety percent level of confidence.

AMENDATORY SECTION (Amending Order 1716, filed 11/4/81)

WAC 388-96-750 RETURN ON INVESTMENT. (1) Beginning ~~((January 1, 1979))~~ July 1, 1983, the department will pay a return on equity to proprietary contractors utilizing applicable Medicare rules and regulations ~~((as of July 1, 1979,))~~ with the following modifications:

(a) Contractors will not be required to submit monthly equity calculations ~~((will not be used. A))~~ in order to calculate allowable equity for cost reporting periods unless a desk review of reported equity ~~((will be))~~ conducted pursuant to WAC ~~((388-96-201))~~ 388-96-717 discloses reported equity appears to exceed a level that is ordinary, necessary, and related to patient care. In such cases, the department may request and the contractor shall provide a monthly equity calculation as established by Medicare rules, regulations, and guidelines. The average ratio among proprietary contractors of current assets to expenses will be computed from the most recent desk reviewed cost reports. The standard deviation of the ratio and the average ratio plus one standard deviation will also be computed. Current assets in excess of the average ratio plus one standard deviation will not be allowed unless the contractor can document that the excess is ordinary, necessary, and related to patient care. No adjustments will be made to reported equity insofar as changes reflect additions to fixed assets which are ordinary, necessary, and related to patient care.

(b) ~~((Good will))~~ Goodwill is not includable in the determination of net equity.

(c) Net equity and the payment for net equity shall be calculated as described in subsections (2) and (3) of this section.

(2) A contractor's net equity will be calculated using the appropriate items from the contractor's most recent desk reviewed cost report utilizing the definition of equity in WAC 388-96-010 and applying relevant Medicare rules ~~((and)),~~ regulations ~~((as of July 1, 1979)),~~ and guidelines, with the modifications described in subsection (1) of this section.

(3) The contractor's net equity will be multiplied by ~~((the Medicare))~~ a rate of return on equity capital ~~((for the twelve-month period ending on the date of the closing date of the contractor's cost report))~~ of twelve percent. This amount will be divided by the contractor's annual patient days for the cost report period to determine a rate per patient day. Where a contractor's cost report covers less than a twelve-month period, annual

patient days will be estimated using the contractor's reported patient days. The contractor shall be paid at a prospective rate which is the lesser of the amount calculated pursuant to this section or two dollars per patient day.

(4) The information on which the return on equity is calculated is subject to field audit. If a field audit determines that the desk reviewed reported equity exceeds the equity which can be documented and calculated in ~~((conformance))~~ conformity with Medicare rules ~~((and)),~~ regulations, and guidelines as modified by this section, the contractor's return on equity rate for the rate period during which a return on equity rate calculated on the basis of that cost report was in effect shall be recalculated using the determinations of the field audit, not to exceed a maximum of two dollars per patient day. Any payments in excess of this rate shall be refunded to the department as part of the settlement procedure established by ~~((WAC 388-96-222. In particular, subsections (4), (5), and (6) of WAC 388-96-222 shall apply))~~ this chapter.

~~((5) For the period January 1, 1978, through June 30, 1979, the rate of return used to calculate this return on investment will be eleven percent.~~

~~((6) For the period January 1, 1978, through December 31, 1978, a contractor may choose to retain savings in the administrative and operations and property and related cost centers in lieu of receiving a return based on equity capital.))~~

AMENDATORY SECTION (Amending Order 1712, filed 11/4/81)

WAC 388-96-760 UPPER LIMITS TO REIMBURSEMENT RATE. The reimbursement rate shall not exceed the contractor's customary charges to the general public for the services covered by the rate, except that public facilities rendering such services free of charge or at a nominal charge will be reimbursed according to the methods and standards set out in this chapter. The contractor shall immediately inform the department if its reimbursement rate does exceed customary charges for comparable services. If necessary, the rate will be adjusted in accordance with WAC 388-96-769. ~~((Rates will not exceed the limits set out at 42 C.F.R. 447.316.))~~

NEW SECTION

WAC 388-96-773 REVISIONS OF PROSPECTIVE RATES. (1) Prospective rates are intended as maximum payment rates for contractors for the periods to which they apply. Rate adjustments shall not be granted for cost increases subject to management control or negotiation, cost increases which can reasonably be expected to be met from a contractor's existing or available resources, or for cost increases attributable to reasons not expressly authorized in this section and in chapter 74.46 RCW.

(2) Adjustments to prospective rates may be granted by the department for the following reasons:

(a) The facility's average debility score for the latest available twelve-month period differs from the score

employed in establishing the facility's preceding July 1st rate by ten percent or more;

(b) Changes in staffing levels required by the department; or

(c) Other reasons deemed sufficient by the department which are established and documented by a contractor in the course of an administrative review conducted pursuant to WAC 388-96-901 and 388-96-904.

(3) Adjustments to prospective rates shall be granted by the department for capital additions, improvements, or replacements made as a condition of licensure or certification.

(4) Contractors requesting an adjustment to a prospective rate shall:

(a) Provide a detailed written explanation of the reasons the adjustment is necessary;

(b) A financial analysis which sufficiently demonstrates the increased costs cannot be funded from existing resources available to the contractor; and

(c) An estimate of the rate and adjustment computed according to allowable methods, necessary to fund the increased costs.

(5) Adjustments requested pursuant to subsection (2) of this section shall not be granted unless the department determines the contractor will incur substantial hardship as determined by applicable facts and circumstances, provided that, hardship shall not be deemed to exist by the department unless the increased costs are expected to equal or exceed ten cents per patient day.

(6) Adjustments for economic trends and conditions shall be provided exclusively by means of inflation adjustments pursuant to WAC 388-96-719.

(7) The department shall inform a contractor of the disposition of a rate adjustment request within sixty days after its receipt by the department if the request is adequately documented and meets the conditions set forth in subsection (4) of this section. Unless otherwise specified, a revised rate shall be effective on the first day of the month in which it is issued by the department.

AMENDATORY SECTION (Amending Order 1892, filed 10/13/82)

WAC 388-96-807 CHARGES TO PATIENTS.

(1) The department will notify a contractor of the amount each medical care recipient is required to pay for care provided under the contract and the effective date of such required contribution. It is the contractor's responsibility to collect that portion of the cost of care from the patient, and to account for any authorized reduction from his or her contribution in accordance with procedures established by the department.

(2) If a contractor receives documentation showing a change in the income or resources of a recipient which will mean a change in his or her contribution toward the cost of care, this shall be reported in writing to the CSO within seventy-two hours. If necessary, appropriate corrections shall be made in the next nursing home statement, and a copy of documentation supporting the change shall be attached. If increased funds for a recipient are received by a contractor, the normal amount shall be allowed for clothing, personal and incidental expense, and the balance applied to the cost of care.

(3) The contractor shall accept the reimbursement rate established by the department as full compensation for all services it is obligated to provide under the contract, certification as specified by Title XIX, and licensure under chapter 18.51 RCW. ((†)) The contractor shall not seek or accept additional compensation from or on behalf of a recipient for any or all such services.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-813 **SUSPENSION OF PAYMENT.** (1) Payments to a contractor may be withheld by the department in each of the following circumstances:

(a) A required report is not properly completed and filed by the contractor within the appropriate time period, including any approved extensions. Payments will be released as soon as a properly completed report is received.

(b) Auditors or other authorized department personnel in the course of their duties are refused access to a nursing home or are not provided with existing appropriate records. Payments will be released as soon as such access or records are provided.

(c) A refund in connection with ((an annual)) a settlement or rate adjustment is not paid by the contractor when due. The amount withheld will be limited to the unpaid amount of the refund.

(d) Payment for the final thirty days of service under a contract will be held pending final settlement when the contract is terminated.

(2) No payment will be withheld until written notification of the suspension is given to the contractor, stating the reason therefor.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-816 **TERMINATION OF PAYMENTS.** All payments to a contractor will end no later than ((thirty)) sixty days after any of the following occurs:

(1) A contract expires, is terminated, or is not renewed;

(2) A facility license is revoked; or

(3) A facility is decertified as a Title XIX facility.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 388-96-125 **REPORTING FOR AN ABBREVIATED PERIOD.**

(2) WAC 388-96-201 **DESK REVIEW.**

(3) WAC 388-96-219 **DISCLOSURE OF AUDIT NARRATIVES AND SUMMARIES.**

(4) WAC 388-96-222 **SETTLEMENT.**

(5) WAC 388-96-223 **SHIFTING.**

(6) WAC 388-96-225 **DATE SETTLEMENT BECOMES FINAL.**

(7) WAC 388-96-227 **INTEREST ON SETTLEMENTS.**

(8) WAC 388-96-720 **REDISTRIBUTION POOL.**

(9) WAC 388-96-772 **REQUESTS FOR REVISION OF A PROSPECTIVE RATE.**

WSR 83-19-058

ADOPTED RULES

BOARD OF HEALTH

[Order 269—Filed September 20, 1983]

Be it resolved by the Washington State Board of Health, acting at Spokane, Washington, that it does adopt the annexed rules relating to hospitals, amending chapter 248-18 WAC.

- Amd WAC 248-18-001 Definitions.
- Amd WAC 248-18-215 Pediatrics services.
- Amd WAC 248-18-220 Obstetrical department.
- Amd WAC 248-18-222 Birthing rooms.
- Amd WAC 248-18-223 Neonatal intensive care nursery.
- Amd WAC 248-18-240 Psychiatric unit.
- Amd WAC 248-18-500 Applicability of these regulations governing hospital construction.
- Amd WAC 248-18-520 Site and site development.
- Amd WAC 248-18-525 Administrative facilities.
- Amd WAC 248-18-539 Pediatric nursing unit.
- Amd WAC 248-18-560 Recovery unit.
- Amd WAC 248-18-565 Surgery suite.
- Amd WAC 248-18-600 Obstetrical delivery facilities.
- Amd WAC 248-18-607 Birthing room.
- Amd WAC 248-18-615 Newborn nursery facilities.
- Amd WAC 248-18-636 Neonatal intensive care unit.
- Amd WAC 248-18-640 Infant formula facilities.
- Amd WAC 248-18-645 Emergency department.
- Amd WAC 248-18-650 Outpatient department.
- Amd WAC 248-18-655 Radiology facilities.
- Amd WAC 248-18-660 Laboratory facilities.
- Amd WAC 248-18-675 Rehabilitation facilities.
- Amd WAC 248-18-680 Central sterilization and supply service facilities.
- Amd WAC 248-18-690 Housekeeping department.
- Amd WAC 248-18-695 Laundry facilities.

This action is taken pursuant to Notice No. WSR 83-14-022 filed with the code reviser on June 29, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.41.030 which directs that the Washington State Board of Health has authority to implement the provisions of chapter 70.41 RCW.

This rule is promulgated under the general rule-making authority of the Washington State Board of Health as authorized in RCW 43.20.050.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 14, 1983.

By John A. Beare, MD, MPH
Secretary

AMENDATORY SECTION (Amending Order 245, filed 12/2/82)

WAC 248-18-001 DEFINITIONS. For the purposes of these regulations, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise. All adjectives and adverbs such as adequate, approved, suitable, properly, or sufficient used in these regulations to qualify a requirement shall be determined by the department.

(1) "Abuse" means the injury or sexual abuse of an individual patient under circumstances (~~which indicate that~~) indicating the health, welfare, and safety of the patient is harmed thereby. Person "legally responsible" shall include a parent, guardian, or an individual to whom parental or guardian responsibility has been delegated(~~(s)~~) (e.g., teachers, providers of residential care and/or treatment, providers of day care):

(a) "Physical abuse" means damaging or potentially damaging nonaccidental acts or incidents which may result in bodily injury or death.

(b) "Emotional abuse" means verbal behavior, harassment, or other actions which may result in emotional or behavioral problems, physical manifestations, disordered or delayed development.

(2) "Accredited" means approved by the joint commission on accreditation of hospitals or the bureau of hospitals of the American osteopathic association.

(3) "Acute cardiac care unit" means an intensive care unit for patients with heart problems.

(4) "Agent," when used in a reference to a medical order or a procedure for a treatment, means any power, principle or substance, whether physical, chemical or biological, (~~which is~~) capable of producing an effect upon the human body.

(5) "Alterations:"

(a) "Alterations" means changes requiring construction in existing hospitals.

(b) "Minor alterations" means any physical or functional modification within existing hospitals (~~which does~~) not (~~(change)~~) changing the approved use of the room or area. (Minor alterations performed under this definition do not require prior review of the department as specified in WAC 248-18-510(3)(a); however, this does not constitute a release from other applicable requirements.)

(6) "Area" means a portion of a room (~~which contains~~) containing the equipment essential to carrying out a particular function and (~~is~~) separated from other facilities of the room by a physical barrier or adequate space, except when used in reference to a major section of the hospital.

(7) "Authenticated" or "authentication" means authorization of a written entry in a record by means of a signature (~~which shall include~~) including, minimally, first initial, last name, and title.

(8) "Bathing facility" means a bathtub or shower and does not include sitz baths or other fixtures designated primarily for therapy.

(9) "Birthing room" means a room designed, equipped, and arranged to provide for the care of a woman and newborn and to accommodate her support persons during the complete process of vaginal childbirth (three stages of labor and recovery of woman and newborn).

(10) "Board" means the Washington state board of health.

(11) "Clean" means space or spaces and/or equipment for storage and handling of supplies and/or equipment which are in a sanitary or sterile condition, when the word is used in reference to a room, area, or facility.

(12) "Department" means the Washington state department of social and health services.

(13) "Dentist" means an individual licensed under chapter 18.32 RCW.

(14) "Dietitian" means an individual meeting the eligibility requirements for active membership in the American dietetic association described in Directory of Dietetic Programs Accredited and Approved, American Dietetic Association, edition 100, 1980.

(15) "Drug administration" means an act in which a single dose of a prescribed drug or biological is given to a patient by an authorized person in accordance with all laws and regulations governing such acts. The complete act of administration entails removing an individual dose from a previously dispensed, properly labeled container (including a unit dose container), reviewing (~~(it)~~) the label on the container with a verified transcription, a direct copy or the original medical practitioner's orders, giving the individual dose to the proper patient, and properly recording the time and dose given.

(16) "Drug dispensing" means an act entailing the interpretation of an order for a drug or biological and, pursuant to that order, proper selection, measuring, labeling, packaging, and issuance of the drug for a patient or for a service unit of the facility.

(17) "Facilities" means a room or area and/or equipment to serve a specific function.

(18) "Faucet controls" means wrist, knee, or foot control of the water supply:

(a) "Wrist control" means water supply controls not to exceed four and one-half inches overall horizontal length designed and installed to be operated by the wrists;

(b) "Knee control" means the water supply is controlled through a mixing valve designed and installed to be operated by the knee;

(c) "Foot control" means the water supply control is through a mixing valve designed and installed to be operated by the foot.

(19) "Grade" means the level of the ground adjacent to the building measured at required windows. The ground must be level or slope downward for a distance of at least ten feet from the wall of the building. From

there the ground may slope upward not greater than an average of one foot vertical to two feet horizontal within a distance of eighteen feet from the building.

(20) "Handwashing facility" means a lavatory or a sink properly designed and equipped to serve for handwashing purposes.

(21) "He, him, his or himself" means a person of either sex, male or female, and does not mean preference for nor exclude reference to either sex.

(22) "High-risk infant" means an infant, regardless of gestational age or birth weight, whose extrauterine existence is compromised by a number of factors, (~~((perinatal))~~ prenatal, natal or postnatal), and who is in need of special medical or nursing care.

(23) "Hospital" means any institution, place, building, or agency which provides accommodations, facilities(;) and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care, of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this ~~((act))~~ chapter does not include hotels, or similar places furnishing only food and lodging, or simply domiciliary care; nor does it include clinics, or physicians' offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include nursing homes, as defined and which come within the scope of chapter 18.51 RCW; nor does it include maternity homes, which come within the scope of chapter 18.46 RCW; nor does it include psychiatric or alcoholism hospitals, which come within the scope of chapter 71.12 RCW; nor any other hospital, or institution specifically intended for use in the diagnosis and care of those suffering from mental illness, mental retardation, convulsive disorders, or other abnormal mental conditions. Furthermore, nothing in this ~~((act or the rules and regulations adopted pursuant thereto))~~ chapter shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denominations.

(24) "Infant" means a baby or very young child up to one year of age.

(25) "Infant station" means a space for a bassinet, incubator, or equivalent, including support equipment, used for the care of an individual infant.

(26) "Intensive care unit" means a special physical and functional unit for the segregation, concentration, and close or continuous nursing observation and care of patients (~~((who are))~~ critically, seriously, or acutely ill, and in need of intensive, highly skilled nursing service.

(27) "Investigational drug" means any article (~~((which has))~~ not ~~((been))~~ approved for use in the United States, but for which an investigational drug application (IND) has been approved by the Food and Drug Administration.

(28) "Island tub" means a bathtub placed in a room to permit free movement of a stretcher, patient lift, or

wheelchair to at least one side of the tub, and movement of people on both sides and at the end of the tub.

(29) "Lavatory" means a plumbing fixture of adequate design and size for washing hands.

(30) "Legend drugs" means any drugs (~~((which are))~~ required by state law or regulation of the state board of pharmacy to be dispensed on prescription only or are restricted to use by practitioners only.

(31) "Licensed practical nurse," abbreviated L.P.N., means an individual licensed under provisions of chapter 18.78 RCW.

(32) "May" means permissive or discretionary on the part of the board or the department.

(33) "Medical staff" means those physicians and other practitioners appointed by the governing authority to practice, within the parameters of the medical staff by-laws, in the hospital.

(34) "Movable equipment" means equipment (~~((which is))~~ not built-in, fixed or attached to the building.

(35) "Neglect" means negligent treatment or mal-treatment; an act or omission (~~((which evinces))~~ evincing a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to an individual patient's health, welfare, and safety.

(a) "Physical neglect" means physical or material deprivation(;) (e.g., lack of medical care, lack of supervision necessary for patient level of development, inadequate food, clothing, or cleanliness).

(b) "Emotional neglect" means acts such as rejection, lack of stimulation, or other acts of commission or omission which may result in emotional or behavioral problems, physical manifestations, and disordered development.

(36) ~~((Neonatal))~~ Neonate" or "newborn" means a newly born infant through the twenty-seventh day of life or under twenty-eight days of age.

(37) "Neonatal intensive care nursery" means an area designed, organized, and equipped to provide constant nursing care to the high-risk infant.

(38) "New construction" means any of the following:

(a) New buildings to be used as hospitals;

(b) Additions to existing buildings to be used as hospitals;

(c) Conversion of existing buildings or portions thereof for use as hospitals;

(d) Alterations.

(39) "Nursing home unit" or "long-term care unit" means a group of beds for the accommodation of patients who, because of chronic illness or physical infirmities, require skilled nursing care and related medical services but (~~((who))~~ are not acutely ill and not in need of the highly technical or specialized services ordinarily a part of hospital care.

(40) "Nursing unit, general" means a separate physical and functional unit of the hospital (~~((which includes))~~ including a group of patient rooms, ancillary and administrative, and service facilities necessary to provide nursing service to the occupants of these patient rooms. Facilities (~~((which serve))~~ serving other areas of the hospital and (~~((which create))~~ creating traffic unnecessary to the functions of the nursing unit are excluded.

(41) "Observation room" means a room for close nursing observation and care of one or more outpatients for a period of less than twenty-four consecutive hours.

(42) "Obstetrical area" means the portions or units of the hospital designated or designed for care and treatment of women during the antepartum, intrapartum, and postpartum periods, and/or areas designed as nurseries for care of newborns.

(43) "Occupational therapist" means an individual having graduated with a bachelors degree in occupational therapy from a university or college occupational therapy program and having completed field work requirements of that program.

(44) "Patient" means an individual (~~(who is)~~) receiving (or has received) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative health services at the hospital. "Outpatient" means a patient receiving services that generally do not require admission to a hospital bed for twenty-four hours or more.

(45) "Patient care areas" means all nursing service areas of the hospital (~~(in which)~~) where direct patient care is rendered and all other areas of the hospital (~~(in which)~~) where diagnostic or treatment procedures are performed directly upon a patient.

(46) "Person" means any individual, firm, partnership, corporation, company, association or joint stock association, and the legal successor thereof.

(47) "Pharmacist" means an individual licensed by the state board of pharmacy to engage in the practice of pharmacy under the provisions of chapter 18.64 RCW as now or hereafter amended.

(48) "Pharmacy" means the central area in a hospital where drugs are stored and are issued to hospital departments, or where prescriptions are filled.

(49) "Physical barrier" means a partition or similar space divider designed to prevent splash or spray between room areas.

(50) "Physical therapist" means an individual licensed under provisions of chapter 18.74 RCW.

(51) "Physician" means an individual licensed under provisions of chapter 18.71 RCW, Physicians, or chapter 18.57 RCW, Osteopathy—Osteopathic medicine and surgery.

(52) "Physician's assistant" means an individual who is not a physician but is practicing medicine in accordance with the provisions of chapter 18.71A RCW and the rules and regulations promulgated thereunder, or in accordance with provisions of chapter 18.57A RCW and the rules and regulations promulgated thereunder.

(53) "Prescription" means an order for drugs for a specific patient given by a licensed physician, dentist, or other individual legally authorized to write prescriptions, transmitted to a pharmacist for dispensing to the specific patient.

(54) "Psychiatric unit" means a separate portion of the hospital specifically reserved for the care of psychiatric patients (a part of which may be unlocked and a part locked), as distinguished from "seclusion rooms" or "security rooms" (~~(which are)~~) defined in subsections (65) and (66) of this section.

(55) "Psychiatrist" means a physician who has successfully completed a three-year residency program in

psychiatry and (~~(is)~~) eligible for certification by the American board of psychiatry and neurology as described in "Directory of Residency Training Programs Accredited by the Accreditation Council for Graduate Medical Education," American Medical Association, 1981-1982, or eligible for certification by the American osteopathic board of neurology and psychiatry as described in "American Osteopathic Association Yearbook and Directory," 1981-1982.

(56) "Psychologist" means an individual (~~(who is)~~) licensed as a psychologist in the state of Washington under provisions of chapter 18.83 RCW.

(57) "Recreational therapist" means an individual with a bachelor's degree (~~(which includes)~~) including a major or option in therapeutic recreation or recreation for the ill and handicapped.

(58) "Recovery unit" means a special physical and functional unit for the segregation, concentration, and close or continuous nursing observation and care of patients for a period of less than twenty-four hours immediately following anesthesia, obstetrical delivery, surgery, or other diagnostic or treatment procedures which may produce shock, respiratory obstruction or depression, or other serious states.

(59) "Referred outpatient diagnostic service" means a service (~~(which is:)~~) provided to an individual (~~(who is)~~) receiving his or her medical diagnosis, treatment, and other health care services from one or more sources outside the hospital; limited to diagnostic tests and examinations (~~(which do)~~) not (~~(involve)~~) involving the administration of a parenteral injection, the use of a local or general anesthesia or the performance of a surgical procedure; and ordered by a health care practitioner, legally permitted to order such tests and examinations, to whom the hospital reports the findings and results of the tests and examinations.

(60) "Registered nurse" means an individual licensed under the provisions of chapter 18.88 RCW and (~~(who is)~~) practicing in accordance with the rules and regulations promulgated thereunder.

(61) "Restraint" means any apparatus used for the purpose of preventing or limiting free body movement. This shall not be interpreted to include a safety device as defined herein.

(62) "Room" means a space set apart by floor-to-ceiling partitions on all sides with proper access to a corridor and with all openings provided with doors or windows.

(63) "Rooming-in" means an arrangement for mother and infant to room together with provision for family interaction within the hospital setting.

(64) "Safety device" means a device used to safeguard a patient who, because of his or her developmental level or condition, is particularly subject to accidental self-injury.

(65) "Seclusion room" means a small, secure room specifically designed and organized to provide for temporary placement, care, and observation of one patient and further providing an environment with minimal sensory stimuli, maximum security and protection, and visualization of the patient by authorized personnel and staff. Doors of seclusion rooms shall be provided with

staff controlled locks. There shall be security relites in the door or equivalent means (~~((which afford))~~) affording visibility of the occupant at all times. Inside or outside rooms may be acceptable.

(66) "Security room" means a patient sleeping room designed, furnished, and equipped to provide maximum safety and security, including window protection or security windows and a lockable door with provision for observation of room occupant or occupants.

(67) "Self-administration of drugs" means a patient administering or taking his or her own drugs from properly labeled containers: PROVIDED, That the facility maintains the responsibility for seeing the drugs are used correctly and the patient is responding appropriately.

(68) "Shall" means compliance is mandatory.

(69) "Should" means a suggestion or recommendation, but not a requirement.

(70) "Sinks:"

(a) "Clinic service sink (siphon jet)" means a plumbing fixture of adequate size and proper design for waste disposal with siphon jet or similar action sufficient to flush solid matter of at least two and one-eighth inch diameter.

(b) "Scrub sink" means a plumbing fixture of adequate size and proper design for thorough washing of hands and arms, equipped with knee, foot, electronic, or equivalent control, and gooseneck spout.

(c) "Service sink" means a plumbing fixture of adequate size and proper design for filling and emptying mop buckets.

(71) "Social worker" means an individual holding a masters degree in social work from a graduate school of social work approved by the council on social work education.

(72) "Soiled" (when used in reference to a room, area, or facility) means space and equipment for collection and/or cleaning of used or contaminated supplies and equipment and/or collection and/or disposal of wastes.

(73) "Stretcher" means a four-wheeled cart designed to serve as a litter for the transport of an ill or injured individual in a horizontal or recumbent position.

(74) "Surgical procedure" means any manual or operative procedure performed upon the body of a living human being for the purpose of preserving health, diagnosing or curing disease, repairing injury, correcting deformity or defect, prolonging life or relieving suffering, and involving any of the following: Incision, excision, or curettage of tissue or an organ; suture or other repair of tissue or an organ including a closed as well as an open reduction of a fracture; extraction of tissue including the premature extraction of the products of conception from the uterus; or an endoscopic examination with use of a local or general anesthesia.

(75) "Through traffic" means traffic for which the origin and destination are outside the room or area (~~((which serves))~~) servicing as a passageway.

(76) "Toilet" means a room containing at least one water closet.

(77) "Tuberculous patient" means an individual (~~((who is))~~) receiving diagnostic or treatment services because of suspected or known tuberculosis.

(78) "Water closet" means a plumbing fixture for defecation fitted with a seat and device for flushing the bowl of the fixture with water.

(79) "Window" means a glazed opening in an exterior wall.

(a) "Maximum security window" means a window that can only be opened by keys or tools (~~((that are))~~) under the control of personnel. The operation of such shall be restricted to prohibit escape or suicide. Where glass fragments may create a hazard, safety glazing and/or other appropriate security features shall be incorporated. Approved transparent materials other than glass may be used.

(b) "Relite" means a glazed opening in an interior partition between a corridor and a room or between two rooms to permit viewing.

(c) "Security window" means a window designed to inhibit exit, entry, and injury to a patient, incorporating approved, safe transparent material.

AMENDATORY SECTION (Amending Order 179, filed 5/25/79)

WAC 248-18-215 PEDIATRIC SERVICES. (1) Definitions.

(a) "Adolescent" shall mean an individual during the period of life beginning with the appearance of secondary sex characteristics and terminating with the cessation of somatic growth.

(b) "Children" shall mean young persons of either sex between infancy and adolescence.

(c) "Double-checking" means verification of patient identity, agent to be administered, route, quantity, rate of administration, time, and interval by two persons prior to administration of the agent.

~~((d) "Infant" means a baby or very young child up to one year of age.))~~

(2) Hospitals admitting infants, children, and adolescents shall have written policies and procedures specifying the criteria for admission to the hospital and conditions requiring transfer when indicated. These policies and procedures shall be based upon the resources available at the hospital, specifically in terms of personnel, space, equipment, and supplies.

(3) Guidelines shall be developed related to placement or room assignment of infants, children, and adolescents under usual, specific, and/or unusual conditions within the hospital.

(a) Infants and children shall be placed in beds where frequent observation is possible.

(b) Decisions regarding placement or room assignment of infants and children in the hospital shall incorporate the judgment of a registered nurse.

(c) Children and adolescents should be placed in rooms with peers to the extent practicable.

(4) Hospitals admitting infants and children shall have available to the area and within the hospital the following equipment and supplies of pediatric size: Intubation equipment; oxygen masks for the ventilatory bags; blood pressure cuffs; intravenous equipment and supplies; emergency medications; stethoscope; defibrillator paddles; measuring devices(;) (should measure metric).

(5) In hospitals admitting infants and children, there shall be written hospital policy and procedural guidelines for determining appropriate safety measures for each infant and child in terms of the use of particular types of cribs, bassinets or beds; utilization of restraints, side rails, and safety devices.

(a) Criteria shall be developed for safe toys and play items (~~(which may be)~~) utilized in the hospital.

(b) There shall be policies and procedures specific to both infectious childhood diseases and childhood susceptibility to infections, and the control thereof.

(c) Nutritional guidelines shall be developed for infants, children, and adolescents to include normal diets and diets for special nutritional needs.

(6) In areas where infants, children, and adolescents are patients, procedures shall be developed specific to administration of drugs and intravenous fluids.

(a) There shall be written guidelines for amounts of intravenous fluid (~~(that)~~) infants, children, and adolescents of various ages, body surface areas, and/or weights should receive; rate control and checking procedures which may be required by the hospital; required or recommended use of rate control measuring chambers.

(b) There shall be documentation requirements specified for intravenous therapy to include intake and output.

(c) There shall be procedures for calculation of fractional and/or pediatric doses of agents or medications available for use by licensed nurses (~~(who administer)~~) administering medications to children.

(i) Special instructions for administration of agents or medications to which general rules of dosage calculation are not applicable shall be available for licensed nurses (~~(who administer)~~) administering medications.

(ii) There shall be double-checking procedures for highly toxic agents or medications and blood; a list of agents and medication requiring double-checking should be available in patient care areas, and double-checking should include two professionals.

(7) A mechanism for consultation with a pediatrician or with a physician (~~(who has)~~) having preparation and/or experience in pediatrics should be developed in hospitals admitting infants and children.

(8) Hospitals admitting children should have criteria specific to knowledge and experience requirement of nurses hired to work in areas where there are patients who are infants, children, or adolescents.

(9) Policies shall specify admission assessment requirements for infants, children, and adolescents.

(10) An inservice program shall be established and should include drugs and toxicology, intravenous therapy, pediatric emergency procedures, infant and child nutrition, and child abuse (including identification of high-risk families).

(11) Organized, distinct, pediatric units shall include:

(a) An accessible examination or treatment area;

(b) A sufficient and safe area for diversional play activities;

(c) Provision for isolation areas with established criteria for use;

(d) Medical direction of pediatric services by a physician member of the active medical staff (~~(who has)~~)

having experience in pediatrics and whose functions and scope of responsibility are as delineated by the medical staff;

(e) An interdisciplinary committee including representation of nursing staff, medical staff, and administration responsible for policy development and review of practice in the unit;

(f) A registered nurse prepared through education and experience in pediatrics to supervise nursing care and to be responsible for implementation of nursing policies, procedures, and practice.

AMENDATORY SECTION (Amending Order 201, filed 7/14/80)

WAC 248-18-220 OBSTETRICAL DEPARTMENT. Any hospital (~~(which provides)~~) providing obstetrical services shall be in compliance with the following additional requirements.

(1) (~~(Definitions:~~

(a) ~~"High risk infant" means an infant, regardless of gestational age or birth weight, whose extrauterine existence is compromised by various factors, prenatal, natal, or postnatal and who therefore is in need of special or extraordinary medical and/or nursing care.~~

(b) ~~"Infant" means a baby or very young child up to one year of age.~~

(c) ~~"Neonate" or "newborn" means a newly born infant less than twenty-eight days of age.~~

(d) ~~"Obstetrical area" means the portions or units of the hospital designated or designed for care and treatment of women during the antepartum, intrapartum and postpartum period and/or areas designed as nurseries for care of newborns.~~

(e) ~~"Rooming in" means an arrangement for mother and infant to room together with provision for family interaction within the hospital setting.~~

(2) (~~(General.~~

(a) Obstetrical areas shall be located and arranged to minimize the traffic to and from other areas.

(i) There shall be at least one water closet and lavatory for every six obstetrical beds or fraction thereof.

(ii) There shall be capability to isolate patients, when appropriate, in each obstetrical area.

(b) There shall be appropriate, adequate, and separate resuscitation equipment (~~(which has been)~~) designed for adult and newborn in each obstetrical service area.

(c) There shall be written policies and procedures addressing the placement, admission, or room assignment of obstetrical patients and newborns. These policies and procedures shall reflect (~~(psycho-social)~~) psychosocial needs of patients and shall be approved by the infection control committee or by an equivalent designated committee.

(d) There shall be written policy approved by the infection control committee or by an equivalent designated committee regarding assignment and utilization of personnel from the obstetrical areas to other areas and from other areas of the hospital to any obstetrical service area.

(e) There shall be policies and procedures related to wearing of uniforms, scrub clothes, or cover-ups for persons entering or leaving each obstetrical service area.

An abbreviated notice of the dress code should be posted in a prominent location within each obstetrical area.

(f) ~~((Hand washing))~~ Handwashing procedures shall be posted. These shall be approved annually by the infection control committee or by an equivalent designated committee.

(g) Written visiting policies shall specify who may enter the labor, delivery, and nursery areas and specify other conditions related to the visiting of mothers and newborns.

(h) Routine orders when used shall be reviewed annually and signed by the appropriate physician.

(i) There shall be written policies and procedures regulating room assignment, visitors, supplies, equipment, and staff responsibility for care of mother and newborn when rooming-in is used.

~~((2))~~ (2) Labor and delivery. There shall be a written policy addressing adequate ~~((provision(s)))~~ provision or provisions for ensuring optimum body heat of the newborn at all times, including during transport.

(a) There shall be adequate provision for ensuring optimum body heat of the newborn at all times including during transport.

(b) Rooms used for patients in labor shall be single or two-bed rooms within or close to the obstetrical delivery suite. Labor rooms within a delivery suite shall be used exclusively for obstetrical patients. Labor rooms outside of the delivery suite ~~((which have))~~ having outside windows may be used for other patients if the usual daily obstetrical census of the hospital is less than the approved number of beds in these labor rooms.

(c) Obstetrical delivery facilities in operation or approved for construction prior to February 21, 1975, shall be in a separate, segregated, delivery suite ~~((which services))~~ servicing obstetrical patients exclusively.

(i) The minimum dimension of the delivery rooms shall be ~~((15))~~ fifteen feet. A delivery room shall have a minimum delivery area of ~~((270))~~ two hundred seventy square feet and be properly equipped for the care of mothers and newborns.

(ii) There shall be a scrub-up, clean-up, sterilization, storage, housekeeping and staff facilities ~~((that shall be))~~ in accord with WAC 248-18-600(1)(c), (d), (e), (f), (g), (h), (i), (j), and (k). This shall not be interpreted to effect the state board of health exemptions from requirements for delivery room facilities ~~((which were))~~ granted prior to February 21, 1975.

(d) The temperature in the delivery room shall be maintained at a minimum of 72° F 22.2° C, with a reliable method of monitoring temperature.

~~((4))~~ (3) Exemptions to the requirement for a separate, segregated, delivery suite. The secretary of the department or his or her designee may, upon written application by the hospital, exempt the hospital from compliance of WAC 248-18-220~~((3))~~(2)(c) to permit a hospital to close ~~((its))~~ the obstetrical delivery suite and use surgery suite facilities for obstetrical deliveries or to permit a hospital to use obstetrical delivery suite facilities for surgical operations, providing the following requirements are met:

(a) The use of the hospital's obstetrical suite facilities prior to the granting of the exemption shall have averaged less than four hundred obstetrical deliveries per delivery room per year.

(b) The hospital shall establish a policy governing the use of obstetrical delivery and operating rooms ~~((which ensures that))~~ ensuring any patient ~~((who presents))~~ presenting with parturition imminent or with an obstetrical emergency ~~((which requires))~~ requiring immediate medical intervention to preserve the health and life of the mother or her infant, is given priority over other obstetrical and nonemergent surgical procedures.

(c) The hospital's infection control committee or an equivalent designated committee shall approve policies and procedures designed to prevent the transmission of infection through the combined use of surgery or obstetrical delivery suite facilities and shall maintain a system of discovery, reporting, and investigation of all infection occurring in surgical, obstetrical, or neonatal patients. A record of reports and investigations of all such infection shall be kept on file.

(d) A hospital ~~((which is))~~ permitted to use facilities in the obstetrical delivery suite for surgical operations shall:

(i) Reserve for obstetrical deliveries exclusively at least one delivery room.

(ii) Give priority to any obstetrical patients for whom parturition is imminent when the number of such obstetrical patients and patients scheduled for surgery in the delivery suite exceed the number of patients which can be accommodated in the obstetrical rooms available.

(iii) Exclude the following categories of surgery from the obstetrical delivery suite: Surgery performed on persons ~~((who have))~~ having a known or suspected infection~~((:))~~ (acute or chronic), are known carriers of a communicable disease, or who are known to have been exposed to communicable disease to which susceptible within a recent period which is less than the maximum incubation period of the disease; change or removal of a cast; mouth, nose or throat surgery; intestinal, rectal, anal or perianal surgery other than incidental appendectomy.

(e) A hospital may, at the discretion of the department, be permitted to use one operating room for surgical operations and obstetrical deliveries, provided the hospital has only one operating room in ~~((its))~~ the hospital's surgery suite. Any hospital ~~((which is))~~ permitted to close ~~((its))~~ the obstetrical suite and use facilities in the surgery suite for obstetrical delivery shall:

(i) Designate for obstetrical deliveries at least one operating room and such additional rooms as are necessary.

(ii) Give priority to any obstetrical patient for whom parturition is imminent when the number of such obstetrical patients and the number of patients scheduled for nonemergency surgery exceeds the number of patients that can be accommodated in the operating rooms available.

(f) Any hospital to which an exemption from WAC 248-18-220~~((3))~~(2)(c) has been granted shall establish policies and procedures and maintain appropriate equipment and supplies for rapid conversion of the labor

room to an emergency delivery room should an obstetrical delivery be imminent at a time when all obstetrical rooms or operating rooms are in use.

~~((5))~~ (4) Nursery.

(a) A properly equipped nursery shall be provided for assessment and care of newborns.

(i) Supplies and equipment shall be available in appropriate sizes and types.

(ii) A wall clock with sweep second hand shall be visible from each nursery room.

(iii) Measuring devices should register metric.

(iv) There shall be provisions to do portable x-ray in the nursery area.

(v) There shall be an oxygen source in the nursery area with oxygen analyzer available.

(vi) Mechanical suction and compressed air shall be available.

(vii) There shall be provision for warming and humidifying oxygen mixtures.

(b) The nursery room shall provide a minimum of ~~((20))~~ twenty square feet per bassinet.

(c) Bassinets shall be placed at least two feet apart.

(d) The temperature in each nursery room shall be maintained at a range of 72° to 75° F, 22° to 25° C, with a reliable method for monitoring the temperature.

(e) The nursery shall have window area equal to at least one-eighth of the floor area, or shall be provided with complete air conditioning to control temperature, humidity, and air motion.

(f) There shall be adequate handwashing facilities with foot, knee, or elbow faucet controls located at the entrance to the nursery area. A lavatory with foot, knee, or elbow faucet controls shall be located in each nursery room.

(g) There shall be provision for visitors to view newborns from outside the nursery.

(h) Nursing care of the newborn shall be under the supervision of a registered nurse in the hospital at all times.

(i) There shall be sufficient nursing service personnel to provide continued observation and care of the newborn when the newborn is in the nursery.

(j) Infection control.

(i) Handwashing and gowning procedures shall be established and followed prior to entering the nursery and before handling each infant and/or clean equipment.

(ii) Individual equipment, supplies, and techniques shall be used for the care of each infant, including equipment for bathing and transporting infants.

(iii) Special equipment ~~((which is))~~ used for more than one infant shall be used in ways ~~((which))~~ to prevent cross-infection and as approved by the infection control committee or by an equivalent designated committee.

(iv) Infants exhibiting signs of infection or with suspected exposure to communicable disease shall be isolated from other infants without delay.

(v) Procedures for isolation of newborns shall be approved by the infection control committee or by an equivalent designated committee.

(vi) Prophylactic treatment of the eyes of the newborn shall be carried out in accordance with RCW 70.24.040 and WAC 248-100-295 as now or hereafter amended.

(k) Blood specimens shall be obtained for PKU (phenylketonuria) and other metabolic tests prior to discharge from the hospital or when the infant is ten days of age, whichever comes first in accordance with RCW 70.83.020.

(l) Newborns shall be marked for identification in the delivery room or prior to separation from the mother. Verification of initial identification shall be recorded at the time done and at the time of discharge.

(m) There shall be an emergency call system from the nursery to another nearby professionally staffed area.

~~((6))~~ (5) Formula, foods, and nourishments.

(a) There shall be a clean, designated area for storage of infant formula.

(b) Formula shall be stored according to ~~((manufacturers))~~ manufacturer's directions.

(c) Formula shall not be used beyond the ~~((manufacturers))~~ manufacturer's date of expiration.

(d) Formula shall be prepared and used according to ~~((manufacturers))~~ manufacturer's and/or ~~((physicians))~~ physician's directions.

(e) Aseptic techniques shall be used in handling and preparing infant formula according to ~~((manufacturers))~~ manufacturer's directions.

(f) Provision and procedures shall be established for procuring, handling, and storage of breast milk.

~~((7))~~ (6) Hospitals admitting or treating high-risk infants shall provide appropriate and adequate staff, equipment, back-up services, and consultation provisions to meet the needs of the high-risk infant.

FOOTNOTE:

All regulations for nurseries are applicable to any hospital ~~((which provides))~~ providing care for infants(;) (see WAC 248-18-220~~((5))~~(4) and ~~((7))~~(6)).

AMENDATORY SECTION (Amending Order 195, filed 3/4/80)

WAC 248-18-222 BIRTHING ROOMS. (1) ~~((Definitions:~~

~~(a) "Birthing room" means a room designed, equipped and arranged to provide for the care of a woman and newborn and to accommodate her support persons during the complete process of vaginal childbirth (three stages of labor and recovery of woman and newborn):~~

~~(b) "Rooming in" means an arrangement for a mother and infant to remain together during the hospital stay with provision for family interaction:~~

~~(2))~~ In those hospitals, where labor and birth are planned and permitted to occur in the same room(;) (by hospital policy), birthing ~~((room(s)))~~ room or rooms shall be provided and shall comply with the following regulations:

(a) A birthing room shall be adequate and appropriate to provide the equipment, staff, supplies, emergency procedures, and short-term rooming-in required for the physical and emotional care of a woman, her support ~~((person(s)))~~ person or persons, and the newborn during

labor, delivery, and the immediate (~~((post=partum))~~) postpartum period.

(b) Usable floor area shall be sufficient to accommodate patient, furnishings, staff, her support persons, equipment, and movement necessary for the care of the woman and newborn.

(c) A lavatory equipped with a gooseneck spout and wrist, knee, or foot faucet control shall be located within the birthing room or within the immediate vicinity of the birthing room.

(d) A designated lavatory and water closet shall be conveniently located for use of patient and her support (~~((person(s)))~~) person or persons.

(e) A bathing facility shall be available for patient use.

(f) There shall be an enclosed (~~((cabinet(s)))~~) cabinet or cabinets or (~~((cart(s)))~~) cart or carts readily accessible for storage of necessary linens, instruments, supplies, medications, and equipment used in the care of the woman and newborn.

(g) There shall be wardrobe (~~((unit(s)))~~) unit or units or (~~((closet(s)))~~) closet or closets in the vicinity for the belongings of the patient and her support (~~((person(s)))~~) person or persons.

(h) Adequate portable or fixed work surface area shall be maintained for use in the birthing room.

(i) There shall be a nurse signaling device accessible and operating for each patient. There shall be an adequate and appropriate device for use of staff and within reach to summon emergency back-up personnel when needed.

(j) Emergency power for lighting and operation of equipment shall be immediately available.

(k) Floors, walls, cabinets, ceilings, and furnishings shall be easily cleanable. Carpets shall not be permitted.

~~((3))~~ (2) Adequate and appropriate size and type of equipment and supplies for woman and newborn shall be readily available and shall include:

(a) A bed suitable for labor, birth, and recovery.

(b) Separate oxygen with flow meters and masks or equivalent for mother and newborn.

(c) Mechanical suction for a woman and De Lee or bulb suction for newborn.

(d) Resuscitation equipment to include resuscitation bags and masks, endotracheal tubes, laryngoscopes, and oral airways.

(e) Provision to monitor and maintain optimum body temperature of newborn. A radiant heat source shall be available for unstable newborns. An appropriate newborn incubator shall be available.

(f) Newborn bed.

(g) General lighting source and provision for examination lights.

(h) A clock with a sweep second hand visible from (~~((room(s)))~~) room or rooms.

(i) Newborn scale.

(j) Provision for soiled linen and waste material (~~((which))~~) shall be enclosed or covered during transport.

~~((4))~~ (3) Written operational policy, procedures, and means for implementation shall be available and (~~((shall))~~) include:

(a) Definition of the patients (~~((who may))~~) to be admitted to birthing (~~((room(s)))~~) room or rooms.

(b) Definition of patients (~~((who shall))~~) not to be admitted to birthing (~~((room(s)))~~) room or rooms.

(c) Identification of the woman or newborn whose conditions are determined to be inappropriate for continued care in a birthing (~~((room(s)))~~) room or rooms.

(d) Definition of visitors and support persons who may be admitted to the birthing (~~((room(s)))~~) room or rooms.

(e) A written plan for consultation, emergency transfer, and/or transport of an infant to a newborn nursery or (~~((neo=natal))~~) neonatal intensive care nursery.

(f) A written plan for consultation, emergency transfer, and/or transport of a woman to an appropriate obstetrical department or patient care area.

(g) Prophylactic treatment of eyes of the newborn in accordance with RCW 70.24.040, WAC 248-100-295, now or as hereafter amended.

(h) A blood specimen for detection of congenital metabolic disorders immediately prior to discharge or release from the hospital in accordance with RCW 70.83.020, WAC 248-102-010, now or as hereafter amended.

(i) Assignment and utilization of personnel from the birthing (~~((room(s)))~~) room or rooms to other areas of the hospital and from other areas of the hospital to the birthing (~~((room(s)))~~) room or rooms.

(j) Infection control, e.g., screening of (~~((visitors/support person(s)))~~) visitors or support person or persons.

~~((5))~~ (4) Medical direction and supervision.

(a) The medical services provided in birthing (~~((room(s)))~~) room or rooms shall be directed by a physician (~~((member(s)))~~) member or members of the active medical staff (~~((who has))~~) having experience in obstetrics and the immediate newborn period and whose functions and scope of responsibility shall be as delineated by the medical staff.

(b) Hospital birthing rooms shall be under the supervision of a registered nurse or licensed midwife prepared through education and experience in obstetrical and newborn nursing and family orientation to birthing.

~~((6))~~ (5) There shall be review and revision of policies, procedures, and functions in the birthing (~~((room(s)))~~) room or rooms as needed and, in addition, at least one such review every three years by an appropriate interdisciplinary committee, including medical staff and nursing services, with a report to the executive committee of the medical staff and to the administration.

~~((7))~~ (6) Record keeping shall include the following:

(a) Adequate and specific notes describing newborn and maternal status during labor, birth, and recovery.

(b) Completion of birth certificate.

(c) Verification of initial identification of the newborn.

(d) Documentation that the metabolic screening specimen was obtained and forwarded as specified in RCW 70.83.020, chapter 248-102 WAC, now or as hereafter amended.

(e) Medical records, (~~((register(s)))~~) register or registers, and (~~((index(es)))~~) index or indexes as described in WAC 248-18-440(3), (6), and (7).

AMENDATORY SECTION (Amending Order 179, filed 5/25/79)

WAC 248-18-223 NEONATAL INTENSIVE CARE NURSERY. (1) (~~Definitions:~~

(a) "Infant station" means a space for a bassinet, incubator or equivalent, including support equipment, used for the care of an individual infant.

(b) "High risk infant" means an infant, regardless of gestational age or birth weight, whose extrauterine existence is compromised by various factors, prenatal, natal, or postnatal and who therefore is in need of special or extraordinary medical and/or nursing care.

(c) "Neonatal intensive care" means management of high-risk infants requiring constant nursing care and (~~cardio-pulmonary~~) cardiopulmonary and/or other life support on a continuing basis.

(~~(d) "Neonatal intensive care nursery" means an area designed, organized and equipped to provide constant nursing care to the high risk infant.~~)

(2) If neonatal intensive care services are provided, the following regulations shall apply.

(a) Regulations for WAC 248-18-220(~~(5))~~(4) shall apply to the intensive care nursery, with the exception of space and viewing areas.

(b) The neonatal intensive care nursery shall provide at least (~~(50))~~ fifty square feet per infant station.

(c) Eight electrical receptacles (four duplex receptacles or equivalent), shall be available within each infant station. All electrical receptacles shall be on the emergency generator.

(d) Oxygen, air, and suction capabilities shall include:

(i) Two separate oxygen outlets available for each infant station(~~;~~) (portable tanks and/or piped oxygen).

(ii) One compressed air source available per infant station.

(iii) Two oxygen analyzers available in the intensive care nursery.

(iv) A mechanism for blending oxygen and compressed air.

(v) Capability to warm and humidify oxygen mixtures prior to administration.

(vi) One electrical mechanical suction per infant station and other mechanical suction available.

(e) A waiting and instruction area shall be available near the intensive care nursery.

(f) Neonatal intensive care nursery services shall be directed by a physician member of the active medical staff (~~who has~~) having experience in neonatal medicine and whose functions and scope of responsibility shall be as delineated by the medical staff.

(g) There shall be an adequate number of nursing personnel skilled in the care of high-risk infants available in the neonatal intensive care nursery.

(i) The intensive care nursery shall be under the nursing supervision of a registered nurse prepared through education and/or experience in the intensive care of infants.

(ii) There shall be two persons assigned to the intensive care nursery when an infant requiring intensive care is present.

(h) Standing orders shall be available for nursing services. There shall be written medical policies and orders to guide the action of nurses and other personnel if an emergency is imminent or arises and a physician is not present. These shall: Delineate the circumstances for which particular policies and orders are to be followed; provide for a physician to be called as rapidly as possible; delineate the minimum qualifications or training of persons who may execute particular medical orders; and be approved in writing by appropriate representatives of the medical, nursing, and administrative staff. An order for the administration of a drug or other treatment during a medical emergency shall include: A description of the treatment (~~(which includes)~~) including the name of each drug or other agent; the dosage, concentration, or intensity of the drug or agent; the route or method of administration; and, where pertinent, the time interval, frequency or duration of administration. These policies shall be reviewed and approved in writing by appropriate representatives of the nursing, administrative, and medical staff annually.

(i) The intensive care nursery shall have available within the hospital at all times laboratory, radiology, and respiratory care services.

(i) A person skilled in infant respiratory management and endotracheal intubation of newborns shall be available within the hospital at all times.

(ii) Anesthesia and social services shall be available.

(iii) Other facilities shall be readily available for use where infants may require services of subspecialists.

(j) There shall be written plans for patient care, discharge, and transfer with provisions for follow-up.

(k) There shall be periodic evaluation of the neonatal intensive care nursery service by an appropriate interdisciplinary committee including medical staff and nursing services with a report to the executive committee and administration.

AMENDATORY SECTION (Amending Order 216, filed 10/23/81)

WAC 248-18-240 PSYCHIATRIC UNIT. (1) Definitions.

(a) "Corporal punishment" means punishment or negative reinforcement accomplished by direct physical contact regardless of whether or not damage is inflicted.

(b) "Discipline" means reasonable actions by personnel and staff aimed at regulation of unacceptable behavior.

(c) "Family" means individuals (~~who are~~) important to and designated by a patient, who need not be relatives.

(d) "Individualized treatment plan" means a written statement of care to be provided for a patient based upon assessment of his or her strengths, physical, and psychosocial problems. This statement shall include short- and long-term goals with an estimated time frame stipulated and shall include discharge planning. When appropriate, the statement shall be developed with participation of the patient.

(e) "Multidisciplinary treatment team" means a group comprised of individuals from the various treatment disciplines and clinical services who assess, plan, implement, and evaluate treatment for patients under care.

(2) The layout, design of details, equipment, and furnishings of a psychiatric unit shall be such that patients are in a safe and secure environment with provisions for close observation. Security or maximum security windows appropriate to area and program shall be used.

(3) Adequate space suitably equipped shall be provided for a day room on the unit. A suitably equipped dining area, recreational activity area, and occupational therapy area shall be provided. If large enough and properly arranged, one area may serve for more than one of these purposes.

(4) A treatment room shall be available within the facility.

(5) Adequate provision for space and privacy shall be made for interviewing, group and individual counseling, patient and family visiting.

(6) There shall be adequate space for physical activities of patients. There should be suitable outdoor space for patient recreation.

(7) Policies, procedures, techniques.

(a) Policies shall address development, implementation, and review of the individualized treatment plan, and participation of the multidisciplinary treatment team, the patient, and the family. A preliminary treatment plan shall be developed within twenty-four hours of admission.

(b) There shall be written policies and procedures (~~which provide~~) providing for a written psychiatric evaluation of each patient; availability and performance of psychological services; provision of social work, occupational therapy, and recreational services; a physical examination and history documented within forty-eight hours of admission.

(c) Patient rights shall be described in policy and reflected in care as described in chapter 71.05 RCW and in chapter 275-55 WAC (~~as follows: WAC 275-55-050, 275-55-170, 275-55-200(1), 275-55-260, 275-55-270, and 275-55-288~~)).

(d) Disciplinary policies shall be stated in writing and shall prohibit corporal punishment. Disciplinary actions shall be documented in the medical record.

(e) Seclusion and mechanical restraints, when used, shall be used in accordance with chapter 275-55 WAC (~~(275-55-280(2)(o) and (p)(i), (ii), (iii), and (iv))~~). There shall be documentation in the medical record of observation and assessment of patient needs every fifteen minutes during restraint or seclusion with intervention as indicated.

(f) Patients shall not be used to carry the responsibility for basic maintenance of the facility and/or equipment, housekeeping, or food service. Tasks may be performed under direct supervision insofar as the tasks are included in and appropriate to the individualized treatment plan and documented as part of the treatment program. Work assignments, if used, shall be appropriate to the age, physical, and mental condition of the patient.

(8) Personnel staff and other services.

(a) Clinical responsibility for psychiatric services shall be assigned to an individual (~~who has demonstrated~~) demonstrating experience in psychiatric treatment and care. This individual shall be designated and function as specified in the medical staff bylaws.

(b) There shall be a psychiatrist with medical staff privileges available for liaison activities and consultation.

(c) There shall be a full-time registered nurse with experience and/or specialized education in psychiatric nursing responsible for nursing care.

(d) There shall be social work services provided with the ongoing input of a social worker experienced in working with psychiatric patients.

(e) Occupational therapy services shall be provided with the ongoing input of an occupational therapist experienced in working with psychiatric patients.

(f) Recreational services shall be provided. Ongoing input of a recreational therapist experienced in working with psychiatric patients should be available.

(g) There should be available a psychologist (~~who has~~) having experience in working with psychiatric patients (~~who shall be responsible~~) and having responsibility for psychological diagnostic evaluation and specialized psychological treatment modules.

(h) There shall be a plan for arranging needed special services as identified in the individualized treatment plan of each patient.

AMENDATORY SECTION (Amending Order 209, filed 2/18/81)

WAC 248-18-500 APPLICABILITY OF THESE REGULATIONS GOVERNING HOSPITAL CONSTRUCTION. (1) These regulations apply to new construction of hospitals (~~which are~~) covered by RCW 70.41.020 (section 2, chapter 267, Laws of 1955).¹ New construction shall include any of the following started after promulgation of these regulations:

(a) New buildings to be used as hospitals;

(b) Additions to existing buildings to be used as hospitals;

(c) Conversions of existing buildings or portions thereof for use as hospitals;

(d) Alterations other than minor alterations to existing hospitals.

(2) These regulations cover the facilities generally required within a hospital, with the following provisions.

(a) Omission of required facilities for some services may be permitted provided definite arrangement has been made for adequate services from suitably located facilities outside the hospital.

(b) Hospitals (~~which will restrict~~) restricting services to legally allowable and customarily recognized limitations may be permitted to omit required facilities for the services (~~which are~~) not to be provided.

(c) Facilities provided, (~~which are~~) not specifically required by these regulations, must be adequate for the services to be performed and must meet the objectives of these regulations.

NOTE:

¹See WAC (~~248-18-505(11)~~) 248-18-001 for definition of "hospital."

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-520 SITE AND SITE DEVELOPMENT. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((+)).)

(1) LOCATION.^{2,3}

(a) SERVED BY AT LEAST ONE STREET, USABLE UNDER ALL WEATHER CONDITIONS.

(b) REMOTE FROM INSECT BREEDING AREAS AND FREE FROM OBJECTIONABLE NOISE, SMOKE, DUST, AND ODORS.

(c) SERVED BY ADEQUATE UTILITIES.²

(d) ON HIGH GROUND PROVIDING NATURAL DRAINAGE OR SERVED BY ADEQUATE STORM SEWERS.

(e) SERVED BY ADEQUATE ORGANIZED FIRE FIGHTING AND POLICE SERVICES.

Sufficiently close to center of community served.

(2) SIZE.

(a) ADEQUATE FOR HOSPITAL PLANNED AND NECESSARY SERVICE ROADS AND PARKING.

(b) SUFFICIENT TO PROVIDE PRIVACY FOR PATIENTS and attractive grounds.

Sufficient for ((+00%)) one hundred percent expansion in building area.

Four acres for ((25)) twenty-five beds, six acres for ((50)) fifty beds, nine acres for ((+00)) one hundred beds, sixteen acres for ((200)) two hundred beds are recommended.

(c) SUFFICIENT FOR PRIVATE SEWAGE DISPOSAL IF THERE IS NO PUBLIC SEWER SYSTEM.

(3) PARKING AREA.

(a) LOCATED FOR CONVENIENCE AND TO AVOID UNDUE DISTURBANCE TO PATIENTS.

(b) ADEQUATE NUMBER OF PARKING SPACES.

One parking space per bed plus one space per employee for the day shift recommended.

(c) ADEQUATE DRAINAGE.

(d) SURFACE TREATED TO MINIMIZE DUST. Illuminated at night.

(4) DRIVES AND WALKS.

(a) ADEQUATE FOR MOVEMENT OF PATIENTS, VISITORS, STAFF AND SERVICE VEHICLES.

(b) CONSTRUCTED FOR USE UNDER ALL WEATHER CONDITIONS.

(c) LOCATED TO PREVENT CONFLICTING TRAFFIC.

(d) LOCATED FOR A MINIMUM OF DISTURBANCE TO PATIENTS.

(e) SURFACE TREATED TO MINIMIZE DUST. Illuminated at night.

(5) ENTRANCES.

(a) LOCATED FOR A MINIMUM OF DISTURBANCE TO PATIENTS.

(b) ENTRANCES REQUIRED FOR MOVEMENT OF PATIENTS IN WHEELCHAIRS OR ON STRETCHERS TO BE DESIGNED WITHOUT

STAIRS. RAMPS PERMISSIBLE WITH SLOPE NOT EXCEEDING ((+)) ONE IN ((+0)) TEN. A slope not exceeding ((+)) one in ((20)) twenty recommended. AT LEAST ONE ENTRANCE TO THE HOSPITAL TO BE SO DESIGNED.

(i) PATIENTS' AND VISITORS' ENTRANCE. ADJACENT TO LOBBY.

(ii) Emergency patients' entrance.

REQUIRED IF HOSPITAL HAS AN EMERGENCY DEPARTMENT.

LOCATED FOR READY ACCESS TO EMERGENCY DEPARTMENT.

AT GRADE LEVEL AND READILY ACCESSIBLE TO PEDESTRIAN, AMBULANCE, AND OTHER VEHICULAR TRAFFIC.

AMBULANCE PORT ((WHICH IS)) SIZED TO ACCOMMODATE AT LEAST ONE VEHICLE ((22)) TWENTY-TWO FEET LONG, ((+30)) ONE HUNDRED THIRTY INCHES HIGH AND ((8)) EIGHT FEET WIDE. AMBULANCE PORT TO BE DESIGNED TO PROTECT AN EMERGENCY PATIENT AND THE INTERIOR OF THE EMERGENCY DEPARTMENT FROM WEATHER WHEN A PATIENT IS BROUGHT FROM AN AMBULANCE OR OTHER VEHICLE INTO THE EMERGENCY DEPARTMENT.

Designed to permit attendants to stand on same level as entrance when removing a stretcher from ambulance.

RAMPS TO BRIDGE ANY DIFFERENCE IN LEVELS OF APPROACH FOR PEDESTRIAN TRAFFIC.

(iii) OUTPATIENT ENTRANCE.

May be combined with entrances for patients and visitors or emergency patients.

LOCATED NEAR OUTPATIENT FACILITIES AND FOR ACCESSIBILITY BY WHEELCHAIR PATIENTS.

(iv) SERVICE ENTRANCE.

CLOSE TO STORAGE, ELEVATORS, AND KITCHEN.

(v) EXIT FOR REMOVAL OF BODIES.

May be combined with emergency patients' entrance and/or service entrance.

LOCATED WHERE BODIES CAN BE REMOVED IN AN UNOBTRUSIVE MANNER.

(vi) Employees' entrance.

Convenient to locker rooms and for control of ingress and egress.

(vii) Doctors' entrance.

Convenient to locker room, records room, and switchboard.

(6) ORIENTATION OF PATIENT ROOMS.⁴

(a) ON QUIET SIDE OF SITE.

(b) LOCATED FOR PRIVACY FOR PATIENTS.

(c) PROTECTED FROM THE VIEW OF REMOVAL OF BODIES, AND STORAGE OF RUBBISH.

Oriented for sunlight and prevailing breezes.

NOTES:

²See GENERAL DESIGN REQUIREMENTS, WAC 248-18-718(6), PLUMBING AND SEWERAGE.

³Not applicable to alterations and additions to existing hospitals.

⁴See requirements for "Windows", WAC 248-18-718(4) and see WAC (~~248-18-505~~) 248-18-001 for definition of "Grade".

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-525 ADMINISTRATIVE FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515(~~(+)~~)).

- (1) LOBBY.
 - (a) WAITING SPACE.
 - (b) WHEELCHAIR PARKING.
 - (c) PUBLIC TOILETS FOR EACH SEX.
 - (d) PUBLIC TELEPHONE.
 - (e) INFORMATION COUNTER.
 Provision for sale of newspapers, soft drinks, gifts, cigarettes, etc.
- (2) ADMITTING FACILITIES.
 - (a) PROVISION FOR AUDITORY PRIVACY DURING INTERVIEW.
 - (b) Interview rooms.
 - (c) Vault for patient valuables.
 - (d) Routine examination facilities.
- (3) ADMINISTRATION FACILITIES.
 - (a) OFFICE FOR ADMINISTRATOR.
 - (b) OFFICE FOR DIRECTOR OF NURSING - IF OVER (~~(25)~~) TWENTY-FIVE BEDS.
 - (c) Offices for other administrative personnel.
 - (d) Secretarial office space.
 - (e) Board room.
 - (4) BUSINESS OFFICE. Vault for records, cash, etc.
 - (5) MEDICAL RECORDS FACILITIES.
 - (a) ACTIVE RECORDS STORAGE. SPACE FOR (~~(50)~~) FIFTY INPATIENT RECORDS PER BED PER YEAR, NOT LESS THAN (~~(3)~~) THREE SQUARE FEET FLOOR SPACE PER BED.
 - (b) ADDITIONAL SPACE FOR OUTPATIENT RECORDS.
 - (c) INACTIVE RECORDS STORAGE.
 - (i) SPACE FOR (~~(50)~~) FIFTY INPATIENT RECORDS PER BED PER YEAR.
 - (ii) TOTAL SPACE DEPENDENT UPON DURATION AND TYPE OF STORAGE PLANNED.
 - (iii) Doctors' dictation facilities.
 - (iv) Transcribing facilities.
 - (6) MEDICAL STAFF FACILITIES.
 - (a) Doctors' in-and-out register.
 - (b) COAT ROOM.
 - (c) Toilet.
 - (d) Medical lounge and library.
 - (7) HOSPITAL EMPLOYEE FACILITIES.
 - (a) LOCKER ROOMS, and lounges. ADEQUATE TO ACCOMMODATE ALL EMPLOYEES (~~(WHO ARE))~~) NOT PROVIDED ADEQUATE FACILITIES IN INDIVIDUAL DEPARTMENTS.
 - (i) SEPARATE FOR MEN AND WOMEN.
 - (ii) SPACE FOR INDIVIDUAL LOCKERS.
 - (b) TOILETS. ADEQUATE TOILETS ADJOINING EACH LOCKER ROOM. ADDITIONAL EMPLOYEES' TOILETS THROUGHOUT THE HOSPITAL TO ADEQUATELY SERVE EMPLOYEES OF ALL DEPARTMENTS.
 - (c) Showers — Adjoining locker rooms.

- (8) Conference and training facilities.
- (9) Retiring room.
- (10) Social service office.

(11) HOUSEKEEPING FACILITIES (~~((JANITORS AND MAIDS)))~~⁵

Suitable combination with other housekeeping facilities permitted if convenient to administration facilities.

NOTE:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES (~~((JANITORS AND MAIDS)))~~.

AMENDATORY SECTION (Amending Order 227, filed 2/26/82)

WAC 248-18-539 PEDIATRIC NURSING UNIT(~~(=OPTIONAL)~~). Optional, SHALL MEET REQUIREMENTS, IF INCLUDED, AS WELL AS REQUIREMENTS OF WAC 248-18-530, (~~(WAC)~~) 248-18-710, (~~(WAC)~~) AND 248-18-718. (REQUIREMENTS IN CAPITAL LETTERS—SEE WAC 248-18-515(~~(+)~~)).

(1) SEPARATE, IDENTIFIED, AND STAFFED (~~(UNIT(S))~~) UNIT OR UNITS PLANNED FOR PEDIATRIC PATIENTS SHALL MEET REQUIREMENTS HEREIN.

WHEN SIXTEEN OR MORE PEDIATRIC BEDS ARE PLANNED, THERE SHALL BE A SEPARATE PEDIATRIC UNIT.

(2) ELECTRICAL OUTLETS,³⁶ EQUIPMENT, FIXTURES, AND OPERABLE WINDOWS IN PEDIATRIC ROOMS AND ACTIVITY AREAS OF A TYPE TO AVOID OPPORTUNITY FOR INJURY TO PATIENTS.

(3) DIRECT VISUALIZATION INTO ALL NURSERY ROOMS.²⁴ Recommended between corridors and rooms with cribs.

(4) PATIENT ROOMS AND EQUIPMENT.

(a) ADULT REQUIREMENTS FOR CAPACITY AND AREA APPLY TO ROOMS FOR YOUTH CRIBS AND BEDS.

(b) Nursery rooms and rooms for infants. AT LEAST FIFTY SQUARE FEET PER BASSINET.

(c) AT LEAST ONE ISOLATION ROOM FOR AIRBORNE COMMUNICABLE DISEASE WITH ADJOINING TOILET, BEDPAN FLUSHING EQUIPMENT, AND BATHING FACILITY. LAVATORY LOCATED IN ROOM AT ENTRY. Refer to WAC 248-18-718(8)(B) Table B.

(d) MAXIMUM CAPACITY OF TEN INFANT CRIBS AND/OR BASSINETS PER ROOM.

(5) PATIENT TOILET ROOMS SHALL MEET REQUIREMENTS UNDER WAC 248-18-530(7) EXCEPT ADJOINING TOILETS MAY BE OMITTED FROM NURSERY ROOMS.

(6) BATHING FACILITIES. SHALL MEET REQUIREMENTS UNDER WAC 248-18-530(8).

(a) One elevated pediatric tub recommended.

(b) Infant cribs or bassinets excluded from ratio of one to eight required in WAC 248-18-530(8)(a).

(7) TREATMENT AND EXAMINATION ROOM may be shared with other units.

(a) ONE ROOM REQUIRED. Two rooms recommended (one for examinations and one for treatments).²⁴

(b) SHALL MEET REQUIREMENTS UNDER WAC 248-18-530(9)(l).

(c) Walls, ceilings, and doors constructed to minimize sound transmission.

(d) Additional radiant heat source such as panels in ceiling, sidewalls or equivalent.²⁴

(8) MULTIPURPOSE ((~~ROOM(S)~~) ROOM OR ROOMS).

(a) At least one activity space designed for playing and dining. Individual space recommended. Educational facilities (classrooms, etc.) may be located in other convenient areas.

(b) Separate activity room for adolescents when routinely admitted to the unit.

(c) WALLS, CEILINGS, AND DOORS CONSTRUCTED TO MINIMIZE SOUND TRANSMISSION.

(9) STORAGE.²⁴

(a) CLOSET OR CABINETS FOR TOYS, RECREATIONAL EQUIPMENT, AND EDUCATIONAL MATERIAL.

(b) SPACE FOR CRIBS AND ADULT BEDS TO PROVIDE FLEXIBILITY FOR INTERCHANGE OF PATIENT ACCOMMODATIONS. May be located elsewhere, in readily accessible area of hospital.

NOTES:

²⁴In accordance with program.

³⁶Refer to WAC 248-18-718(10)(c)(ix)

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-560 RECOVERY UNIT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((+)).)

(1) LOCATION.

(a) LOCATED TO AVOID TRAFFIC THROUGH THE UNIT.

(b) Located in or near clinical department assuming responsibility.

(2) PATIENT CARE AREA.

(a) ((~~ROOM(S)~~) ROOM OR ROOMS WITH AT LEAST ((~~80~~) EIGHTY SQUARE FEET FOR EACH BED, STRETCHER, OR CART.

(b) Isolation room or cubicle.

(c) EQUIPMENT:

Oxygen outlet for each bed, stretcher, or cart.

Suction outlet for each bed, stretcher, or cart.

(d) LAVATORY IN EACH ROOM - May be omitted if service facilities in same room.

(3) SERVICE FACILITIES. ADEQUATE SPACE, IN ADDITION TO REQUIRED PATIENT CARE AREA, LOCATED IN SAME OR ADJOINING ROOM (OR ROOMS).

(a) CLEAN UTILITY AREA.

EQUIPMENT:

WORK SURFACE.

SINK.

LOCKED DRUG STORAGE INCLUDING SEPARATELY LOCKED NARCOTIC STORAGE.

STORAGE UNIT.¹⁸

REFRIGERATOR.⁶

LINEN STORAGE.^{6, 18}

EQUIPMENT STORAGE.¹⁸

(b) SOILED UTILITY AREA. ADEQUATE SPACE FOR LINEN HAMPERS, WASTE CONTAINERS, AND OTHER LARGE EQUIPMENT.

EQUIPMENT:

CLINIC SERVICE SINK (SIPHON JET).

WORK SURFACE.⁶

STORAGE FOR CLEANING SUPPLIES.⁶

(c) CHARTING SURFACE.⁶

(d) Nurses' toilet.

(e) HOUSEKEEPING FACILITIES ((~~JANITORS' OR MAIDS~~)).⁵

Suitable combination with other housekeeping facilities permitted if convenient to recovery unit.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

⁶May be movable equipment.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-565 SURGERY SUITE. ⁸ (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((+)).)

(1) SURGERY SUITE, GENERAL.

(a) A SEPARATE SEGREGATED UNIT UNLESS SURGERY AND OBSTETRICAL DELIVERY FACILITIES ARE IN A COMBINED SUITE ((~~WHICH IS~~)), IN ACCORD WITH WAC 248-18-600. TO INCLUDE OPERATING ROOMS AND ANCILLARY FACILITIES ESSENTIAL TO THE PROPER FUNCTIONING OF THE OPERATING ROOMS. ANCILLARY FACILITIES TO BE LOCATED OUTSIDE OPERATING ROOMS AND, IF A COMBINED SUITE, OUTSIDE DELIVERY ROOMS.

(b) LOCATED TO PREVENT TRAFFIC THROUGH SURGERY SUITE TO ANY OTHER AREA OF THE HOSPITAL AND TO FACILITATE TRANSFER OF PATIENTS TO SURGICAL NURSING UNITS AND, IF A COMBINED SUITE, TO OBSTETRICAL NURSING UNIT.

(c) SUITE TO INCLUDE NO FACILITIES (such as central sterilizing and supply service facilities) ((~~WHICH SERVE~~)) SERVING OTHER AREAS OF THE HOSPITAL AND THEREBY ((~~CREATE~~)) CREATING TRAFFIC UNNECESSARY TO THE SURGICAL SUITE, EXCEPT AS PROVIDED FOR IN WAC 248-18-600 FOR COMBINED SURGERY/OBSTETRICAL DELIVERY SUITE.

(d) NUMBER AND TYPES OF OPERATING ROOMS TO BE PREDICATED UPON THE TYPES OF SURGERY TO BE PERFORMED AND THE ANTICIPATED SURGERY CASELOAD.

(e) ARRANGED TO PREVENT TRAFFIC THROUGH AN OPERATING ROOM OR OBSTETRICAL DELIVERY ROOM TO OTHER AREAS OF THE SUITE, EXCEPT DIRECTLY CONNECTING SUBSTERILIZING ROOM SERVING ONLY OPERATING ROOMS OR OBSTETRICAL DELIVERY ROOMS TO WHICH IT CONNECTS.

(f) ANY ROOMS IN THE SUITE (~~WHICH ARE~~) PLANNED TO SERVE FOR OUTPATIENT SURGERY LOCATED SO (~~THAT~~) PENETRATION OF THE SUITE BY OUTPATIENTS IS LIMITED.

(g) CONDUCTIVITY METER WITHIN SUITE.⁶

(h) EMERGENCY COMMUNICATIONS SYSTEM CONNECTING EACH OPERATING ROOM AND DELIVERY ROOM TO CENTRAL STATION FOR SUITE OR OTHER AREA OF THE HOSPITAL (~~IN WHICH~~) WHERE THERE ARE ALWAYS NURSING PERSONNEL (~~WHO ARE~~) RESPONSIBLE FOR PROVIDING ASSISTANCE SHOULD AN EMERGENT NEED OCCUR.

(2) MAJOR OPERATING ROOM.

(a) AT LEAST ONE MAJOR OPERATING ROOM.

(b) MINIMUM DIMENSION AT LEAST ((+8)) EIGHTEEN FEET.

MINIMUM CLEAR AREA AT LEAST ((360)) THREE HUNDRED SIXTY SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.

(c) EQUIPMENT:

OVERHEAD SURGERY LIGHT.

TWO X-RAY FILM ILLUMINATORS.⁶

ELECTRIC CLOCK WITH SWEEP SECOND HAND AND INTERVAL TIMER.

STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

SUCTION OUTLETS.

OXYGEN OUTLETS.

(3) Minor operating room.

(a) All operating rooms should be designed as major operating rooms to achieve maximum flexibility in use. However, in large or specialty hospitals a large volume of minor surgery may make inclusion of minor operating rooms practical.

(b) MINIMUM DIMENSION AT LEAST ((+5)) FIFTEEN FEET.

MINIMUM CLEAR AREA AT LEAST ((270)) TWO HUNDRED SEVENTY SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.

(c) EQUIPMENT:

OVERHEAD SURGERY LIGHT.

TWO X-RAY ILLUMINATORS.⁶

ELECTRIC CLOCK WITH SWEEP SECOND HAND((;)) AND INTERVAL TIMER.

STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

SUCTION OUTLETS.

OXYGEN OUTLETS.

(4) FRACTURE (OR CAST) ROOM.

(a) ONE IN EACH HOSPITAL OVER ((+00)) ONE HUNDRED BEDS (EXCLUDING BEDS IN NURSING HOME AND PSYCHIATRIC UNITS).

(b) MINIMUM DIMENSION ((+8)) EIGHTEEN FEET. MINIMUM CLEAR AREA AT LEAST ((324)) THREE HUNDRED TWENTY-FOUR SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.

(c) May be in surgery suite or in emergency department.

(d) Splint and supply storage adjoining.

(e) EQUIPMENT:

OVERHEAD SURGERY LIGHT.

TWO X-RAY FILM ILLUMINATORS.⁶

WORK SURFACE.⁶

STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

SINK⁹ WITH PLASTER TRAP. May be scrub sink.

Splint and leak-proof plaster storage.⁹

SUCTION OUTLET.

OXYGEN OUTLET.

(5) Cystoscopy facilities.

(a) Cystoscopy operating room.

(i) One in each hospital over ((+00)) one hundred beds.

(ii) May be in suitable location outside surgery suite.

(iii) MINIMUM DIMENSION AT LEAST ((+5)) FIFTEEN FEET.

MINIMUM CLEAR AREA OF ((270)) TWO HUNDRED SEVENTY SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.

(iv) Designed to serve for other surgical procedures when anticipated volume of cystoscopic work does not indicate maximum usage of room.

(v) IF LOCATED OUTSIDE SURGERY SUITE, PROVIDE SCRUB-UP FACILITIES AND FACILITIES FOR CLEANING, STERILIZATION, AND STORAGE OF SUPPLIES AND EQUIPMENT.

(vi) EQUIPMENT:

OVERHEAD SURGERY LIGHT.

TWO X-RAY FILM ILLUMINATORS.⁶

WORK SURFACE.⁶

STORAGE FOR SURGICAL SUPPLIES.^{6, 18}

ELECTRIC CLOCK WITH SWEEP SECOND HAND and interval timer.

X-RAY UNIT⁶ - preferably mounted on urological table.

PROVISION FOR STERILE WATER SUPPLY.⁶

OXYGEN OUTLET.

SUCTION OUTLET.

(b) (~~Dark room~~) Darkroom or equivalent.

(c) Adjoining toilet, if outside surgery suite.

(6) SCRUB-UP AREA.

(a) In rooms (~~in which~~) where there is to be no open surgery or obstetrical deliveries, may be limited to one scrub sink within room.

(b) ADJACENT TO EACH OPERATING ROOM.

(c) DIRECT ACCESS TO EACH OPERATING ROOM.

(d) EQUIPMENT:

AT LEAST ((3)) THREE SCRUB SINKS FOR EACH ((2)) TWO OPERATING ROOMS, BUT IN NO CASE LESS THAN ((2)) TWO SCRUB SINKS.

DETERGENT DISPENSER.⁶ FOOT CONTROL IF LIQUID DISPENSER.

BRUSH DISPENSER.

STORAGE FOR MASKS, CAPS, NAIL FILES,
and boots.

CLOCK WITHIN VIEW FROM SCRUB SINKS.

(7) CLEAN-UP FACILITIES.¹⁰

(8) CLEAN WORKROOM.

EQUIPMENT:

LAVATORY.

WORK COUNTERS OR TABLES (OR
EQUIVALENT).⁶

STORAGE FOR SUPPLIES AND SMALL
EQUIPMENT.^{6, 18}

May be omitted if written program defines a supply
and equipment system (~~which eliminates~~) eliminating
need for preparation and assembly within the suite.

(9) STERILIZING FACILITIES.

(a) AUTOCLAVES (WITH RECORDING THER-
MOMETERS) OF SUFFICIENT CAPACITY TO
ACCOMMODATE SUPPLIES AND EQUIPMENT
TO BE STERILIZED IN SUITE. Automatic controls
on all autoclaves recommended.

(b) MINIMUM OF ONE AUTOCLAVE¹¹ IN
EACH SURGERY SUITE, EXCEPT IN HOSPI-
TALS OF ((25)) TWENTY-FIVE OR LESS BEDS,
CENTRAL STERILIZING AND SUPPLY FACILI-
TIES MAY SUFFICE IF PROPERLY ARRANGED
FOR DIRECT ACCESS TO SUITE.

(c) IF PRACTICE OF STERILIZING UN-
WRAPPED SETS OF INSTRUMENTS IS TO BE
FOLLOWED, A SUFFICIENT NUMBER OF
AUTOCLAVES¹² MUST BE LOCATED TO PRO-
VIDE DIRECT ACCESS TO EACH OPERATING
ROOM AND OBSTETRICAL DELIVERY ROOM
FROM A STERILIZING FACILITY.

(d) SOLUTION WARMER.⁶

(10) STORAGE.¹⁸

FOR:

INSTRUMENTS;

DRUGS;

LINEN;

BLOOD (REFRIGERATION) unless satisfactory
provision elsewhere;

SOLUTIONS;

STERILE SUPPLIES AND SMALL
EQUIPMENT;

LARGE EQUIPMENT; AND

STRETCHERS.

(11) ANESTHESIA STORAGE¹³ unless satisfactory
provision elsewhere.

(12) Anesthesia workroom.

(13) HOUSEKEEPING FACILITIES (~~((JANI-
TORS AND MAIDS)))~~).⁵

(14) ADMINISTRATIVE FACILITIES.

(a) CONTROL STATION.

LOCATED TO PERMIT VISUAL SURVEIL-
LANCE OF ALL TRAFFIC (~~WHICH ENTERS~~)
ENTERING SUITE.

TELEPHONE.

(b) SUPERVISOR'S OFFICE. May be combined
with control station in suite (~~which has~~) having less
than ((4)) four major rooms (operating and delivery).

Telephone.

(c) Surgery schedule board.

(d) Dictating facilities.

(e) Anesthetist's office.

(15) STAFF FACILITIES.

LOCATED TO BE ACCESSIBLE EITHER FROM
IMMEDIATELY OUTSIDE OR UPON ENTRANCE
TO SUITE.

(a) MEN'S LOCKER ROOM, TOILET, SHOWER,
and lounge.

A locker for each male who is employed in the suite
or is an active member of the surgical or obstetrical
medical staff, and additional lockers for associate or vis-
iting medical staff.

STORAGE FOR SCRUB CLOTHING.^{6, 18}

(b) WOMEN'S LOCKER ROOM, TOILET, shower,
and lounge.

A locker for each female who is employed in the suite
or is an active member of the surgical or obstetrical
medical staff, and additional lockers for associate or vis-
iting medical staff.

STORAGE FOR SCRUB CLOTHING.^{6, 18}

(16) Recovery unit.¹⁴

Located within or close to suite. IF WITHIN SUITE,
LOCATED NEAR ENTRANCE AND AWAY
FROM IMMEDIATE AREA OF OPERATING
ROOMS AND, IF A COMBINED SUITE, AWAY
FROM IMMEDIATE AREA OF DELIVERY
ROOMS.

(17) Viewing gallery.

ACCESS TO GALLERY NOT THROUGH AN
OPERATING ROOM OR OBSTETRICAL DELIV-
ERY ROOM and outside of suite.

GLASS SEPARATION BETWEEN GALLERY
AND OPERATING ROOM OR OBSTETRICAL
DELIVERY ROOM.

(18) Exchange and/or transfer area.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILI-
TIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES
~~((JANITORS AND MAIDS)))~~.

⁶May be movable equipment.

⁸Where combustible anesthetic is to be used, see FLOOR FINISH-
ES, WAC 248-18-718(5); VENTILATION, WAC 248-18-718(8);
and ELECTRICAL SYSTEMS, WAC 248-18-718(10).

⁹OUTSIDE FRACTURE ROOM IF ROOM IS TO BE USED
AS AN OPERATING ROOM FOR OPEN SURGERY.

¹⁰See GENERAL REQUIREMENTS FOR SERVICE FACILI-
TIES, WAC 248-18-710(4), CLEAN-UP FACILITIES.

¹¹May be instrument sterilizer (high speed recommended) if only
instruments are to be sterilized within the suite.

¹²May be instrument pressure sterilizer (high speed recommended)
or instrument washer-sterilizer.

¹³See RECEIVING AND STORES, WAC 248-18-700(5),
FLAMMABLE ANESTHETIC STORAGE.

¹⁴See Recovery Unit, WAC 248-18-560.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILI-
TIES, WAC 248-18-710(3), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 119,
filed 5/23/75)

WAC 248-18-600 OBSTETRICAL DELIVERY
FACILITIES. ⁸ Required only if hospital is to provide
obstetrical services. SHALL MEET REQUIRE-
MENTS, IF INCLUDED. (REQUIREMENTS IN
CAPITAL LETTERS - SEE WAC 248-18-515((7-)).)

OBSTETRICAL DELIVERY FACILITIES may be provided in a separate, segregated obstetrical delivery suite or a combined surgery/obstetrical delivery suite but SHALL COMPLY WITH REQUIREMENTS UNDER EITHER SUBSECTION (1) OR (2) (~~WHICH FOLLOW~~) OF THIS SECTION.

(1) Separate, segregated, obstetrical delivery suite.
 (a) DELIVERY SUITE - GENERAL.
 (i) SEPARATE, SEGREGATED UNIT (~~WHICH INCLUDES~~) INCLUDING DELIVERY ROOMS AND ANCILLARY FACILITIES ESSENTIAL TO THE PROPER FUNCTIONING OF THE DELIVERY SUITE. ANCILLARY FACILITIES TO BE LOCATED OUTSIDE DELIVERY ROOM.

(ii) LOCATED TO PREVENT TRAFFIC THROUGH THE SUITE TO ANY OTHER AREA OF THE HOSPITAL.

(iii) CONVENIENTLY CLOSE TO (~~POST-PARTUM~~) POSTPARTUM PATIENT ROOMS AND NEWBORN NURSERY TO FACILITATE TRANSFER OF MOTHER AND INFANT FOLLOWING DELIVERY.

(iv) In small obstetrical departments located adjacent to (~~post-partum~~) postpartum nursing unit, with no facilities unrelated to obstetrical service intervening, to permit one staff to serve entire obstetrical service exclusively.

(v) ARRANGED TO PREVENT TRAFFIC THROUGH A DELIVERY ROOM TO OTHER AREAS OF DELIVERY SUITE EXCEPT DIRECTLY CONNECTING SUBSTERILIZING ROOM SERVING ONLY DELIVERY ROOMS TO WHICH IT CONNECTS.

(b) DELIVERY ROOM.
 (i) DELIVERY ROOMS (FOR OBSTETRICAL SERVICES EXCLUSIVELY) IN RATIO OF AT LEAST ((+)) ONE FOR EACH ANTICIPATED (~~700~~) SEVEN HUNDRED DELIVERIES OR FRACTION THEREOF PER YEAR.

(ii) MINIMUM DIMENSION AT LEAST ((+6)) SIXTEEN FEET. MINIMUM CLEAR AREA AT LEAST (~~300~~) THREE HUNDRED SQUARE FEET EXCLUSIVE OF FIXED AND MOVABLE CABINETS AND SHELVES.

EQUIPMENT:
 SPECIAL DELIVERY ROOM LIGHT.⁶
 STORAGE FOR DELIVERY ROOM SUPPLIES.^{6, 18}

ELECTRIC CLOCK WITH SWEEP SECOND HAND AND INTERVAL TIMER.

Film illuminator.
 SUCTION OUTLETS.
 OXYGEN OUTLETS.

SEPARATE RESUSCITATION FACILITIES (ELECTRICAL OUTLETS, OXYGEN, SUCTION, and compressed air) FOR NEWBORN INFANTS.

Writing surface.
 (c) SCRUB-UP AREA.
 ADJACENT TO EACH DELIVERY ROOM.
 DIRECT ACCESS TO EACH DELIVERY ROOM.
 EQUIPMENT:

AT LEAST ((+)) ONE SCRUB SINK FOR EVERY DELIVERY ROOM.

Two scrub sinks for every delivery room recommended.

DETERGENT DISPENSER. FOOT CONTROL, IF LIQUID DISPENSER.

BRUSH DISPENSER.
 STORAGE FOR MASKS, CAPS, NAIL FILES, and boots.

CLOCK WITHIN VIEW FROM SCRUB SINKS.
 (d) CLEAN-UP FACILITIES.¹⁰

(e) CLEAN WORKROOM.
 EQUIPMENT:

LAVATORY
 WORK COUNTERS OR TABLES (OR EQUIVALENT)⁶

STORAGE FOR SUPPLIES.^{6, 18}
 May be omitted if written program defines a supply and equipment system (~~which eliminates~~) eliminating need for preparation and assembly within the suite.

(f) STERILIZING FACILITIES.

(i) AUTOCLAVES (WITH RECORDING THERMOMETERS) OF SUFFICIENT CAPACITY TO ACCOMMODATE SUPPLIES AND EQUIPMENT TO BE STERILIZED IN SUITE. Automatic controls on all autoclaves recommended.

(ii) MINIMUM OF ((+)) ONE AUTOCLAVE¹¹ IN DELIVERY SUITE EXCEPT IF PRACTICE OF USING WRAPPED INSTRUMENT SETS IS TO BE FOLLOWED EXCLUSIVELY.

(iii) IF PRACTICE OF STERILIZING UNWRAPPED SETS OF INSTRUMENTS IS TO BE FOLLOWED, A SUFFICIENT NUMBER OF AUTOCLAVES¹² MUST BE LOCATED TO PROVIDE DIRECT ACCESS TO EACH DELIVERY ROOM FROM A STERILIZING FACILITY.

(iv) SOLUTION WARMER.⁶
 (g) STORAGE.¹⁸

FOR:
 INSTRUMENTS
 DRUGS
 BLOOD (REFRIGERATION) unless satisfactory provision elsewhere.

SOLUTIONS
 STERILE SUPPLIES AND EQUIPMENT
 CLEAN SUPPLIES AND SMALL EQUIPMENT LINEN
 LARGE EQUIPMENT
 STRETCHERS

(h) ANESTHESIA STORAGE¹³ unless satisfactory provision elsewhere.

(i) HOUSEKEEPING FACILITIES (~~(JANITORS AND MAIDS)~~).⁵

(j) ADMINISTRATIVE FACILITIES.
 (i) SUPERVISOR'S OFFICE. May be desk alcove in delivery suite.

Located to permit control of entrance to delivery suite.

(ii) TELEPHONE.
 (iii) Dictating facilities.
 (iv) Anesthetist's office.
 (k) STAFF FACILITIES.

(i) MEN'S LOCKER ROOM, TOILET, shower, and lounge.

LOCATED TO BE ACCESSIBLE EITHER IMMEDIATELY OUTSIDE OR UPON ENTRANCE TO DELIVERY SUITE.

In hospitals having only one delivery room and one operating room, one locker room, toilet, and shower may be used for both delivery suite and surgery suite, if located close to entrances of both.

STORAGE FOR SCRUB CLOTHING.^{6, 18}

A locker for each male who is employed in the suite or is an active member of the obstetrical medical staff, and additional lockers for associate or visiting medical staff.

(ii) WOMEN'S LOCKER ROOM, TOILET, shower, and lounge.

Not required if hospital has less than ~~((8 post-partum))~~ eight postpartum beds. May serve personnel of delivery suite, newborn nursery, and ~~((post-partum))~~ postpartum unit if location convenient to all three areas and outside delivery suite.

LOCATED WITHIN AN AREA SERVING ONLY OBSTETRICAL PATIENTS, CLOSE TO OR AT ENTRANCE OF DELIVERY SUITE.

STORAGE FOR SCRUB CLOTHING.^{6, 18}

(iii) Doctors' sleeping area.

(2) Combined surgery/obstetrical delivery suite.

(a) SEGREGATED UNIT ~~((WHICH INCLUDES))~~ INCLUDING FACILITIES FOR SURGERY SUITE AS REQUIRED UNDER WAC 248-18-565 AND FACILITIES FOR OBSTETRICAL DELIVERIES.

(b) SUITE TO INCLUDE NO FACILITIES (such as central sterilizing and supply service facilities) ~~((WHICH SERVE))~~ SERVING OTHER AREAS OF THE HOSPITAL AND THEREBY ((CREATE)) CREATING TRAFFIC UNNECESSARY TO THE COMBINED SURGERY/OBSTETRICAL DELIVERY SUITE.

(c) LOCATED TO PREVENT TRAFFIC THROUGH THE SUITE TO ANY OTHER AREA OF THE HOSPITAL AND TO FACILITATE TRANSFER OF INFANTS TO THE NEWBORN NURSERY AS WELL AS TO FACILITATE TRANSFER OF MOTHERS AND SURGICAL PATIENTS TO RECOVERY ~~((UNIT(S)))~~ UNIT OR UNITS OR OTHER APPROPRIATE NURSING UNITS.

(d) DELIVERY ~~((ROOM(S)))~~ ROOM OR ROOMS AND SCRUB-UP ((AREA(S))) AREA OR AREAS TO COMPLY WITH WAC 248-18-600(1)(b) and ((WAC 248-18-600(1)))(c).

(e) DESIGNED AND ARRANGED SO THAT, WITHIN THE SUITE, TRAFFIC TO SURGICAL OPERATING ROOMS IS SEPARATED FROM TRAFFIC TO OBSTETRICAL LABOR AND DELIVERY ROOMS.

(f) SERVICE AREAS LOCATED AND ARRANGED TO AVOID DIRECT TRAFFIC BETWEEN DELIVERY AND OPERATING ROOMS.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ~~((JANITORS AND MAIDS))~~.

⁶May be movable equipment.

⁸Where combustible anesthetic is to be used, see FLOOR FINISHES, WAC 248-18-718(5); VENTILATION, WAC 248-18-718(8); and ELECTRICAL SYSTEMS, WAC 248-18-718(10).

¹⁰See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(4), CLEAN-UP FACILITIES.

¹¹May be instrument sterilizer (high speed recommended) if only instruments are to be sterilized within the suite.

¹²May be instrument pressure sterilizer (high speed recommended) or instrument washer-sterilizer.

¹³See RECEIVING AND STORES, WAC 248-18-700(5), FLAMMABLE ANESTHETIC STORAGE.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-605 FACILITIES FOR CARE OF PATIENTS IN LABOR. Required only if hospital is to provide obstetrical services. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((+)).) WITHIN OR CLOSE TO OBSTETRICAL DELIVERY SUITE OR COMBINED SURGERY/OBSTETRICAL DELIVERY SUITE AND/OR ~~((POST-PARTUM))~~ POSTPARTUM UNIT.

(1) LABOR ROOM.

(a) LOCATED FOR ACCESS BY VISITORS WITHOUT PENETRATION OF THE IMMEDIATE AREA OF DELIVERY ROOMS OR OPERATING ROOMS.

(b) MAXIMUM CAPACITY OF ~~((2))~~ TWO BEDS. One-bed rooms recommended.

OTHER STANDARDS FOR TYPICAL PATIENT ROOM APPLY.¹⁵

(c) ONE LABOR BED FOR EVERY ESTIMATED ~~((350))~~ THREE HUNDRED FIFTY DELIVERIES OR FRACTION THEREOF, PER YEAR.

(2) TOILETS AND BATHING FACILITIES.¹⁶

(a) WATER CLOSETS IN RATIO OF AT LEAST ~~((+))~~ ONE TO EVERY ((6)) SIX LABOR BEDS OR FRACTION THEREOF.

(b) SHOWERS IN THE RATIO OF AT LEAST ~~((+))~~ ONE TO EVERY ((8)) EIGHT LABOR BEDS OR FRACTION THEREOF, EXCEPT, IN HOSPITALS WITH LESS THAN ~~((8 POST-PARTUM))~~ EIGHT POSTPARTUM BEDS, ONE SHOWER MAY SERVE BOTH ((POST-PARTUM)) POSTPARTUM AND LABOR PATIENTS IF PROPERLY LOCATED FOR USE BY BOTH TYPES OF PATIENTS.

(3) MEDICINE, UTILITY ROOMS, LINEN STORAGE, AND HOUSEKEEPING FACILITIES.⁷

Not required if labor rooms are outside delivery suite or combined surgery/delivery suite and located for convenient use of facilities on ~~((post-partum))~~ postpartum unit. Not required if labor rooms are within delivery suite or combined surgery/delivery suite ~~((which has))~~

having adequate service facilities for necessary functions in properly segregated clean and soiled rooms.

- (4) BEDPAN ROOM.⁽¹²⁾
- (5) Admission preparation room.
- (6) Fathers' room. Close to facilities for care of patients in labor. IF WITHIN DELIVERY SUITE OR COMBINED SURGERY/DELIVERY SUITE, LOCATED NEAR ENTRANCE AND AWAY FROM IMMEDIATE AREA OF DELIVERY ROOMS AND OPERATING ROOMS.

NOTES:

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710.

¹⁵See NURSING UNIT, GENERAL, WAC 248-18-530.

¹⁶See PATIENT TOILET AND BATHING FACILITIES, WAC 248-18-530(7) and (8) for additional requirements.

~~(¹⁷See NURSING UNIT, GENERAL, WAC 248-18-530(8)(c); BEDPAN ROOM.)~~

AMENDATORY SECTION (Amending Order 195, filed 3/4/80)

WAC 248-18-607 BIRTHING ROOM. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515.)

(1) ~~((DEFINITION:~~

~~"BIRTHING ROOM" MEANS A ROOM DESIGNED, EQUIPPED AND ARRANGED TO PROVIDE FOR CARE OF A WOMAN AND NEWBORN AND TO ACCOMMODATE HER SUPPORT PERSONS DURING THE COMPLETE PROCESS OF VAGINAL CHILDBIRTH (THREE STAGES OF LABOR AND RECOVERY OF WOMAN AND NEWBORN).~~

~~(2))~~ NUMBER.

DEPENDENT UPON ANTICIPATED PATIENT DEMAND AND USE.

~~((3))~~ (2) LOCATION.

SHALL BE LOCATED WITHIN OR CLOSE TO ONE OF THE FOLLOWING: OBSTETRICAL DELIVERY SUITE, COMBINED SURGERY/OBSTETRICAL DELIVERY SUITE, LABOR FACILITIES, NURSING UNIT, OR OTHER SUITABLE NURSING SERVICE PATIENT CARE AREAS.

(a) LOCATED TO PROVIDE PATIENT PRIVACY WITH ACCESS TO ESSENTIAL ANCILLARY FACILITIES.

(b) DIRECTLY ACCESSIBLE FROM CORRIDOR OF OBSTETRICAL SUITE, COMBINED SURGICAL/OBSTETRICAL SUITE, NURSING UNIT, OR OTHER SUITABLE NURSING SERVICE AREA.

(c) LOCATED TO PREVENT TRAFFIC THROUGH BIRTHING ROOMS AND TO MINIMIZE ENTRANCE OF ODORS, NOISE, AND OTHER NUISANCES.

(d) IF HOSPITAL HAS OBSTETRICAL-NEWBORN SERVICE, LOCATED WITH EASY ACCESS⁴⁷ TO NEWBORN NURSERY.

~~((4))~~ (3) CAPACITY.

MAXIMUM CAPACITY, ONE WOMAN, HER NEWBORN, AND HER SUPPORT PEOPLE.

~~((5))~~ (4) SPACE.

MINIMUM DIMENSION OF ~~((11'-0"))~~ ELEVEN FEET AND MINIMUM AREA OF AT LEAST ~~((160))~~ ONE HUNDRED SIXTY SQUARE FEET OF USABLE FLOOR SPACE (i.e., EXCLUDES SPACE FOR LAVATORY, WARDROBE OR CLOSET, FIXED OR MOVABLE CABINETS, STORAGE FACILITIES AND ENTRY VESTIBULE). DESIGNED AND ARRANGED TO PROVIDE FOR AT LEAST ~~((4'-0"))~~ FOUR FEET OF SPACE AT ONE SIDE AND FOOT END OF THE BED. ~~((180))~~ One hundred eighty square feet of usable floor space recommended.

~~((6))~~ (5) Window.⁵³ REQUIRED IF ROOM IS TO BE USED AS A PATIENT ROOM FOR ~~((POSTPARTUM))~~ POSTPARTUM CARE FOLLOWING RECOVERY, FOR A PERIOD OF TWENTY-FOUR HOURS OR LONGER.

~~((7))~~ (6) EQUIPMENT IN BIRTHING ROOM.

(a) LAVATORY WITHIN THE BIRTHING ROOM.

(b) ENCLOSED CLOSET OR LOCKER FOR PATIENT'S AND SUPPORT PERSONS' BELONGINGS WITHIN OR IN THE VICINITY OF BIRTHING ROOM.

(c) OXYGEN AND SUCTION OUTLETS ADJACENT TO HEAD OF BED.

For alteration projects, portable oxygen tanks and portable electrical mechanical suction equipment permitted.

(d) SEPARATE RESUSCITATION FACILITIES (ELECTRICAL RECEPTACLES AND OXYGEN OUTLETS) FOR NEWBORN ~~((INFANT(S)))~~ INFANT OR INFANTS. For alteration projects, may use portable oxygen tanks.

(e) CLOCK⁶ WITH SWEEP SECOND HAND.

(f) CURTAIN OR EQUIVALENT MEANS FOR PROVIDING VISUAL PRIVACY AT CORRIDOR DOOR OPENINGS, INTERIOR ~~((RELIGHT))~~ RELITE PARTITIONS, AND EXTERIOR WINDOWS.

(g) EMERGENCY SIGNAL DEVICE FOR USE OF THE STAFF TO REGISTER AT LOCATION FROM WHICH ADDITIONAL ASSISTANCE IS ALWAYS AVAILABLE.

~~((8))~~ (7) TOILETS AND BATHING FACILITIES.

(a) TOILET ROOM SERVING ONE ADJOINING BIRTHING ROOM EXCLUSIVELY PROVIDED WITH WATER CLOSET (EQUIPPED WITH BEDPAN FLUSHING ATTACHMENT) FOR USE BY THE PATIENT AND HER SUPPORT ~~((PERSON(S)))~~ PERSON OR PERSONS. IN ALTERATION PROJECTS, PROPERLY LOCATED COMMUNAL TOILET ROOMS FOR EXCLUSIVE USE BY OBSTETRICAL PATIENTS IN RATIO OF AT LEAST ONE WATER CLOSET TO EVERY FOUR PATIENTS ARE ACCEPTABLE IN LIEU OF THE ADJOINING TOILET ROOM, PROVIDED OTHER NONPATIENT TOILET FACILITIES ARE

AVAILABLE FOR SUPPORT ((PERSON(S))) PERSON OR PERSONS.

(b) Support ((Person(s))) Person's or Persons' Toilet and Dressing Room. REQUIRED ONLY IF TOILET AND DRESSING FACILITIES ARE REQUIRED BY PROGRAM AND FACILITIES ARE NOT AVAILABLE ADJOINING BIRTHING ((ROOM(S))) ROOM OR ROOMS OR IN THE DELIVERY SUITE OR COMBINED DELIVERY/OPERATING SUITE. CONVENIENT TO THE BIRTHING ROOM.

(c) SHOWERS IN THE RATIO OF AT LEAST ONE TO EVERY EIGHT BIRTHING ROOMS OR FRACTIONS THEREOF.²⁴ May be combined with showers for other patients.

((+)) (8) NURSES' STATION, MEDICINE AREA, CLEAN AND SOILED UTILITY ROOMS,⁷ AND HOUSEKEEPING FACILITIES.⁵

Not required if birthing ((room(s))) room or rooms is convenient to such facilities within the delivery suite or combined surgery/delivery suite, labor facilities, nursing unit, or suitable nursing service patient care area ((which has)) having adequate service facilities for necessary functions in properly segregated clean and soiled rooms.

((+)) (9) STORAGE FOR LARGE EQUIPMENT.

May be within the birthing room or in a clean room conveniently located to the birthing room.

((+)) (10) WHEELCHAIR AND STRETCHER STORAGE.

Not required if birthing ((room(s)-is)) room or rooms are convenient to adequate storage facilities within the delivery suite or combined surgery/delivery suite, labor facilities, nursing unit, or suitable nursing service patient care area.

((+)) (11) STAFF FACILITIES FOR MEDICAL AND NURSING STAFFS.

DRESSING ROOM AND TOILET, shower, and lounge. STORAGE FOR SCRUB CLOTHING. Not required if birthing rooms are within or near an area ((which has)) having adequate staff facilities.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5) HOUSEKEEPING FACILITIES ((JANITORS' AND MAIDS)).

⁶May be movable equipment.

⁷See GENERAL DESIGN REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710.

²⁴In accordance with the program.

⁴⁷"Easy access" means on the same floor or readily accessible to elevator services.

⁵³See GENERAL DESIGN REQUIREMENTS, WAC 248-18-718(4)(b), WINDOWS.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-615 NEWBORN NURSERY FACILITIES. Required only if hospital is to provide obstetrical services. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515(+).)

(1) NURSERY FACILITIES, GENERAL.

(a) EACH NURSERY UNIT FOR NEWBORN INFANTS TO INCLUDE ONLY THE NURSERY ROOMS AND NECESSARY ANCILLARY FACILITIES.

(b) LOCATED TO PREVENT TRAFFIC THROUGH THE UNIT.

(c) LOCATED ADJACENT TO THE POSTPARTUM PATIENT ROOMS WITH NO FACILITIES UNRELATED TO OBSTETRICAL SERVICE BETWEEN NURSERY UNIT AND POSTPARTUM PATIENT ROOMS.

(d) ANCILLARY FACILITIES TO BE LOCATED IN A ROOM OR ROOMS OUTSIDE NURSERY ROOMS.

(2) FULL-TERM NURSERY UNIT.

(a) NUMBER OF BASSINETS FOR FULL-TERM INFANTS AT LEAST EQUAL TO ANTICIPATED MAXIMUM DAILY INFANT CENSUS.

(b) PROVISION FOR VIEWING INFANTS BY VISITORS FROM A SUITABLE LOCATION OUTSIDE NURSERY UNIT.

(c) NURSERY ROOM.

(i) NO ACCESS DIRECTLY FROM CORRIDOR.

(ii) MINIMUM OF TWENTY-FOUR SQUARE FEET OF FLOOR AREA PER BASSINET. Thirty square feet per bassinet recommended.

(iii) ROOMS DESIGNED FOR SPACING BASSINETS AT LEAST THREE FEET APART.

(iv) IN A NEWBORN NURSERY UNIT HAVING A CAPACITY EXCEEDING SIX BASSINETS, THERE SHALL BE AT LEAST TWO NURSERY ROOMS. THE CAPACITY OF A NURSERY ROOM SHALL NOT EXCEED TWELVE BASSINETS.

(v) EQUIPMENT:

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

LAVATORY.

CLOCK VISIBLE FROM EACH PART OF NURSERY.

Oxygen and suction outlets.

(d) HANDWASHING AND GOWNING AREA.

(i) LOCATED AT EACH ENTRANCE TO NURSERY UNIT. May be immediately outside nursery unit.

(ii) EQUIPMENT:

LAVATORY.

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

STORAGE FOR CLEAN GOWNS, CAPS, AND MASKS.¹⁸

FACILITIES FOR SUIT COATS⁶ close to but outside nursery unit.

(e) EXAMINATION AREA.

(i) ADJACENT TO NURSERY ROOMS.

(ii) ONE EXAMINATION AREA OR ROOM MAY SERVE NO MORE THAN TWENTY-FOUR BASSINETS.

(iii) EQUIPMENT:

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

LAVATORY - One lavatory with detergent dispenser may serve examination, handwashing, and gowning areas if these areas are in the same room.

STORAGE FOR LINEN AND EQUIPMENT.**(f) CHARTING AND/OR OFFICE AREA.**

(i) May be omitted in small units where infant records are to be kept at nurses' station serving postpartum beds.

(ii) LOCATED TO CONTROL ENTRANCE TO NURSERY UNIT.

(iii) View windows to nursery rooms.

(iv) EQUIPMENT:

WRITING DESK OR COUNTER.⁶

CHART RACK.⁶

TELEPHONE - May not be required if nursery unit close to nurses' station serving postpartum beds.

Bulletin board.

(g) NURSERY WORK (OR UTILITY) AREA.**(i) ADJOINING NURSERY ((ROOM(S))) ROOM OR ROOMS.**

(ii) ONE WORK (OR UTILITY) AREA OR ROOM MAY SERVE NO MORE THAN TWENTY-FOUR BASSINETS.

(iii) DESIGNED TO SEPARATE CLEAN AND SOILED AREAS.

(iv) CLEAN AREA.

EQUIPMENT:

SINK.

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

WORK COUNTER.

FORMULA REFRIGERATOR⁶ - Not required if refrigerator for formula is provided in formula room or postpartum nursing unit kitchen.

BOTTLE WARMING FACILITIES.⁶

STORAGE UNIT.¹⁸ (FOR: LINEN, PHARMACEUTICALS, STERILE SUPPLIES, AND CLEAN SUPPLIES AND EQUIPMENT).

(v) SOILED AREA.

ADEQUATE SPACE FOR WASTE CONTAINER, LINEN HAMPERS,² AND OTHER LARGE EQUIPMENT.

EQUIPMENT:

WORK COUNTER.

SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).

STORAGE UNITS((:))¹⁸ (FOR: GENERAL CLEANING SUPPLIES AND EQUIPMENT).

(3) PREMATURE NURSERY UNIT. Separate nursery unit for prematures not required nor recommended where average daily census of less than ((5)) five prematures is anticipated. REQUIREMENTS FOR NURSERY ROOMS AND ANCILLARY FACILITIES SAME AS FOR FULL-TERM NURSERY UNIT, EXCEPT THAT MINIMUM OF ((30)) THIRTY SQUARE FEET PER BASSINET IS REQUIRED IN NURSERY ROOMS.

(4) Observation (or Suspect) Nursery Unit.

(a) NO DIRECT ACCESS FROM OTHER NURSERY UNITS.

(b) MAXIMUM CAPACITY OF EACH OBSERVATION NURSERY UNIT - ((2)) TWO BASSINETS.

(c) NURSERY ROOM.

REQUIREMENTS SAME AS FULL-TERM NURSERY ROOM EXCEPT MINIMUM OF ((40)) FORTY SQUARE FEET PER BASSINET.

(d) HANDWASHING AND GOWNING AREA.

(i) LOCATED AT ENTRANCE TO OBSERVATION NURSERY UNIT.

(ii) EQUIPMENT:

LAVATORY.

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

STORAGE FOR CLEAN GOWNS, CAPS, AND MASKS.

(e) NURSERY WORK (OR UTILITY) AREA.

(i) ADJOINING NURSERY ROOMS.

(ii) DESIGNED TO SEPARATE CLEAN AND SOILED AREAS.

(iii) CLEAN AREA.

EQUIPMENT:

WORK COUNTER.

FORMULA REFRIGERATOR⁶ - Not required if refrigerator for formula is provided in formula room or in postpartum nursing unit kitchen.

BOTTLE WARMING FACILITIES.⁶

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

SINK OR LAVATORY (lavatory and detergent dispenser in handwashing and gowning area may serve if properly located).

STORAGE UNITS¹⁸ (FOR: LINEN, PHARMACEUTICALS, STERILE SUPPLIES, AND CLEAN SUPPLIES AND EQUIPMENT).

Bulletin board.

(iv) SOILED AREA.

(A) ADEQUATE SPACE FOR WASTE CONTAINER AND LINEN HAMPER.

(B) EQUIPMENT:

WORK COUNTER.

SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).

STORAGE UNITS¹⁸ (FOR: GENERAL CLEANING SUPPLIES AND EQUIPMENT).

(5) FACILITIES FOR JANITORS, MAIDS, AND NURSERY PERSONNEL.

(a) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

May be combined with housekeeping facilities for delivery suite or postpartum unit.

(b) NURSERY PERSONNEL LOCKER ROOM AND TOILET.

(i) Not required if hospital has less than ((8)) eight postpartum beds.

(ii) May be combined with nurses' locker room for delivery suite if located convenient to newborn nursery facilities and outside delivery suite.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

⁶May be movable equipment.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 195, filed 3/4/80)

WAC 248-18-636 NEONATAL INTENSIVE CARE UNIT (NICU). Optional. SHALL MEET REQUIREMENTS IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((?)).)

(1) GENERAL.

(a) TO INCLUDE THE NEONATAL NURSERY ((ROOM(S))) ROOM OR ROOMS AND ANCILLARY FACILITIES ESSENTIAL TO PROPER FUNCTIONING OF THE UNIT. ANCILLARY FACILITIES FOR THE NICU MAY BE COMBINED WITH ANCILLARY FACILITIES FOR THE NEWBORN NURSERY UNIT PROVIDED THE INFECTION CONTROL PROGRAM REFLECTS CONTROL OF TRAFFIC BETWEEN AND THROUGH THE NEONATAL INTENSIVE CARE UNIT AND NEWBORN NURSERY UNIT.

(b) NEONATAL INFANT STATIONS MAY BE IN SEPARATE, SEGREGATED NURSERY ROOM OF NEWBORN NURSERY UNIT.

(c) EMERGENCY SIGNAL DEVICE IN EACH NEONATAL NURSERY ROOM TO REGISTER ALARM CALL IN AN AREA WHERE NURSING OR MEDICAL ASSISTANCE TO NEONATAL INTENSIVE CARE UNIT IS ALWAYS AVAILABLE.²⁴

(2) LOCATION.

(a) LOCATED NEAR OBSTETRICAL DELIVERY FACILITIES, IF ANY, WITH EASY ACCESS⁴⁷ FROM THE EMERGENCY DEPARTMENT and/or heliport.

(b) LOCATED TO PREVENT TRAFFIC THROUGH THE UNIT.

(3) CAPACITY AND SPACE.

(a) CAPACITY OF EACH NURSERY ROOM NO LESS THAN FOUR INFANT STATIONS, EXCEPT IN ISOLATION ROOMS.

(b) MINIMUM OF ((72)) SEVENTY-TWO SQUARE FEET OF FLOOR AREA FOR EACH INFANT STATION EXCLUSIVE OF FIXED CABINETS AND EQUIPMENT USED FOR FUNCTIONS OTHER THAN DIRECT INFANT CARE. May include aisles and passageways within the neonatal intensive care unit.

(c) CORRIDORS, AISLES, AND PASSAGEWAYS WITHIN THE NEONATAL INTENSIVE CARE UNIT SUFFICIENTLY WIDE TO ALLOW FOR UNIMPEDED MOVEMENT OF EQUIPMENT AND PERSONNEL.²⁴ ((5'-0")) Five feet minimum recommended.

(4) SCRUB-UP AREA.

(a) LOCATED AT ENTRANCES TO THE NEONATAL INTENSIVE CARE UNIT OR NEWBORN NURSERY UNIT IF NICU IS A PART THEREOF.

(b) EQUIPMENT:

(i) ONE SCRUB SINK FOR EVERY EIGHT INFANT STATIONS OR MAJOR FRACTION THEREOF, BUT NO LESS THAN TWO SCRUB SINKS.

(ii) DETERGENT DISPENSER.^{6,24}

(iii) BRUSH OR SPONGE DISPENSER OR EQUIVALENT.⁶

(iv) KNEE, FOOT, ELECTRIC EYE, OR EQUIVALENT⁴¹ FAUCET CONTROLS.

(v) CLEAN STORAGE for clean gowns, masks, and nail cleaners.

(vi) WALL CLOCK⁶ WITH SWEEP SECOND HAND OR EQUIVALENT VISIBLE FROM SCRUB-UP AREA.

(c) FACILITIES FOR HANGING OR STORAGE OF OUTER GARMENTS AT OR NEAR SCRUB AREA BUT NOT WITHIN NURSERY ROOMS.

(5) TRAFFIC CONTROL AND COMMUNICATION CENTER.

(a) LOCATED AT MAIN ENTRANCE OF NURSERY UNIT.

(b) EQUIPMENT:

(i) WRITING SURFACES.⁶

(ii) TELEPHONE.

(iii) INTERCOMMUNICATION SYSTEM DESIGNED FOR STAFF COMMUNICATION BETWEEN UNIT ROOMS AND BETWEEN NEONATAL INTENSIVE CARE UNIT AND OTHER AREAS OF THE HOSPITAL.²⁴

(iv) Chart Rack,⁶ REQUIRED IF PATIENT CHARTS ARE TO BE KEPT AT THE COMMUNICATION CENTER.

(v) Dictation equipment.

(vi) Computer stations and terminals.

(6) INFANT STATION.

(a) MINIMUM OF TWELVE ELECTRICAL RECEPTACLES OR SIX DUPLEX RECEPTACLES PER STATION.

(b) MINIMUM OF TWO OXYGEN OUTLETS PER STATION WITH CAPABILITIES TO WARM AND HUMIDIFY OXYGEN PRIOR TO ADMINISTRATION.

(c) MINIMUM OF TWO COMPRESSED AIR⁴⁹ OUTLETS PER STATION.

(d) MINIMUM OF TWO SUCTION OUTLETS PER STATION, three recommended.

(e) CLOSED STORAGE⁶ FOR INDIVIDUAL SUPPLIES AND EQUIPMENT WITHIN EACH INFANT STATION.

(f) ONE LAVATORY WITH GOOSENECK SPOUT AND KNEE OR FOOT FAUCET CONTROL OR EQUIVALENT⁴¹ FOR EVERY FOUR INFANT STATIONS. LOCATED CONVENIENT TO EACH INFANT STATION. DETERGENT DISPENSER.

(g) WORK COUNTER⁶ FOR EACH INFANT STATION WITH PROVISION FOR WRITING SURFACE.

(h) SPACE TO ACCOMMODATE MONITORS.⁶

(i) LIGHTING,⁶ AT LEAST ((70)) SEVENTY FOOT-CANDLES MEASURED AT THE HEIGHT OF THE INFANT STATION OR TREATMENT TABLE.

(j) ((CLOCK(S))) CLOCK OR CLOCKS WITH SWEEP SECOND HAND FOR VIEWING FROM EACH INFANT STATION.

(k) X-RAY RECEPTACLE (~~(OUTLET(S))~~) ~~OUTLET OR OUTLETS OR EQUIVALENT~~²⁴ ~~AND~~³⁰ AVAILABLE IN EACH NURSERY ROOM.

(7) Isolation Facilities. Optional.²⁴

IF PROVIDED, ALL STANDARDS IN WAC 248-18-636(6)(a) THROUGH (k) FOR NEONATAL INFANT STATIONS(~~(, WAC 248-18-636(6))~~) APPLY.

(8) UTILITY ROOMS. Need not open onto a corridor; may open into NICU.

(a) CLEAN UTILITY ROOM.

EQUIPMENT:

WORK COUNTER.

SINK WITH GOOSENECK SPOUT AND KNEE OR FOOT FAUCET CONTROLS OR EQUIVALENT.⁴¹

STORAGE CABINETS.⁶

REFRIGERATOR.

Freezer.

FORMULA STORAGE.

(b) SOILED UTILITY ROOM.

(i) LOCATED FOR REMOVAL OF SOILED MATERIAL WITHOUT GOING THROUGH CLEAN AREAS OR INFANT CARE AREAS.

(ii) ADEQUATE SPACE FOR COVERED WASTE CONTAINERS, LINEN HAMPERS, CONTAINERS FOR COLLECTION OF USED BOTTLES, AND FOR OTHER SMALL AND LARGE EQUIPMENT PRIOR TO ((HS)) CLEANING.

(iii) EQUIPMENT:

WORK COUNTER.

SINK (DOUBLE COMPARTMENT IF WASHING AND RINSING OF SOILED ITEMS TO BE DONE IN THE ROOM). MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER.

STORAGE UNITS, for general cleaning supplies and equipment laboratory centrifuge and other laboratory equipment.

(9) MEDICINE AREA.

(a) May be combined with clean utility room.

(b) EQUIPMENT:

WORK COUNTER.

SINK, (Sink in clean utility room may serve, if properly located).

LOCKED DRUG STORAGE.

REFRIGERATOR.⁶ May be same as for other thermolabile products used for treatment purposes.

(10) HOUSEKEEPING FACILITIES.⁵

(11) Treatment Room.

(a) LOCATION, ADJACENT TO THE INFANT CARE AREAS.

(b) MINIMUM DIMENSION ((8)) EIGHT FEET.

MINIMUM OF ((80)) EIGHTY SQUARE FEET EXCLUSIVE OF DOOR SWING AND FIXED AND MOVABLE CABINETS AND SHELVES.

(c) ((4'-0")) FOUR FOOT WIDE DOOR TO ROOM.

(d) EQUIPMENT:

(i) LAVATORY OR SINK WITH GOOSENECK SPOUT AND KNEE OR FOOT FAUCET CONTROLS OR EQUIVALENT.⁴¹ DETERGENT DISPENSER.

(ii) RADIANT HEATER⁶ FOR INFANT CARE.

(iii) AT LEAST TWO OXYGEN OUTLETS.

(iv) AT LEAST TWO COMPRESSED AIR OUTLETS.

(v) AT LEAST TWO SUCTION OUTLETS.

(vi) STORAGE FOR CLEAN AND STERILE SUPPLIES AND EQUIPMENT.

(vii) EXAMINATION LIGHT⁶ AT TREATMENT TABLE.

(viii) MINIMUM OF TWELVE ELECTRICAL RECEPTACLES OR SIX DUPLEX RECEPTACLES.

(ix) EMERGENCY SIGNAL DEVICE TO REGISTER ALARM CALL IN AREA WHERE MEDICAL OR NURSING ASSISTANCE IS ALWAYS AVAILABLE.²⁴

(x) X-RAY ELECTRICAL RECEPTACLE OUTLET OR EQUIVALENT.^{24, 50}

(12) STORAGE.

(a) Storage area for portable x-ray equipment. REQUIRED IF PORTABLE X-RAY EQUIPMENT TO BE STORED IN NEONATAL INTENSIVE CARE UNIT. May be included in the equipment storage room.

(b) CLEAN EQUIPMENT STORAGE ROOM FOR MAJOR PORTABLE EQUIPMENT WITHIN OR ADJACENT TO THE UNIT.

(13) OFFICE FOR NURSING SUPERVISOR AND/OR HEAD NURSE WITHIN THE UNIT OR IN IMMEDIATE VICINITY.

(14) PARENT EDUCATION FACILITIES.⁴⁸

(a) DEMONSTRATION AND FEEDING AREA.

CUBICLE CURTAINS COMPLETELY SCREENING MOTHERS WHILE BREAST FEEDING OR AN EQUIVALENT MEANS OF PROVIDING FOR COMPLETE PRIVACY WHILE BREAST FEEDING.

(b) EQUIPMENT:

LAVATORY WITH GOOSENECK SPOUT AND KNEE OR FOOT FAUCET CONTROLS OR EQUIVALENT.⁴¹ DETERGENT DISPENSER. May be a lavatory located in other suitable, clean, nearby area.

STORAGE FOR EDUCATIONAL MATERIALS.

(15) CONFERENCE ROOM.⁴⁸ May be used as a multipurpose room((;)) (e.g., parent conferences, medical staff and nurses conferences, reports, etc.).

(16) DOCTORS' SLEEPING ROOM.⁴⁸

May be located outside the unit but in close proximity to the unit.

(17) LOUNGE, TOILET, AND LOCKER FACILITIES.

(a) STAFF FACILITIES.

(i) LOCATED TO BE ACCESSIBLE OUTSIDE OR UPON ENTRANCE TO THE UNIT.⁴⁸

(ii) LOCKER, DRESSING ROOM, shower, TOILET, AND LOUNGE FACILITIES.⁴⁸

Storage for clean gowns and scrub clothing.

(b) FACILITIES FOR PARENTS OR OTHERS (~~(WHO WILL BE))~~) CARING FOR AN INFANT.

(i) LOCATED TO BE ACCESSIBLE IMMEDIATELY OUTSIDE OR UPON ENTRANCE TO THE UNIT.

(ii) WAITING AREA OR LOUNGE LOCATED ADJACENT TO NEONATAL INTENSIVE CARE UNIT.

(iii) Provision for personal belongings.⁴⁸

(iv) TOILET AVAILABLE FOR PARENTS.⁴⁸

(v) Public telephone.

(18) MISCELLANEOUS.

(a) FACILITIES FOR X-RAY FILM ILLUMINATION.⁶

(b) ACOUSTICAL TREATMENT OF NURSERY ROOMS TO MINIMIZE NOISE WITHIN THE ROOM.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-718(5) HOUSEKEEPING FACILITIES ((~~JANITORS' AND MAIDS~~)).

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710.

²⁴In accordance with program.

⁴¹Equivalent when used in reference to faucet controls means a mechanism for operating without the use of hands, wrists, or arms.

⁴⁷"Easy access" means on the same floor or readily accessible to elevator services.

⁴⁸May be combined with obstetrical service facilities or other facilities (~~which are~~) convenient to the Neonatal Intensive Care Unit.

⁴⁹Compressed air is filtered air free of oil and other substances, particles, or contaminants.

⁵⁰Equivalent for x-ray receptacle (~~outlet(s)~~) outlet or outlets refers to a battery-operated, self-contained, x-ray machine.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-640 INFANT FORMULA FACILITIES. Required only if hospital is to provide obstetrical or pediatric services. SHALL MEET REQUIREMENTS IF INCLUDED. (REQUIREMENTS ARE SHOWN IN CAPITAL LETTERS. SEE WAC 248-18-515(~~(+)~~)). FACILITIES LISTED UNDER EITHER SUBSECTION (1) OR (2) (~~BELOW~~) OF THIS SECTION ARE REQUIRED.

(1) FACILITIES FOR PREPARATION OF FORMULA IN HOSPITAL.

(a) Not required if services of a commercial formula service to be used exclusively.

(b) Located on obstetrical unit, pediatric unit, or in dietary department.

(c) LOCATED TO AVOID CONTAMINATION OF FORMULA.

(d) LOCATED TO PREVENT THROUGH TRAFFIC.

(e) DESIGNED TO PROVIDE SEPARATE CLEAN AND SOILED AREAS.

(i) SOILED AREA TO SERVE FOR RECEIVING AND WASHING OF GLASSWARE, NIPPLES,₂ AND UTENSILS.

(ii) CLEAN AREA TO SERVE FOR PREPARATION, TERMINAL HEATING, AND STORAGE OF FORMULAS AND SPECIAL FLUIDS.

(f) BOTTLE AND UTENSIL WASHING AREA (SOILED AREA).

EQUIPMENT:

WORK COUNTER.

TWO-COMPARTMENT SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER). Single compartment sink may serve if mechanical bottle washing machine is provided.

Mechanical nipple washer.

STORAGE FOR CLEANING AGENTS.

(g) FORMULA PREPARATION AREA (CLEAN AREA).

EQUIPMENT:

WORK COUNTER.

SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER) - If formula is to be prepared for less than ((6)) six infants per day, sink in washing area may serve if in same room and equipped with foot, knee, or elbow faucet control and gooseneck spout.

STORAGE FOR FORMULA INGREDIENTS, CLEAN BOTTLES, ETC. No cabinet should be immediately above formula preparation area.

HOT PLATE.⁶

EQUIPMENT FOR TERMINAL STERILIZATION.⁶ Sterilizing equipment in a suitable location elsewhere in hospital may be used.

REFRIGERATION.⁶ Not required if refrigerator for formula is provided in other suitable location.

(h) HOUSEKEEPING FACILITIES ((~~JANITORS' AND MAIDS~~)).⁵ Suitable combination with other housekeeping facilities permitted if convenient to infant formula facilities.

(2) FACILITIES REQUIRED WHEN COMMERCIAL FORMULA SERVICE USED.

(a) RECEIVING AND STORAGE AREA (CLEAN AREA). May be combined with dietary facilities or other suitable clean facilities.

EQUIPMENT:

COUNTER.

REFRIGERATOR.

(b) PICK-UP AREA (SOILED AREA). May be combined with other suitable facilities.

EQUIPMENT:

STORAGE FOR USED BOTTLES AND NIPPLES.

Counter.

Sink.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS' AND MAIDS~~)).

⁶May be movable equipment.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-645 EMERGENCY DEPARTMENT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515(~~(+)~~)). REQUIRED IF HOSPITAL WILL OFFER EMERGENCY CARE SERVICES REGULARLY.

(1) EMERGENCY DEPARTMENT - GENERAL.⁸

(a) ON SAME FLOOR AS EMERGENCY PATIENTS' ENTRANCE.

(b) LOCATED FOR READY ACCESS FROM EMERGENCY PATIENT ENTRANCE.

(c) SEPARATE FROM SURGERY SUITE AND DELIVERY SUITE.

(d) LOCATED SO EMERGENCY TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(e) Close to radiology department.

(f) NUMBERS, TYPES, AND EQUIPMENT OF ROOMS TO BE PREDICATED UPON THE SCOPE AND TYPES OF SERVICES TO BE OFFERED, AND THE ANTICIPATED PATIENT LOAD.

(g) CUBICLE CURTAINS OR AN EQUIVALENT MEANS FOR PROVIDING COMPLETE PRIVACY SCREENING FOR EACH EXAMINATION OR TREATMENT TABLE (OR CART) AND PATIENT BED IN EXAMINATION, TREATMENT, OR OBSERVATION ROOMS.

(h) AN EMERGENCY AUDIO ALARM SYSTEM WITH AN EMERGENCY ALARM SIGNAL DEVICE IN EACH TREATMENT, EXAMINATION, AND OBSERVATION ROOM. EMERGENCY AUDIO ALARM TO BE DISTINCT AND DIFFERENT FROM OTHER AUDIO SIGNALS AND ALARM SYSTEMS IN HOSPITAL. EMERGENCY AUDIO ALARM SYSTEM TO SOUND ALARM CALL INTO AN AREA OF HOSPITAL WHERE NURSING PERSONNEL ARE ON DUTY AT ALL TIMES. IN ~~((MULTI-ROOM))~~ MULTIROOM EMERGENCY DEPARTMENT, EMERGENCY ALARM SYSTEM ALSO TO ACTIVATE A DISTINCT VISUAL SIGNAL AT DOOR OF ROOM FROM WHICH ALARM IS SOUNDED SO PERSONS RESPONDING TO AUDIO ALARM CAN IMMEDIATELY IDENTIFY ROOM ~~((IN WHICH))~~ WHERE ASSISTANCE IS NEEDED.

(2) STRETCHER AND WHEELCHAIR STORAGE.

ADJACENT TO EMERGENCY DEPARTMENT ENTRANCE.

(3) RECEIVING AND TRIAGE AREA.

(a) ADJACENT TO EMERGENCY ENTRANCE.

(b) ADJACENT TO TREATMENT ROOMS.

(c) Sufficient space for triage in event of mass casualties.

(4) REGISTRATION AREA.

(a) OFFICE FACILITIES OR DESK SPACE FOR REGISTRATION LOCATED TO CONTROL ACCESS TO AREAS OF THE EMERGENCY DEPARTMENT ~~((IN WHICH))~~ WHERE EXAMINATION, TREATMENT, AND OBSERVATION ROOMS ARE LOCATED.

(b) CONVENIENT TO WAITING AREA.

(5) WAITING AREA.

(a) OUTSIDE AREA OF MAIN TRAFFIC FLOW IN EMERGENCY DEPARTMENT.

(b) May be combined with other waiting area ~~((which is))~~ in close proximity to emergency department.

(6) PUBLIC TOILETS.

Other public toilets may serve if close and easily accessible from the emergency department.

(7) Police, press, and ambulance attendants' ~~((room(s)))~~ room or rooms.

(a) OUTSIDE AREA OF MAIN TRAFFIC FLOW IN EMERGENCY DEPARTMENT.

(b) Equipped with desk and telephone.

(8) MAJOR EMERGENCY TREATMENT ~~((ROOM(S)))~~ ROOM OR ROOMS.

(a) Number of rooms dependent upon anticipated volume of emergency services.

(b) AT LEAST ONE, MAJOR EMERGENCY TREATMENT ROOM.

(c) DIMENSIONS AND ARRANGEMENT OF EACH EMERGENCY TREATMENT ROOM TO PROVIDE A CLEAR SPACE AT LEAST ~~((4))~~ FOUR FEET WIDE BETWEEN BOTH SIDES AND BOTH ENDS OF EACH TREATMENT TABLE (OR CART) AND ANY FIXED EQUIPMENT (CABINETS, SINKS, ETC.) OR MAJOR MOVABLE EQUIPMENT ~~((WHICH IS))~~ KEPT IN THE ROOM: PROVIDED~~((;))~~ HOWEVER, THE CLEAR SPACE BETWEEN TREATMENT TABLES (OR CARTS) SHALL BE AT LEAST ~~((8))~~ EIGHT FEET WIDE. THE FLOOR SPACE ALLOWED FOR A TREATMENT TABLE SHALL BE AT LEAST ~~((80))~~ EIGHTY INCHES BY ~~((30))~~ THIRTY INCHES.

(d) Major emergency treatment room designed and equipped to accommodate at least two treatment tables if emergency department has only one major treatment room.

(e) EQUIPMENT:

STORAGE FOR CLEAN AND STERILE SUPPLIES, SMALL EQUIPMENT, AND DRUGS.^{6, 18}

CLEAN WORK COUNTER FOR ASSEMBLY AND PREPARATION OF CLEAN AND STERILE SUPPLIES AND EQUIPMENT FOR USE.⁶

SINK (MOUNTED IN, INTEGRAL WITH, OR ADJACENT TO CLEAN WORK COUNTER).

SCRUB SINK - ~~((8))~~ EIGHT FEET APART OR PHYSICAL BARRIER SEPARATING FROM CLEAN WORK COUNTER AND STORAGE FOR CLEAN AND STERILE SUPPLIES AND EQUIPMENT AND DRUGS. Not required if a scrub sink is located outside but adjacent to emergency treatment room.

DETERGENT DISPENSER.⁶

SOILED WORK COUNTER FOR COLLECTION OF CONTAMINATED SUPPLIES AND EQUIPMENT.⁶

SINK WITH PLASTER TRAP - Not required if separate fracture room provided. Suitable combination with other sink in emergency department permitted.

TREATMENT LIGHT.⁶

SUCTION OUTLET.

OXYGEN OUTLET.

FILM ILLUMINATORS.⁶

OUTLET FOR PORTABLE X-RAY MACHINE.

CLOCK - WITH SWEEP SECOND HAND and interval timer.

SPACE FOR MAJOR MEDICAL EQUIPMENT ~~((WHICH IS))~~ TO BE KEPT IN ROOM.

SPACE FOR LINEN HAMPERS AND TRASH CONTAINERS.

(9) Minor treatment and examination ((~~room(s)~~) room or rooms).

(a) At least one minor treatment and examination room.

(b) DIMENSIONS AND ARRANGEMENT OF EXAMINATION ((~~ROOM(S)~~) ROOM OR ROOMS TO PROVIDE AT LEAST ((~~80~~) EIGHTY NET SQUARE FEET OF FLOOR SPACE, EXCLUSIVE OF SPACE FOR LAVATORY, CABINETS, WORK COUNTER, WARDROBE, DESK, OR VESTIBULE. CONFIGURATION OF THIS NET FLOOR SPACE TO ALLOW FOR PLACEMENT OF A ((~~6~~) SIX FEET ((~~X-2~~) BY TWO FEET EXAMINATION TABLE WITH AT LEAST ((~~3~~) THREE FEET WIDE CLEAR SPACE ON EACH SIDE OF THE TABLE AND ((~~4~~) FOUR FEET WIDE CLEAR SPACE AT THE FOOT END OF THE TABLE.

(c) EQUIPMENT:

LAVATORY.

WORK COUNTER.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.^{6, 18}

SUCTION OUTLET.

OXYGEN OUTLET.

EXAMINATION LIGHT.⁶

(10) Observation ((~~room(s)~~) room or rooms).

(a) NEAR TO NURSES' STATION OR OTHER CONTROL STATION TO PERMIT CLOSE OBSERVATION OF PATIENTS.

(b) AT LEAST ((~~125~~) ONE HUNDRED TWENTY-FIVE SQUARE FEET IN ONE-BED ROOM.

(c) MINIMUM DIMENSION OF ((~~10~~) TEN FEET FOR ONE-BED ROOM.

(d) EACH MULTIPLE-BED ROOM DESIGNED TO PROVIDE AT LEAST ((~~4~~) FOUR FEET WIDE SPACE BETWEEN SIDE OF EACH BED (OR CART) AND ANY WALL, OTHER BED, OR FIXED EQUIPMENT (e.g., CABINET, SINK, CLOSET), AND AT LEAST ((~~5~~) FIVE FEET WIDE SPACE BETWEEN FOOT END OF ANY BED AND ANY WALL OR FIXED EQUIPMENT.

(e) ROOM DETAILS, DOORS, HARDWARE, WINDOWS, AND SCREENS IN ANY ROOM FOR SEVERELY DISTURBED PERSON TO PROVIDE FOR PATIENT SAFETY IN AN UNOBTRUSIVE MANNER.

(f) EQUIPMENT:

LAVATORY IN EACH ROOM.

A NURSE CALL SIGNAL DEVICE AT EVERY PATIENT BED.

OXYGEN OUTLET FOR EACH BED (OR CART).

SUCTION OUTLET FOR EACH BED (OR CART).

CLOSET OR LOCKER PER EACH BED FOR PATIENT CLOTHING. May be in or adjacent to observation ((~~room(s)~~) room or rooms).

SEPARATE STORAGE PER BED FOR EXTRA PILLOWS AND BLANKETS. May be combined with closet or locker.

(11) PATIENT ((~~TOILET(S)~~) TOILET OR TOILETS).

(a) CONVENIENT TO EXAMINATION AND TREATMENT ROOMS.

(b) ((~~TOILET(S)~~) TOILET OR TOILETS LOCATED SO PATIENTS IN EVERY OBSERVATION ROOM HAVE ACCESS TO A TOILET WITHOUT ENTERING A PUBLIC CORRIDOR.

(c) AT LEAST ONE COMMUNAL PATIENT TOILET DESIGNED AND ARRANGED TO ACCOMMODATE A PATIENT IN A WHEELCHAIR.

(d) GRAB BARS AT EACH PATIENT TOILET.

(12) MEDICINE AREA.⁷

(13) UTILITY ROOMS.⁷

(14) DESK SPACE FOR NURSES AND PHYSICIANS.

May be combined with office facilities in reception, triage, and registration area.

(15) EQUIPMENT STORAGE.

(a) STORAGE FOR MOBILE CART WITH EMERGENCY MEDICAL SUPPLIES AND EQUIPMENT (CRASH CART) IN A CLEAN AREA ((~~WHICH IS~~) READILY ACCESSIBLE FROM ALL ROOMS USED FOR PATIENT CARE OR TREATMENT.

(b) Storage area for portable x-ray equipment.

REQUIRED IF PORTABLE X-RAY EQUIPMENT TO BE STORED IN EMERGENCY DEPARTMENT.

(c) STORAGE FOR OTHER MAJOR PORTABLE OR MOBILE EQUIPMENT.

(16) HOUSEKEEPING FACILITIES ((~~JANITORS' AND MAIDS~~)).⁵

Suitable combination with other housekeeping facilities permitted if convenient to emergency department.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS' AND MAIDS~~)).

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710.

⁸Where combustible anesthetic is to be used, see FLOOR FINISHES, WAC 248-18-718(5); VENTILATION, WAC 248-18-718(8); and ELECTRICAL SYSTEMS, WAC 248-18-718(10).

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-650 OUTPATIENT DEPARTMENT. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((+)).)

(1) OUTPATIENT DEPARTMENT, GENERAL.

(a) LOCATED FOR EASY ACCESS BY OUTPATIENTS.

(b) LOCATED SO OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(c) Located for convenient access to radiology, pharmacy, laboratory, and physical therapy.

(d) NUMBER, SIZE, AND TYPE OF FACILITIES DEPENDENT UPON TYPE AND ANTICIPATED VOLUME OF OUTPATIENT WORK.

(2) ADMINISTRATIVE FACILITIES.

(a) In small department, may be combined with inpatient or emergency department administrative facilities.

(b) Secondary facilities may be needed adjacent to major clinic areas in large department.

(c) WAITING AREA.

(d) ADMITTING FACILITIES.

(e) Appointment and cashier facilities.

(f) Office.

(g) PUBLIC TOILET.

(h) Staff toilet.

(3) EXAMINATION ROOM.

(a) MINIMUM DIMENSION OF ((8)) EIGHT FEET AND MINIMUM AREA OF ((80)) EIGHTY SQUARE FEET.

(b) EQUIPMENT:

LAVATORY OR SINK.

EXAMINATION LIGHT.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.¹⁸

Dressing cubicles.

Film illuminator.

(4) Doctors' office.

(5) Minor surgery or treatment room.

(a) MINIMUM DIMENSION OF ((+5)) FIFTEEN FEET.

(b) EQUIPMENT:

SCRUB SINK.

LIQUID DETERGENT DISPENSER WITH FOOT CONTROL.⁶

SURGERY OR TREATMENT LIGHT.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.^{6, 18}

FILM ((~~ILLUMINATOR(S)~~)) ILLUMINATOR OR ILLUMINATORS.⁶

(6) UTILITY ROOM.⁷

Located close to examination and treatment rooms.

(7) MEDICINE FACILITIES.⁷

(8) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

Suitable combination with other housekeeping facilities permitted if convenient to outpatient department.

(9) LINEN STORAGE.¹⁸

(10) EQUIPMENT STORAGE.¹⁸

(11) Observation or recovery room.¹⁴

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

⁶May be movable equipment.

⁷See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710.

¹⁴See Recovery Unit, WAC 248-18-560.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-655 RADIOLOGY FACILITIES.²¹ (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((+)).)

(1) RADIOLOGY FACILITIES, GENERAL.

(a) LOCATED FOR CONVENIENT TRANSPORT OF PATIENTS FROM EMERGENCY DEPARTMENT, SURGERY SUITE, AND NURSING UNITS, and for access by outpatients.

(b) LOCATED SO OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(c) GROUNDING OF TABLE, TUBE STAND AND CONTROLS, OR ANY ASSOCIATED ELECTRICAL APPARATUS AS SPECIFIED BY THE NATIONAL ELECTRICAL CODE, 1959 NFPA 70.

(d) INSTALLATIONS OF X-RAY EQUIPMENT AND RADIATION PROTECTION OF FLOORS, DOORS, WALLS, AND CEILINGS AS SPECIFIED IN NATIONAL BUREAU OF STANDARDS HANDBOOK 76, MEDICAL X-RAY PROTECTION UP TO THREE MILLION VOLTS, FEBRUARY 9, 1961.

(e) INSTALLATIONS OF COBALT-60, OR OTHER SOURCES OF IONIZING RADIATION, AS SPECIFIED IN NATIONAL BUREAU OF STANDARDS HANDBOOK 73, PROTECTION AGAINST RADIATION FROM SEALED GAMMA SOURCES, JULY 27, 1960, OR "RULES AND REGULATIONS FOR RADIATION PROTECTION" OF THE WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, TITLE 402 WAC, WHICHEVER IS MORE STRICT.

(2) ADMINISTRATIVE FACILITIES. Need not be in separate rooms.

(a) OFFICE AREA.

Equipment:

Telephones.

Bulletin board.

Electric clock.

(b) VIEWING AREA.

EQUIPMENT:

FILM ILLUMINATORS.⁶

(c) FILM FILE AREA (ACTIVE).

(d) FILM STORAGE (INACTIVE).

Need not be located with other radiology facilities.

(3) WAITING AREA.

(a) May be shared with suitable waiting areas for other hospital services if adjacent.

(b) SUITABLE SPACE FOR WHEELCHAIR AND STRETCHER PATIENTS.

(c) Not required in hospitals of less than ((25)) twenty-five beds.

(4) RADIOGRAPHIC ROOM.

(a) AT LEAST ONE FOR EVERY HOSPITAL. IN HOSPITALS OF ((+50)) ONE HUNDRED FIFTY BEDS AND OVER (EXCLUDING BEDS IN NURSING HOME AND PSYCHIATRIC UNITS) MINIMUM OF ONE ADDITIONAL RADIOGRAPHY ROOM.

(b) DESIGNED TO PERMIT ACCESS FOR WHEELED STRETCHER OR BED.

(c) CONTROL AREA WITH RADIATION PROTECTIVE BARRIER.

(5) FACILITIES FOR FLUOROSCOPY.

(a) May be separate or combined with radiographic room.

(b) LIGHT PROOF.

(6) BARIUM PREPARATION AREA.

(a) BARIUM SINK WITH WORK COUNTER.

(b) STORAGE FACILITIES.¹⁸

(7) (~~DARK ROOM~~) DARKROOM.

(a) LIGHT PROOF.

(b) EQUIPMENT:

SAFELITE.

DEVELOPING TANK - Thermostatic mixing valve.

FILM STORAGE.⁶

WORK COUNTER.

SINK OR LAVATORY.

PROVISION FOR FILM DRYING.⁶

FILM ILLUMINATOR.⁶

Lightproof cassette passbox to radiographic room.

(8) DRESSING AREA.

(a) ROOMS OR BOOTHS LOCATED FOR PRIVACY ENROUTE TO RADIOGRAPHIC ROOMS AND TOILET ROOMS.

(b) Two for each radiographic room recommended.

(c) GOWN STORAGE.^{6, 18}

(d) SPACE FOR LINEN HAMPER.

(9) TOILET ROOM.

LOCATED FOR READY ACCESS FROM EACH RADIOGRAPHIC ROOM.

(10) Therapy room.

(11) HOUSEKEEPING FACILITIES (~~((JANITORS AND MAIDS)))~~.⁵

Suitable combination with other housekeeping facilities permitted if convenient to radiology facilities.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES (~~((JANITORS AND MAIDS)))~~.

⁶May be movable equipment.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

²¹Refer to "Rules and Regulations for Radiation Protection" of the Washington State Department of Social and Health Services, Title 402 WAC.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-660 LABORATORY FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((?)).) NUMBER, SIZE, AND TYPE OF FACILITIES DEPENDENT UPON TYPE AND ANTICIPATED VOLUME OF LABORATORY WORK.

(1) LABORATORY, GENERAL.

(a) Located for convenient access by outpatients and from surgery and nursing units.

(b) LOCATED SO OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS WILL BE AVOIDED.

(2) ADMINISTRATIVE FACILITIES.

(a) WAITING AREA.

May be combined with other suitable waiting area which is adjacent.

(b) OFFICE SPACE.

(c) Pathologist office.

(3) HEMATOLOGY FACILITIES.

(a) May be same facilities as for urinalysis and/or bacteriology, parasitology and serology.

(b) EQUIPMENT:

SINK.¹⁹

WORK COUNTER²⁰ INCLUDING AREA WITH KNEE SPACE.

STORAGE FOR SUPPLIES AND EQUIPMENT.

CENTRIFUGE.⁶

Gas and compressed air outlets.

(4) URINALYSIS FACILITIES.

(a) May be same facilities as for hematology and/or bacteriology, parasitology and serology.

(b) EQUIPMENT:

SINK.¹⁹

WORK COUNTER²⁰ INCLUDING AREA WITH KNEE SPACE.

STORAGE FOR SUPPLIES AND EQUIPMENT.

CENTRIFUGE.⁶

Gas and compressed air outlets.

(5) BACTERIOLOGY, PARASITOLOGY, AND SEROLOGY FACILITIES.

(a) May be same facilities as for hematology and/or urinalysis.

(b) EQUIPMENT:

SINK.¹⁹

WORK COUNTER²⁰ WITH KNEE SPACE.

INCUBATOR.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.

WATER BATH.⁶

REFRIGERATOR.⁶

CENTRIFUGE.⁶

Suction, gas, and compressed air outlets.

(6) BIOCHEMISTRY FACILITIES.

(a) Not required in hospitals of less than twenty-five beds.

(b) May be combined with facilities for bacteriology, parasitology, and serology, or with facilities for hematology and/or urinalysis if additional counter space provided.

(c) EQUIPMENT:

CUP SINK - May be omitted if combined with other facilities.

WORK COUNTER.²⁰

STORAGE FOR SUPPLIES AND EQUIPMENT.

Suction, gas, and compressed air outlets.

(7) CLEAN-UP AND STERILIZING AREA.

EQUIPMENT:

WORK COUNTER.²⁰

DOUBLE SINK¹⁹ (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).

AUTOCLAVE.⁶

HOT AIR STERILIZER OR ELECTRIC DRYING OVEN.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.

Suction, gas, and compressed air outlets.

(8) Histology facilities.

(a) May be combined with other laboratory facilities, if additional counter space provided.

(b) Adjacent to pathologist's office.

(c) EQUIPMENT:

SINK¹⁹ - May be omitted if combined with other facilities.

WORK COUNTER²⁰ INCLUDING AREA WITH KNEE SPACE.

STORAGE FOR SUPPLIES AND EQUIPMENT.

Gas and compressed air outlets.

(9) Basal metabolism and electrocardiography facilities.

(10) Morgue and autopsy facilities.

Located for transportation of bodies without notice by patients and visitors.

(a) Morgue.

Equipment:

Mortuary refrigerator or cold room.

(b) Autopsy room.

EQUIPMENT:

AUTOPSY TABLE (WITH WATER SUPPLY AT OR ABOVE AUTOPSY TABLE).

FLOOR DRAIN.

SCRUB SINK.

WORK COUNTER.⁶

STORAGE FOR SUPPLIES AND EQUIPMENT.

INSTRUMENT STERILIZER⁶ unless adequate provision elsewhere.

Suction outlet.

Clinic service sink (siphon jet).

(11) HOUSEKEEPING FACILITIES (~~((JANITORS AND MAIDS)))~~⁵.

Suitable combination with other housekeeping facilities permitted if convenient to laboratory facilities.

(12) Animal quarters.

(a) LOCATED APART FROM LABORATORY AND TO AVOID ANNOYANCE. Outside entrance recommended.

(b) ADEQUATE FACILITIES BASED UPON TYPES AND EXTENT OF USAGE OF ANIMALS IN LABORATORY WORK, INCLUDING PROVISIONS FOR FOOD AND SUPPLY STORAGE, HANDWASHING, DISPOSAL OF WASTES AND DEAD ANIMALS, CLEANING AND SANITIZING OF QUARTERS AND CAGES, AND ISOLATION OF ANIMALS.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES (~~((JANITORS AND MAIDS)))~~.

⁶May be movable equipment.

¹⁹CORROSION RESISTANT - Stainless steel recommended.

²⁰IMPERMEABLE SURFACE.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-675 REHABILITATION FACILITIES. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS. SEE WAC 248-18-515(~~(?)~~)).

(1) REHABILITATION FACILITIES, GENERAL.

(a) Located for easy access by inpatients and outpatients and to facilitate transport of equipment for bedside treatment when necessary.

(b) LOCATED TO AVOID OUTPATIENT TRAFFIC THROUGH INPATIENT AREAS.

(c) TYPE AND EXTENT OF FACILITIES ADEQUATE FOR THE TYPE AND VOLUME OF ANTICIPATED SERVICES.

(2) WAITING AREA.

(a) Suitable combinations with other waiting areas permitted.

(b) Accommodations for inpatients and outpatients.

(c) ADEQUATE SPACE FOR STRETCHERS AND WHEELCHAIRS.

(d) Reception counter or desk.

(3) PHYSICAL THERAPY FACILITIES. May be omitted if program indicates not needed.

(a) ADMINISTRATIVE FACILITIES.

OFFICE SPACE suitable for interviewing patients, and administrative and clerical functions.

(b) Examining room.

(i) Floor to ceiling partitions for privacy. Arranged to permit permanent placement of examining equipment.

(c) TREATMENT AREA.

(i) GENERAL TREATMENT AREA.

(A) CUBICLES LARGE ENOUGH FOR THERAPIST TO WORK ON BOTH SIDES OF TABLE.

(B) Divided by curtains rather than solid partitions.

(C) ARRANGED TO PERMIT EASY ACCESS FOR WHEELCHAIR OR STRETCHER PATIENTS.

(ii) Underwater exercise area.

(A) Concentration of equipment requiring special water supply and plumbing in one section of department.

(B) ACCESSIBLE AND ADJACENT TO OTHER TREATMENT AREAS.

(C) Overhead lifts for tank or exercise pool.

(iii) General exercise area.

(A) Flexible open space.

(B) At least one wall reinforced for installation of stall bars and similar equipment.

(d) PATIENT LOCKER FACILITIES.

LOCKERS OR OTHER SUITABLE PROVISION FOR PATIENT CLOTHING IN OR NEAR TREATMENT AREAS.

(e) STORAGE FOR SUPPLIES AND EQUIPMENT.

(i) ADEQUATE TO MEET NEEDS OF SERVICE.

(ii) Near work areas.

(f) SPECIAL DESIGN FEATURES.

(i) (~~((SINK(S)))~~) SINK OR SINKS.

(A) HANDWASHING FACILITIES IN GENERAL TREATMENT AREA AND IN OR CONVENIENT TO OTHER TREATMENT AREAS.

(B) AT LEAST ONE SINK OF SUFFICIENT WIDTH AND DEPTH TO ACCOMMODATE WET PACKS.

(ii) Ceiling moorings.

(A) Constructed to support at least (~~((500))~~) five hundred pounds.

(B) Strategically located throughout treatment areas for attachment of overhead equipment.

(4) Occupational therapy.²³ Located close to physical therapy facilities.

(a) ADMINISTRATIVE FACILITIES.

(i) OFFICE AND WORK SPACE FOR STAFF.

(ii) Separate room recommended.

(iii) Designed and located to permit visual supervision of therapy areas.

(b) STORAGE FOR SUPPLIES AND EQUIPMENT.

(i) ADEQUATE TO MEET NEEDS OF THERAPY PROGRAM.

(ii) Near therapy areas.

(c) THERAPY AREA.²⁴

(i) At least ((36)) thirty-six square feet of floor area per patient for the maximum number to be in therapy at any one time.

(ii) Divided and equipped for diversified work.

(iii) EQUIPMENT:

SINK WITH SLUDGE TRAP.

(d) Facilities for teaching activities of daily living.

(5) Psychological facilities.

Office space for psychological testing, evaluation, and counseling.

(6) Social service facilities.

Office space for private interview and counseling.

(7) Vocational facilities.

Office and work space for counseling, evaluation, pre-vocational program, and placement.

(8) Special education facilities.

Schoolroom for children if children are to be included in program.

(9) TOILET, LOCKER, AND SHOWER FACILITIES.

(a) LOCKER, TOILET, AND SHOWER FACILITIES FOR PATIENTS.

(b) PATIENT ((~~TOILET(S)~~)) TOILET OR TOILETS DESIGNED FOR ACCOMMODATION OF WHEELCHAIR PATIENTS.

(c) May be omitted if program does not indicate need for locker and shower facilities and other suitable patient toilets are convenient to rehabilitation facilities.

(10) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

Suitable combination with other housekeeping facilities permitted if convenient to rehabilitation facilities.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

²³For construction and ventilation requirements for areas in which flammable agents are to be handled or stored, refer to standards of the State Fire Marshal.

²⁴In accordance with program.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-680 CENTRAL STERILIZING AND SUPPLY SERVICE FACILITIES. Optional. SHALL MEET REQUIREMENTS, IF INCLUDED. (REQUIREMENTS IN CAPITAL LETTERS. SEE WAC 248-18-515((~~7~~)).)

(1) CENTRAL STERILIZING AND SUPPLY SERVICE FACILITIES, GENERAL.

(a) LOCATED TO AVOID CONTAMINATION OF CLEAN AND STERILE SUPPLIES AND EQUIPMENT, TO PREVENT OBJECTIONABLE

HEAT AND NOISE TO PATIENT CARE AREAS, AND TO ELIMINATE THROUGH TRAFFIC.

(b) LOCATED TO FACILITATE DELIVERY AND RETURN OF SUPPLIES AND EQUIPMENT TO AND FROM OTHER SERVICES AND DEPARTMENTS.

(c) Located to facilitate delivery of linen and new supplies and equipment from laundry and general stores to central sterilizing and supply service.

(d) AREAS WITHIN CENTRAL STERILIZING AND SUPPLY SERVICE ADEQUATE TO PROVIDE FOR PROPER HANDLING OF SUPPLIES AND EQUIPMENT IN ACCORDANCE WITH PLANNED STORES AND SUPPLY SYSTEM.

(e) EQUIPPED AND ARRANGED TO PROVIDE WORK FLOW ((~~WHICH MAINTAINS~~)) MAINTAINING PROPER SEPARATION OF CLEAN OR STERILE ITEMS FROM SOILED (OR CONTAMINATED) ITEMS.

(f) Division into work areas or rooms may be according to type of supply or equipment to be processed (gloves, syringes and needles, solution, etc.).

(g) Separate room for glove processing recommended.

(h) SEPARATE UNSTERILE EQUIPMENT STORAGE ROOM.

(i) SEPARATE, PROPERLY EQUIPPED, SOLUTION PREPARATION ROOM IF PARENTERAL SOLUTIONS ARE TO BE MANUFACTURED.²⁵

(j) SEPARATE FACILITIES FOR RECEIVING, CLEANING, AND PACKAGING FOR BEDSIDE UTENSILS IF ((~~THEY~~)) THE UTENSILS ARE TO BE CLEANED AND/OR PACKAGED IN CENTRAL STERILIZING AND SUPPLY SERVICE.

(k) ADEQUATE SPACE FOR CIRCULATION AND PARKING OF CARTS.

(2) FACILITIES FOR RECEIVING, DISASSEMBLING, AND CLEANING OF SUPPLIES AND EQUIPMENT.

(a) LOCATED TO FACILITATE RETURN OF SOILED (OR CONTAMINATED) ITEMS WITHOUT TRANSPORTING ((~~THEM~~)) THE ITEMS THROUGH OTHER AREAS OF THE CENTRAL STERILIZING AND SUPPLY SERVICE.

(b) EQUIPMENT:

AT LEAST ONE DOUBLE-COMPARTMENT SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).

ADDITIONAL SINKS (OR MECHANICAL WASHERS) AS REQUIRED BY TYPES AND VOLUME OF ITEMS TO BE PROCESSED.

WORK COUNTER (OR EQUIVALENT) ADJACENT TO EACH SINK OR MECHANICAL WASHER FOR COLLECTION OF SOILED (OR CONTAMINATED) ITEMS.

WORK COUNTER (OR EQUIVALENT) ADJACENT TO EACH SINK OR MECHANICAL WASHER FOR COLLECTION OF ITEMS WHICH HAVE BEEN WASHED.

STORAGE FOR CLEANING AGENTS AND OTHER CLEANING SUPPLIES AND EQUIPMENT.

Suction and compressed air outlets.

(3) FACILITIES FOR ASSEMBLING AND PACKAGING SUPPLIES AND EQUIPMENT.**EQUIPMENT:**

WORK COUNTERS OR TABLES (OR EQUIVALENT) AS REQUIRED BY TYPES AND VOLUME OF ITEMS.

(4) FACILITIES FOR STORAGE OF LINEN AND RESERVE OF NEW (OR BULK) UNSTERILE SUPPLIES.

(a) LOCATED APART FROM FACILITIES FOR STORAGE OF STERILE ITEMS.

(b) May be centralized in one storage room or area or decentralized according to areas ((in which)) where different types of items are to be used. May be combined with unsterile equipment storage room.

(5) FACILITIES FOR STERILIZING.

(a) APART FROM OTHER FACILITIES WITHIN CENTRAL STERILIZING AND SUPPLY SERVICE.

(b) LOCATED BETWEEN FACILITIES FOR ASSEMBLING AND PACKAGING AND FACILITIES FOR STORAGE OF CLEAN AND STERILE SUPPLIES.

(c) EQUIPMENT:

AT LEAST ONE PRESSURE STERILIZER (AUTOClave) OF ADEQUATE SIZE.

ADDITIONAL PRESSURE STERILIZERS (AUTOClaves) AS REQUIRED BY VOLUME OF ITEMS TO BE PROCESSED.

PRESSURE STERILIZERS (AUTOClaves) TO HAVE RECORDING THERMOMETERS. Automatic controls recommended.

One smaller pressure sterilizer for small loads, in addition to pressure ((sterilizer(s))) sterilizer or sterilizers of large capacity, recommended.

Water still and drip pan and waste connection recommended.

Dry heat sterilizer recommended.

Equipment for gas sterilization recommended.

Recessing of sterilizing equipment recommended.

(6) FACILITIES FOR STORAGE¹⁸ AND ISSUE OF CLEAN AND STERILE SUPPLIES.

(a) APART FROM OTHER FACILITIES WITHIN CENTRAL STERILIZING AND SUPPLY SERVICE.

(b) LOCATED TO FACILITATE ISSUE WITHOUT TRANSPORT OF CLEAN AND STERILE SUPPLIES AND EQUIPMENT THROUGH OTHER AREAS OF CENTRAL STERILIZING AND SUPPLY SERVICE.

(c) EQUIPMENT:

ADEQUATE CABINETS⁶ TO PROVIDE FOR STORAGE OF SUPPLIES AND EQUIPMENT IN ACCORDANCE WITH PLANNED STORES AND SUPPLY SYSTEM. May be open shelving if in separate room.

(7) UNSTERILE EQUIPMENT STORAGE ROOM OR AREA.¹⁸

(a) LOCATED TO FACILITATE RETURN AND ISSUE OF LARGE EQUIPMENT.

(b) Located to permit proper control and supervision of equipment handling.

(c) AREA SUFFICIENT TO PROVIDE FOR PROPER HANDLING OF EQUIPMENT IN ACCORDANCE WITH PLANNED SYSTEM.

(d) EQUIPMENT:

SINK (MOUNTED IN COUNTER OR INTEGRAL WITH COUNTER).

STORAGE FOR CLEANING SUPPLIES AND EQUIPMENT.

(8) OFFICE SPACE.

(a) Located to allow observation of activities within central sterilizing and supply service.

(b) May be desk and file space in suitable location within main room. Separate room recommended in hospitals having over ((100)) one hundred beds.

(9) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

Suitable combination with other housekeeping facilities permitted if convenient to central sterilizing and supply service facilities.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

⁶May be movable equipment.

¹⁸See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(3), STORAGE FACILITIES.

²⁵See PHARMACY, WAC 248-18-670(4).

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-690 HOUSEKEEPING DEPARTMENT. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515((-)).)

(1) Administrative facilities.

(a) Office space.

(b) Telephone.

(2) STORAGE ROOM.

(a) RACKS, BINS, SHELVES, CABINETS.

For: Extra mop trucks and pails.

Vacuum cleaners and polishers.

Wall-working equipment.

Scaffolding and ladders.

Handtrucks and maids' carts.

Extra mop heads and wringers.

Dusters and cleaning cloths.

Soaps and detergents.

(b) LOCKED CUPBOARD.

For: Pesticides, drain cleaners, etc.

(3) FACILITIES FOR CLEANING.

(a) LARGE EQUIPMENT CLEAN-UP AREA.²⁴

(i) May be within storage room for housekeeping equipment if properly separated from storage area.

(ii) EQUIPMENT:

SINK.

FLOOR DRAIN.

(b) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

WITHIN OR CONVENIENT TO EACH AREA OF THE HOSPITAL AS REQUIRED IN OTHER SECTIONS OF THESE REGULATIONS.

(4) WASTE DISPOSAL FACILITIES.

(a) LOCATED TO PREVENT OBJECTIONABLE TRAFFIC, SMOKE, AND ODORS IN OTHER AREAS OF THE HOSPITAL.

(b) Waste chutes not recommended.

(c) INCINERATION FACILITIES.³²

(d) STORAGE AREA.

(i) LOCATED IN SEPARATE, WELL-VENTILATED ROOM OR OUTSIDE, ENCLOSED SPACE.

(ii) CONSTRUCTED TO PREVENT RAT HARBORAGE.

(e) CAN WASH AREA.

CAN WASH AREA WITH FLOOR DRAIN, HOT AND COLD WATER. Steam recommended.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

²⁴In accordance with program.

³²See GENERAL DESIGN REQUIREMENTS, WAC 248-18-718(9), INCINERATION FACILITIES.

AMENDATORY SECTION (Amending Order 119, filed 5/23/75)

WAC 248-18-695 LAUNDRY FACILITIES. (REQUIREMENTS IN CAPITAL LETTERS - SEE WAC 248-18-515(7-)) FACILITIES LISTED UNDER ((~~EITHER~~)) SECTION (1) OR (2) ((~~BELLOW~~)) OF THIS SECTION ARE REQUIRED.

(1) FACILITIES REQUIRED WHEN COMMERCIAL LAUNDRY SERVICE USED EXCLUSIVELY.

(a) ADEQUATE SPACE FOR CIRCULATION AND SEPARATE PARKING AREAS FOR CLEAN AND SOILED CARTS.

(b) SOILED LINEN ROOM.

(i) LOCATED TO PREVENT ODORS AND CONTAMINATION TO PATIENT CARE, SUPPLY, AND FOOD SERVICE AREAS.

(ii) SUITABLY LOCATED FOR DISPATCHING TO COMMERCIAL LAUNDRY.

(iii) SEPARATE ENCLOSED ROOM. ARRANGED TO AVOID THROUGH TRAFFIC.

(iv) SIZED FOR STORAGE OF ((3)) THREE DAYS' ACCUMULATION OF SOILED LINEN AND NECESSARY SORTING (IF ANY).

(v) MECHANICAL VENTILATION TO PROVIDE AN EXCESS OF EXHAUST OVER SUPPLY.³³

(vi) EQUIPMENT:
HANDWASHING FACILITY IN OR ADJACENT.

FLOOR DRAIN.

(c) CLEAN LINEN ROOM.

(i) SEPARATE ENCLOSED ROOM.

(ii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iii) LOCATED AND ARRANGED TO AVOID SOURCES OF MOIST OR CONTAMINATED AIR.

(iv) SIZED FOR STORAGE OF RESERVE SUPPLY OF LINEN, BLANKETS, AND PILLOWS.

(d) SEWING ROOM.

May be combined with clean linen room.

(e) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

Suitable combination with other housekeeping facilities permitted if convenient to laundry facilities.

(2) FACILITIES REQUIRED WHEN LAUNDRY IS PROCESSED IN HOSPITAL.

(a) LOCATED AND ARRANGED TO PREVENT OBJECTIONABLE HEAT, NOISE, ODORS, MOISTURE, AND CONTAMINATION TO PATIENT CARE, SUPPLY, AND FOOD SERVICE AREAS.

(b) ADEQUATE SPACE FOR CIRCULATION AND SEPARATE PARKING AREAS FOR CLEAN AND SOILED CARTS.

(c) SOILED LINEN ROOM.

(i) SEPARATE ENCLOSED ROOM.

(ii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iii) SIZED FOR STORAGE OF ((3)) THREE DAYS' ACCUMULATION OF SOILED LINEN AND NECESSARY SORTING (IF ANY).

(iv) EQUIPMENT:
HANDWASHING FACILITY IN OR ADJACENT.

FLOOR DRAIN.

MECHANICAL VENTILATION TO PROVIDE AN EXCESS OF EXHAUST OVER SUPPLY.³³

(d) PROCESSING ROOM OR ROOMS.

(i) SEPARATE FROM OTHER HOSPITAL FACILITIES.

(ii) ROOM SIZE AND CAPACITY OF EQUIPMENT ADEQUATE TO PROCESS FULL ((7)) SEVEN DAYS' LAUNDRY IN WORK WEEK.

(iii) ARRANGED FOR UNINTERRUPTED FLOW FROM SOILED TO CLEAN((;)) (I.E., WASHING, EXTRACTING, IRONING, FOLDING, STORAGE).

(iv) BOTH SOILED AND CLEAN LINENS STORED OUTSIDE PROCESSING AREA.

(v) ADEQUATE VENTILATION PROPERLY ENGINEERED TO AVOID FLOW OF POTENTIALLY CONTAMINATED AIR FROM WASH AREA TO CLEAN AREAS.³³

(vi) EQUIPMENT:

COMMERCIAL ((~~WASHER(S)~~)) WASHER OR WASHERS LOCATED TO AVOID THE SPREAD OF CONTAMINANTS IN THE LOADING OF SOILED LINEN.

COMMERCIAL ((~~EXTRACTOR(S)~~)) EXTRACTOR OR EXTRACTORS.

COMMERCIAL ((~~TUMBLER(S)~~)) TUMBLER OR TUMBLERS.

Commercial ((~~ironer(s)~~)) ironer or ironers.

Presses.

STORAGE FOR LAUNDRY SUPPLIES.

HANDWASHING FACILITY IN WASH AREA.

FLOOR DRAIN IN WASH AREA.

(e) Drying room.

(i) REQUIRED IF HANG DRYING IS TO BE DONE.

(ii) SEPARATE ENCLOSED ROOM.

(iii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iv) SIZED AND EQUIPPED TO SUIT DRYING NEEDS((-)) (e.g., blankets, curtains, etc.).

(iv) ADEQUATE VENTILATION PROPERLY ENGINEERED TO AVOID FLOW OF POTENTIALLY CONTAMINATED AIR INTO ROOM.³³

(f) SEWING ROOM.

May be combined with clean linen room.

(g) CLEAN LINEN ROOM.

(i) SEPARATE ENCLOSED ROOM.

(ii) ARRANGED TO AVOID THROUGH TRAFFIC.

(iii) LOCATED AND ARRANGED TO AVOID SOURCES OF MOIST OR CONTAMINATED AIR.

(iv) SIZED FOR STORAGE OF RESERVE SUPPLY OF LINEN, BLANKETS, AND PILLOWS.

(h) HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).⁵

(i) FACILITIES SERVING OTHER AREAS OF THE LAUNDRY MAY NOT BE IN SOILED LINEN ROOM.

(ii) Suitable combination with other housekeeping facilities permitted if convenient to laundry facilities.

NOTES:

⁵See GENERAL REQUIREMENTS FOR SERVICE FACILITIES, WAC 248-18-710(5), HOUSEKEEPING FACILITIES ((~~JANITORS AND MAIDS~~)).

³³See GENERAL DESIGN REQUIREMENTS, WAC 248-18-718(8), VENTILATION.

WSR 83-19-062
EMERGENCY RULES
DEPARTMENT OF LICENSING
 [Order 730-DOL—Filed September 20, 1983]

I, John Gonzalez, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to adding new chapter 308-93 WAC, vessel registration, and certificates of title, adopting WAC 308-93-010, 308-93-020, 308-93-030, 308-93-040, 308-93-050, 308-93-060, 308-93-070, 308-93-080, 308-93-090, 308-93-100, 308-93-110, 308-93-120, 308-93-130, 308-93-140, 308-93-150, 308-93-160, 308-93-170, 308-93-180, 308-93-190, 308-93-200, 308-93-210, 308-93-220, 308-93-230, 308-93-240, 308-93-250, 308-93-260, 308-93-270, 308-93-280, 308-93-290, 308-93-300, 308-93-310, 308-93-320, 308-93-330, 308-93-340, 308-93-350, 308-93-360, 308-93-370, 308-93-380, 308-93-390, 308-93-400, 308-93-410, 308-93-420, 308-93-430, 308-93-440, 308-93-450, 308-93-460, 308-93-470, 308-93-480, 308-93-490, 308-93-500, 308-93-510, 308-93-520, 308-93-530, 308-93-540, 308-93-550, 308-93-560, 308-93-570, 308-93-580, 308-93-590, 308-93-600, 308-93-610, 308-93-620, 308-93-630 and 308-93-640.

I, John Gonzalez, find that an emergency exists and that this 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 the emergency is implementation of chapter 7, Laws of 1983 and chapter 3, Laws of 1983 2nd ex. sess., must begin immediately because the legislation requires vessel registration, titling and taxation to begin June 30, 1983.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 7, Laws of 1983 and chapter 3, Laws of 1983 2nd ex. sess. and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 19, 1983.

By John Gonzalez
 Director

Chapter 308-93

VESSEL REGISTRATION AND CERTIFICATES OF TITLE

WAC	
308-93-010	<i>Definitions.</i>
308-93-020	<i>Registration required.</i>
308-93-030	<i>Vessels subject to excise tax, registration and titling.</i>
308-93-040	<i>Vessels exempted from excise tax but required to be registered and titled.</i>
308-93-050	<i>Vessels exempted from registration, taxation and titling.</i>
308-93-060	<i>Registration period.</i>
308-93-070	<i>Application for title/registration.</i>
308-93-080	<i>Registration certificate.</i>
308-93-090	<i>Rented or leased vessels.</i>
308-93-100	<i>Retention of registration certificate for leased or rented vessels.</i>
308-93-110	<i>Vessels previously registered or titled in another state.</i>
308-93-120	<i>Transfer of certificate of title or registration.</i>
308-93-130	<i>Exemption for vessels undergoing repair or alteration.</i>
308-93-140	<i>Decals—Placement.</i>
308-93-150	<i>1983 Property tax credit.</i>
308-93-160	<i>Excise tax exemptions — Indians.</i>
308-93-170	<i>Applications to agents—Transmittal to director.</i>
308-93-180	<i>Time of renewal of registration—Duration.</i>
308-93-190	<i>Prerequisite to issuance of vessel registration and decals.</i>
308-93-200	<i>Assigned certificate of title to be filed by department—Transfer of interest in vessel.</i>
308-93-210	<i>Procedure when department unsatisfied as to ownership and security interests.</i>
308-93-220	<i>Director may refuse or cancel certificate.</i>

- 308-93-230 Procedure when security interest is granted on vessel.
- 308-93-240 Duplicate for lost, stolen, mutilated, etc., certificates.
- 308-93-250 Legal owner not liable for acts of registered owner.
- 308-93-260 State or director not liable for acts in administering chapter.
- 308-93-270 Appeals to superior court from suspension, revocation, cancellation or refusal of registration or certificate of title.
- 308-93-280 Procedure when identification number altered or obliterated.
- 308-93-290 Transfer of ownership, how perfected.
- 308-93-300 Original applications—Renewals—Fees—Preissuance, when.
- 308-93-310 Loss, defacement, or destruction of decals—Replacement fee.
- 308-93-320 Registration certificate and decals follow vessel on transfer.
- 308-93-330 Certificate of title—Application.
- 308-93-340 Commercial fishing vessels.
- 308-93-350 Incorrect endorsements or erasures.
- 308-93-360 Application for title required.
- 308-93-370 Form required for name and address—Owners in common.
- 308-93-380 Form required for name and address—Ownership in joint tenancy.
- 308-93-390 Vessels held in trust.
- 308-93-400 Two legal owners.
- 308-93-410 Refusal by department to release title.
- 308-93-420 Special mailing.
- 308-93-430 Release of interest.
- 308-93-440 Lack of proper release.
- 308-93-450 Signature of registered owner on application—Exceptions.
- 308-93-460 Releasing interest.
- 308-93-470 Certification of signature.
- 308-93-480 Certification of signature—Departmental employees.
- 308-93-490 Sheriff's sale.
- 308-93-500 Name change.
- 308-93-510 Transfer by court order.
- 308-93-520 Owner deceased—Community property agreement.
- 308-93-530 Owner incompetent.
- 308-93-540 Owner bankrupt.
- 308-93-550 Owner deceased—Signature of personal representative.
- 308-93-560 Owner deceased—Will left.
- 308-93-570 Owner deceased—No will left.
- 308-93-580 Owner deceased—To spouse "in lieu of homestead".
- 308-93-590 Owner deceased—In name of estate.
- 308-93-600 Owner deceased—Estate not administered.
- 308-93-610 Security interest—When perfected.
- 308-93-620 Hull identification number required.
- 308-93-630 Assignment of hull identification number.
- 308-93-640 Reciprocity.

NEW SECTION

WAC 308-93-010 **DEFINITIONS.** Unless the context clearly provides otherwise, the following definitions apply to the rules in this chapter:

(1) "Alien vessel" means a vessel owned by a resident of a country other than the United States or Canada.

(2) "Carpenter certificate" means a certificate issued by a manufacturer describing the vessel for which such certificate is issued and certifying the first conveyance of said vessel after its manufacture.

(3) "Commerce" means the transportation of goods, products, commodities or passengers between specified points for which a fare or shipping cost is levied.

(4) "Commercial fishing" means operating under a currently valid commercial or charter fishing license issued by the Department of Fisheries.

(5) "Declaration of value form" means the Department of Revenue form used when a vessel is acquired by lease or gift, homemade or the most recent purchase price is not known to declare the value for purposes of assessing excise tax.

(6) "Director" means the Director of the Department of Licensing.

(7) "Documented Vessel" means a vessel that is documented by the United States Coast Guard and is issued a valid marine certificate.

(8) "Exclusively" means solely and without exception.

(9) "Foreign vessel" means a vessel owned by a resident of another state or a Canadian province registered in accordance with the laws of the state or province in which the owner resides.

(10) "Legal owner" means a person, business, or institution having a security interest in a vessel perfected in accordance with RCW 46.12.095 or the registered owner of a vessel unencumbered by a security interest or the lessor of a vessel unencumbered by a security interest.

(11) "Lifeboat" means craft used exclusively for life-saving purposes.

(12) "Manufacturer's certificate of origin" means a certificate issued by a manufacturer describing the vessel for which such certificate is issued and certifying the first conveyance of said vessel after its manufacture.

(13) "Overall length" means a straight line measurement of the overall distance from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins or boomkins, rudders, outboard motor brackets, outdrive units, propellers, and similar fittings or attachments are not included in the measurement.

(14) "Prebill" means the notice to renew a vessel registration that is mailed by the Department to the registered owner.

(15) "Previous ownership document" means the last issued certificate of title and/or registration.

(16) "Primarily" means the principal purpose for which a vessel is used when considered in conjunction with all of its uses.

(17) "Propulsion machinery" means any device providing motion to a vessel through such means as combustion, steam, or electric machinery.

(18) "Registered owner, owner," synonymous terms used interchangeably, mean a person who has a lawful right to possession of a vessel, whether or not the vessel is subject to a security interest.

(19) "Secured party" means a lender, seller or other person in whose favor there is a security interest, including a person to whom accounts, contacts rights or chattel paper have been sold. When the holders of obligations issued under an indenture of trust, equipment trust agreement or the like are represented by a trustee or other person, the representative is the secured party.

(20) "Tender" means craft used exclusively to furnish transportation from a larger vessel to shore and return.

(21) "Use of waters" means to navigate, operate, employ or moor any vessel upon the waters of this state.

(22) "Valid marine document" means a document issued by the U.S. federal government which declares a vessel of five net tons or larger to be a documented vessel of the United States.

(23) "Vessel data form" means the information application completed by the applicant showing all required description data for the vessel registration and title.

(24) "Waters of this state" means any waters within the territorial limits of this state.

NEW SECTION

WAC 308-93-020 REGISTRATION REQUIRED. Vessel registration and payment of excise tax is required on any vessel placed upon the waters of this state unless specifically exempted by law.

NEW SECTION

WAC 308-93-030 VESSELS SUBJECT TO EXCISE TAX, REGISTRATION AND TITLING. The following vessels must be registered and titled and pay the excise tax if they are on or using the waters of this state:

(1) All vessels sixteen feet or longer equipped with propulsory machinery or sails, unless specifically exempted, and the following:

- (a) Amphibious vessels (vehicles);
- (b) Houseboats;
- (c) Inflatable vessels with motors;
- (d) Ski type vessels (jet ski, wet bike, etc.) if sixteen feet or longer;
- (e) Livery vessels or any vessel rented or leased;
- (f) Racing vessels.

NEW SECTION

WAC 308-93-040 VESSELS EXEMPTED FROM EXCISE TAX BUT REQUIRED TO BE REGISTERED AND TITLED. The following vessels must be registered and titled but shall be exempt from the assessment of the excise tax:

(1) Undocumented vessels used exclusively for commercial fishing purposes;

(2) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;

(3) Vessels owned by a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age and solely used for such purposes, as determined by the department for the purposes of RCW 84.36.030;

(4) Recreational type public vessels of the United States.

NEW SECTION

WAC 308-93-050 VESSELS EXEMPTED FROM REGISTRATION, TAXATION AND TITLING. The following vessels are exempt from registration, titling and the assessment of excise tax:

(1) Military or public vessels of the United States, except recreational-type public vessels;

(2) Vessels owned by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;

(3) Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than sixty days;

(4) Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;

(5) Vessels propelled solely by oars or paddles;

(6) A ship's lifeboat used solely for lifesaving purposes.

(7) All vessels under sixteen feet in length or whose primary propulsion is human power;

(8) Vessels equipped with propulsion machinery of less than ten horsepower that:

(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

(9) Vessels of any size powered only by human power;

(10) Vessels which are temporarily in this state undergoing repair or alteration;

(11) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States, including but not limited to:

(a) Commercial fishing vessels;

(b) Barges;

(c) Charter fishing vessels.

(12) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States.

(13) A vessel not using the waters of this state.

NEW SECTION

WAC 308-93-060 REGISTRATION PERIOD. The registration period will be July 1 of the current year through June 30 of the following year for purposes of implementing Chapter 7, Laws of 1983, regular session and Chapter 3, Laws of 1983, second extraordinary session.

Any vessel registered for the first time in Washington will be assessed the registration fee for the registration period in which the vessel is registered. In addition, excise tax in the amount prescribed by statute will be assessed for the period beginning July 1 through the current registration period in which the vessel is registered. **PROVIDED THAT;** If the owner can verify that the vessel was acquired or brought into Washington after July 31, the excise tax will be assessed from the date of acquisition or entry into the state.

Vessels being registered in Washington for the first time and assigned a registration period of eleven months or less shall have the annual excise tax reduced by 1/12 for each full month of the registration period which has passed by the date when the vessel is registered in Washington. The registration and the titling fee will not be abated.

When a transfer of ownership occurs on a vessel previously registered in this state and whose registration has expired, there will be assessed a registration fee of \$6.00 for the current registration period and excise tax due from the expiration date of the previous registration **PROVIDED:** That if the person seeking registration can verify that the vessel was acquired subsequent to expiration of the previous registration, excise tax will be assessed from the date of acquisition through the current registration period in which the vessel is being registered.

NEW SECTION

WAC 308-93-070 APPLICATION FOR TITLE/REGISTRATION. (1) An application for certificate of title or registration of a vessel shall be completed and shall include:

- (a) The names and addresses and percentage of ownership of all owners of the vessel being registered including a lessor if applicable.
- (b) Make, model year and length of vessel.
- (c) Type of power (gasoline, diesel, propane, etc.).
- (d) Primary use.
- (e) Primary method of propulsion (inboard, outboard, inboard/outboard, jet, sail, etc.).
- (f) Hull type.
- (g) Primary vessel construction (fiberglass, wood, aluminum, etc.).
- (h) County of moorage.
- (i) Coast Guard number, if any.
- (j) Purchase cost and purchase year of vessel or declared value and year of declaration.
- (k) Hull identification number.

(2) Name and address of the legal owner or a statement of fact by the registered owner that the vessel is free of all liens other than those shown on the application.

(3) In the event a vessel is homemade, the owner must complete and sign a declaration of value form. The signature of the registered owner of a homemade vessel must be notarized by a Notary Public.

(4) The names of all owners will appear on the application for registration and title. The application must be signed by all owners. This signature must be notarized or certified by an authorized registration agent.

(5) The application for certificate of title or registration shall be accompanied by the following where applicable:

- (a) A copy of the bill of sale or sales agreement.
- (b) Vessel Data form.
- (c) Declaration of value form.
- (d) All proper fees and excise tax.
- (e) Previous ownership document properly released.
- (f) Excise exemption affidavit.
- (g) Proof of sales tax paid.
- (h) Proof of personal property tax paid.
- (i) Manufacturer's certificate of origin or original factory invoice.
- (j) Copy of carpenter certificate.
- (k) Copy of any filing pursuant to Article 62A.9 RCW, Uniform Commercial Code-Secured Transactions.
- (l) Release of interest form.
- (m) Verification of ownership.

NEW SECTION

WAC 308-93-080 REGISTRATION CERTIFICATE. Upon payment of proper fees and excise tax, the department of licensing or its agents shall issue a certificate of registration. The registration document must be signed by at least one of the owner(s) and carried on the vessel for which it is issued at all times when the vessel is physically located on the waters of the state of Washington except as provided under WAC 308-93-100.

NEW SECTION

WAC 308-93-090 RENTED OR LEASED VESSELS. If the vessel is leased and operated in Washington by a Washington resident, it must be titled and registered in Washington. (1) Rented and leased vessels must be separately registered and titled and display the registration number and decals assigned to the vessel. A dealer's registration number does not cover a rented or leased vessel.

(2) If the vessel is leased for a period of less than one year the lessor's name may appear on the certificate of title as the sole registered owner with any secured party being shown as the legal owner.

(3) If the vessel is leased for a period of one year or more or if there is an option to purchase the vessel, the application for certificate of title shall be completed with the name of the lessee as registered owner, followed by the word "lessee". The lessor's name will appear as the legal owner. If the vessel is subject to a security agreement, the application will be completed with the lessor's name appearing immediately below the lessee's name and will be identified by the word "lessor". The address

shown will be the lessee's. The secured party's name and address will be shown in the legal owner's space.

NEW SECTION

WAC 308-93-100 RETENTION OF REGISTRATION CERTIFICATE FOR LEASED OR RENTED VESSELS. The registration certificates for vessels less than 26 feet in length and leased or rented to another for the latter's noncommercial use of less than seven days may be retained on shore by the vessel's owner or his representative at the place from which the vessel departs or returns to the possession of the owner or his representative. A copy of the lease or rental agreement signed by the owner or his authorized representative and by the person leasing or renting the vessel shall be carried aboard the vessel at all times during use and shall contain at least:

- (1) The vessel number that appears on the registration certificate;
- (2) The period of time for which the vessel is leased or rented;
- (3) The hull identification number.

NEW SECTION

WAC 308-93-110 VESSELS PREVIOUSLY REGISTERED OR TITLED IN ANOTHER STATE. If the application for certificate of title or registration is for a vessel previously registered or titled in another state, the application must be accompanied by:

- (1) Either a foreign title properly released and the registration, if available, or the registration properly released if it is a nontitle state, or an affidavit of lost title or a release of interest, provided that no release is required if there is no change in ownership, and
- (2) An affidavit certifying when and where the vessel was acquired or brought into the state.

NEW SECTION

WAC 308-93-120 TRANSFER OF CERTIFICATE OF TITLE OR REGISTRATION. If a vessel has a current valid Washington vessel registration and the certificate of title is being transferred to reflect a change in ownership, the title fee and a registration transfer fee of \$1.00 will be charged. If the vessel does not have a valid registration, the registration fee, the title fee and applicable excise tax will be charged.

NEW SECTION

WAC 308-93-130 EXEMPTION FOR VESSELS UNDERGOING REPAIR OR ALTERATION. Vessels brought into this state exclusively for the purpose of repair or alteration are not subject to registration providing they are not on the waters of this state for any purpose other than repair, alteration or the testing thereof.

NEW SECTION

WAC 308-93-140 DECALS—PLACEMENT. Upon registration, the applicant will receive a registration document and two decals. One decal shall be affixed

to the port side and one decal shall be affixed to the starboard side of the hull or bridge aft of the midship. The decals must be located on the outside of the vessel so that each decal is visible without obstruction from a sideview of the vessel while the vessel is in the water. **PROVIDED,** That vessels sixteen feet and over with propulsion machinery of less than ten horsepower qualifying as a ship's tender shall display the registration number issued by the Coast Guard for the registered vessel in block letters not less than three inches high followed by the number "1" of a color contrasting to the background, on the outside of the hull on both port and starboard sides of the forward half of the vessel. The number must be visible without obstruction from a sideview of the tender while the tender is in the water.

NEW SECTION

WAC 308-93-150 1983 PROPERTY TAX CREDIT. Property tax paid for a vessel for the 1983 tax year will be deducted from the 1983 excise tax amount due when a receipt from the treasurer's office is presented at the time of registration, identifying the vessel and the amount paid. If a treasurer's receipt cannot be obtained, a cancelled check may be accepted, provided the cancelled check clearly and distinctly indicates that its purpose was for the payment of 1983 personal property tax for the vessel being registered. Proof of property tax paid must be attached to the application for certificate of title or registration if credit is given.

NEW SECTION

WAC 308-93-160 EXCISE TAX EXEMPTIONS — INDIANS. (1) For the purposes of this rule, the following words and terms have the following meanings:

(a) "Indian reservation" means all lands, notwithstanding the issuance of any patent, within the exterior boundaries set aside by the United States for the exclusive use and occupancy of Indian tribes by treaty, law or executive order and which are areas currently recognized as "Indian reservations" by the United States Department of the Interior.

The following Washington reservations are the only "Indian reservations" currently recognized as such by the United States Department of the Interior: Chehalis, Colville, Hoh, Kalispell, Lower Elwha, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, Ozette, Port Gamble, Port Madison, Puyallup, Quileute, Quinault, Shoalwater, Skokomish, Spokane, Squaxin Island, Swinomish, Tulalip, and Yakima.

(b) "Indian tribe" means any organized Indian nation, tribe, band, or community recognized as an "Indian tribe" by the United States Department of the Interior.

(c) "Indian" means persons duly registered on the tribal rolls of the Indian tribe occupying an Indian reservation.

(2) Vessels owned by an Indian tribe occupying a recognized Washington Indian reservation are exempt from payment of the excise tax imposed by chapter 7, Laws of 1983, regular session and chapter 3, Laws of 1983, second extraordinary session.

(3) Vessels owned by Indians having their principal residence within the recognized Washington Indian reservation, for the tribe in which they are duly registered on the tribal rolls, are exempt from payment of the excise tax imposed by chapter 7, Laws of 1983, regular session and chapter 3, Laws of 1983, second extraordinary session.

(4) A properly completed affidavit of exemption on a form supplied by the department must be submitted with each vessel's registration application as a condition precedent to exemption from excise tax. The department may require such other proof of qualification for exemption as it deems necessary.

NEW SECTION

WAC 308-93-170 APPLICATIONS TO AGENTS—TRANSMITTAL TO DIRECTOR. Upon receipt by registration agents of the director, including county auditors, of original applications for vessel certificate of title and/or registration accompanied by the proper fees, such agents shall, if the applications are in proper form and accompanied by such information as may be required by the director, immediately forward them, together with the fees to the director.

NEW SECTION

WAC 308-93-180 TIME OF RENEWAL OF REGISTRATION—DURATION. Vessel registrations and decals may be renewed for the subsequent registration year on and after the ninetieth day prior to the end of the current registration year and must be used and displayed from the date of issue or from the day of the expiration of the preceding registration year, whichever date is later.

NEW SECTION

WAC 308-93-190 PREREQUISITE TO ISSUANCE OF VESSEL REGISTRATION AND DECALS. No decals or vessel registration, whether original issues or duplicates, shall be issued or furnished by the department unless the applicant therefor shall at the same time make satisfactory application for a certificate of title or shall present satisfactory evidence that such a certificate of title covering such vessel has been previously issued.

NEW SECTION

WAC 308-93-200 ASSIGNED CERTIFICATE OF TITLE TO BE FILED BY DEPARTMENT—TRANSFER OF INTEREST IN VESSEL. Certificates of title when assigned and returned to the department, together with subsequently assigned reissues thereof, shall be retained by the department and appropriately filed and indexed so that at all times it will be possible to trace ownership to the vessel designated therein:

(1) If the interest of an owner in a vessel passes to another, other than by voluntary transfer, the transferee

shall, except as provided in subsection (3) of this section, promptly mail or deliver to the department the last certificate of title if available, and an application for a new certificate in the form the department prescribes.

(2) If the interest of the owner is terminated or the vessel is sold under a security agreement by a secured party named in the certificate of title, the transferee shall promptly mail or deliver to the department the last certificate of title, an application for a new certificate in the form the department prescribes, and an affidavit made by or on behalf of the secured party that the vessel was repossessed and that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement.

(3) If the secured party succeeds to the interest of the owner and holds the vessel for resale, the secured party need not secure a new certificate of title, but, upon transfer to another person, shall promptly mail or deliver to the transferee or to the department the certificate, affidavit and other documents (and articles) required to be sent to the department by the transferee.

NEW SECTION

WAC 308-93-210 PROCEDURE WHEN DEPARTMENT UNSATISFIED AS TO OWNERSHIP AND SECURITY INTERESTS. If the department is not satisfied as to the ownership of the vessel or that there are no undisclosed security interests in it, the department may register the vessel but shall either:

(1) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the department as to the applicant's ownership of the vessel and that there are no undisclosed security interests in it; or

(2) As a condition of issuing a certificate of title, require the applicant to file with the department a bond in the form prescribed by the department and executed by the applicant, or in lieu thereof a deposit of cash in like amount. The bond shall be in an amount equal to one and one-half times the value of the vessel as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the vessel or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vessel or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vessel. Any such person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, or any cash deposit shall be returned at the end of three years or prior thereto if the vessel is no longer registered in this state and the currently valid certificate of title is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

NEW SECTION

WAC 308-93-220 **DIRECTOR MAY REFUSE OR CANCEL CERTIFICATE.** If the director determines at any time that an applicant for certificate of title or for a registration for a vessel is not entitled thereto, the director may refuse to issue such certificate or to register the vessel and the director may, for like reason, after notice, and in the exercise of discretion, cancel the registration already acquired or any outstanding certificate of title. The notice shall be served personally or sent by certified mail, return receipt requested.

NEW SECTION

WAC 308-93-230 **PROCEDURE WHEN SECURITY INTEREST IS GRANTED ON VESSEL.** If, after a certificate of title is issued, a security interest is granted on the vessel described therein, the registered owner or secured party shall, within ten days thereafter, present an application to the department, to which shall be attached the certificate of title last issued covering the vessel, or such other documentation as may be required by the department, which application shall be upon a form provided by the department and shall be accompanied by a fee of one dollar. The department, if satisfied that there should be a reissue of the certificate, shall note such change upon the vessel records and issue to the secured party a new certificate of ownership.

Whenever there is no outstanding secured obligation and no commitment to make advances and incur obligations or otherwise give value, the secured party must assign the certificate of title to the debtor or the debtor's assignee and transmit the certificate to the department with an accompanying fee of one dollar. The department shall then issue a new certificate of title and transmit it to the owner.

NEW SECTION

WAC 308-93-240 **DUPLICATE FOR LOST, STOLEN, MUTILATED, ETC., CERTIFICATES.** If a certificate of title or a registration is lost, stolen, mutilated or destroyed or becomes illegible, the first priority secured party or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the department, shall promptly make application for and may obtain a duplicate upon tender of one dollar and upon furnishing information satisfactory to the department as follows:

(1) An application for a duplicate certificate of title must be accompanied by an affidavit of loss or destruction in a form approved by the Department and signed by all owners of record.

The duplicate certificate of title or registration shall contain the legend, "This is a duplicate certificate." It shall be mailed to the first priority secured party named in it or, if none, to the owner.

A person recovering an original certificate of title or registration for which a duplicate has been issued shall promptly surrender the original certificate to the department.

NEW SECTION

WAC 308-93-250 **LEGAL OWNER NOT LIABLE FOR ACTS OF REGISTERED OWNER.** The person, firm, copartnership, association or corporation to whom a certificate of title shall have been issued shall not thereby incur liability or be responsible for damage, or otherwise, resulting from any act or contract made by the registered owner or by any other person acting for or by or under the authority of such registered owner.

NEW SECTION

WAC 308-93-260 **STATE OR DIRECTOR NOT LIABLE FOR ACTS IN ADMINISTERING CHAPTER.** No suit or action shall ever be commenced or prosecuted against the director of licensing or the state of Washington by reason of any act done or omitted to be done in the administration of the duties and responsibilities imposed upon the director under chapter 7, Laws of 1983, regular session; chapter 3, Laws of 1983, second extraordinary session or chapter 308-93 WAC.

NEW SECTION

WAC 308-93-270 **APPEALS TO SUPERIOR COURT FROM SUSPENSION, REVOCATION, CANCELLATION, OR REFUSAL OF REGISTRATION OR CERTIFICATE OF TITLE.** The suspension, revocation, cancellation, or refusal by the director of any registration or certificate of title provided for in chapter 7, Laws of 1983 regular session, and chapter 3, Laws of 1983 second extraordinary session shall be conclusive unless the person whose registration or certificate is suspended, revoked, canceled, or refused appeals to the superior court of Thurston County, or to the superior court of the county of the person's residence, for the purpose of having the suspension, revocation, cancellation, or refusal of such registration or certificate set aside. Notice of appeal must be filed within ten days after receipt of the notice of suspension, revocation, cancellation, or refusal. Upon the filing of the notice of appeal the court shall issue an order to the director to show cause why the registration should not be granted or reinstated, which order shall be returnable not less than ten days after the date of service thereof upon the director. Service shall be in the manner prescribed for service of summons and complaint in other civil actions.

Upon the hearing on the order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation, or refusal of the registration or certificate and shall enter judgment either affirming or setting aside such suspension, revocation, cancellation, or refusal.

NEW SECTION

WAC 308-93-280 **PROCEDURE WHEN IDENTIFICATION NUMBER ALTERED OR OBLITERATED.** Before the department shall issue a certificate of title, or reissue such a certificate covering any vessel, the identification number of which has been altered, removed, obliterated, defaced, omitted, or is otherwise absent, the registered owner of the vessel shall file an

application with the department, upon a form provided, and containing such facts and information as shall be required by the department for the assignment of a special number for such vessel. Upon receipt of such application, the department, if satisfied the applicant is entitled to the assignment of an identification number, shall designate a special identification number for such vessel, which shall be noted upon the application therefor, and likewise upon a suitable record of the authorization of the use thereof, to be kept by the department. This assigned identification number shall be placed upon the vessel in the manner prescribed by the department. Upon receipt by the department of an application for a certificate of title or application for reissue of such certificate and the required fee therefor, the department shall use such number as the numerical or alpha-numerical identification marks for the vessel in any certificate of registration or certificate of title that may thereafter be issued therefor.

NEW SECTION

WAC 308-93-290 TRANSFER OF OWNERSHIP, HOW PERFECTED. A transfer of ownership in a vessel is perfected by compliance with the requirements of this section.

(1) If an owner transfers an interest in a vessel other than by the creation of a security interest, he shall, at the time of the delivery of the vessel, execute an assignment to the transferee and cause the certificate and assignment to be transmitted to the transferee, and shall within fifteen days notify the department.

(2) The transferee of ownership shall within fifteen days after delivery to him of the vessel, execute the application for a new certificate of title in the same space provided therefor on the certificate or as the department prescribes, and cause the certificates and application to be transmitted to the department.

(3) Upon request of the owner or transferee, a secured party in possession of the certificate of title shall, unless the transfer was a breach of its security agreement, either deliver the certificate to the transferee for transmission to the department or, when the secured party receives the owner's assignment from the transferee, it shall transmit the transferee's application for a new certificate, the existing certificate, and the required fee to the department. Compliance with this section does not affect the rights of the secured party under the security agreement.

(4) If a security interest is reserved or created at the time of the transfer, the certificate of title shall be retained by or delivered to the person who becomes the secured party, and the parties shall comply with the provision of WAC 308-93-230.

(5) If the purchaser or transferee of ownership fails or neglects to transfer such certificate of title and registration within fifteen days after date of delivery of the vessel to him, he shall on making application for transfer be assessed a five-dollar penalty on the sixteenth day and one dollar additional for each day thereafter, but not to exceed fifteen dollars.

(6) Upon receipt of an application for the reissue of a certificate of title and transfer of registration, accompanied by the endorsed certificate of title and such other documentary evidence as is deemed necessary, the department shall, if the application is in order and if all provisions relating to the certificate of title and registration have been complied with, issue new certificates of title and registration as in the case of an original issue and shall transmit the fees together with an itemized detailed report to the state treasurer, to be deposited in the general fund.

NEW SECTION

WAC 308-93-300 ORIGINAL APPLICATIONS—RENEWALS—FEES—PREISSUANCE, WHEN. (1) Upon receipt of the application and the proper fee for an original vessel registration, the director shall make a recheck of the application and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vessel registration shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vessel was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such registration fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vessel concerned.

(3) Persons expecting to be out of the state during the normal renewal period of a vessel registration may secure renewal of such vessel registration for a period of thirty days prior thereto and have decals preissued by making application to the director or his agents upon forms prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vessel was registered in Washington and be accompanied by such registration fees and excise tax as may be required.

NEW SECTION

WAC 308-93-310 LOSS, DEFAACEMENT, OR DESTRUCTION OF DECALS—REPLACEMENT FEE. Upon the loss, defacement, or destruction of one or both of the vessel decals issued for any vessel or where one or both have become so illegible or in such condition as to be difficult to distinguish, the owner of the vessel shall make application for new vessel decals upon a form furnished by the director, upon which form it shall be required that the owner, in addition to other requirements, make a complete statement as to the cause of the loss, defacement, or destruction of the original decal or

decals, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vessel registration applications. Such application shall be filed with the director or his authorized agent, accompanied by the certificate of registration of the vessel and a one dollar replacement decal.

NEW SECTION

WAC 308-93-320 REGISTRATION CERTIFICATE AND DECALS FOLLOW VESSEL ON TRANSFER. In any case of valid sale or transfer of the ownership of any vessel, the right to the certificates properly transferable therewith and to the vessel decals and registration number shall pass to such purchaser or transferee.

NEW SECTION

WAC 308-93-330 CERTIFICATE OF TITLE—APPLICATION. The application accompanied by cash, a draft, money order, or certified bank check for all appropriate fees together with the last preceding certificate or other satisfactory evidence of ownership, shall be forwarded to the director. The certificate of title shall not be required to be renewed annually, or at any other time, except as by law provided.

NEW SECTION

WAC 308-93-340 COMMERCIAL FISHING VESSELS. (1) Documented vessels used primarily for commercial fishing purposes shall be exempt from vessel registration requirements.

(2) Undocumented vessels used exclusively for commercial fishing purposes shall not be exempt from vessel registration requirements but shall be exempt from excise tax.

NEW SECTION

WAC 308-93-350 INCORRECT ENDORSEMENTS OR ERASURES. (1) If a certificate of title or application has been signed in error, a line must be drawn through the erroneous signature. An affidavit must be attached to explain when, why and by whom the signature was stricken. A release of interest is required from the person signing in error unless that person has signed the affidavit.

(2) If an erasure has been made on a certificate of title or application, an affidavit must be attached. The affidavit must state why and by whom the erasure was made. A release of interest must be signed by the one whose name was erased.

(3) A name erroneously shown on the title as the purchaser must have either a release of interest from the erroneously named purchaser or a statement by the owner of record that the sale was not completed.

NEW SECTION

WAC 308-93-360 APPLICATION FOR TITLE REQUIRED. An application for certificate of title is required:

- (1) Whenever the ownership of a vessel changes;
- (2) When there is a legal change of name of the registered or legal owner of a vessel;
- (3) When there is a change of name of a business entity owning a vessel;
- (4) When a proprietorship or partnership forms a corporation whether or not a business name is changed;
- (5) When a proprietorship or partnership purchases a corporation which will no longer be operated as a corporation whether or not the business name is changed;
- (6) Whenever there is no outstanding secured obligation and no commitment to make advances and incur obligations or otherwise give value in the case of reissue applications;
- (7) Whenever a vessel has been reported destroyed and the owner wishes to operate it again on the waters of this state;
- (8) Whenever the hull identification number is changed;
- (9) Whenever a second legal owner is to be added to the certificate of title. The application shall show the address of only the first named legal owner.

NEW SECTION

WAC 308-93-370 FORM REQUIRED FOR NAME AND ADDRESS—OWNERS IN COMMON. If more than one person is shown on the application for title or its addendum as registered owner of the vessel, those persons will be treated as owners in common of the vessel whether or not the names are joined by the word "and" or the word "or".

NEW SECTION

WAC 308-93-380 FORM REQUIRED FOR NAME AND ADDRESS—OWNERSHIP IN JOINT TENANCY. If more than one person is shown on the title application as registered owner, and the intention of the parties is to create ownership in joint tenancy, it is necessary to use the following language on the application for certificate of title:

- (1) "John Doe and Jane Doe and Mary Doe as joint tenants with right of survivorship"; or
- (2) "John Doe and Jane Doe and Mary Doe as joint tenants with right of survivorship and not as tenants in common" on the reissue title.

The ownership of the vessel in joint tenancy will be indicated on the certificate issued by the Department in the following manner: "J.T.W.R.O.S."

A certified copy of the death certificate will be required upon the death of a party named on such a title. An application for title in the name(s) of the remaining party will be required.

NEW SECTION

WAC 308-93-390 VESSELS HELD IN TRUST. (1) The trustee shall be shown on any application for certificate of title as registered owner if a vessel is held in trust for the benefit of another. There is no requirement that the word "trustee" be placed after the name of any such owner.

(2) If the application and subsequently issued title includes the word "trustee" after the name of the registered owner, any signature releasing interest in the vessel by that owner shall include that designation.

(3) Upon the death of the trustee, a co-trustee or successor trustee shall make application for transfer of title into his/her own name. An affidavit that he or she is the successor or co-trustee and a copy of the documents so designating that person shall accompany any such application.

NEW SECTION

WAC 308-93-400 TWO LEGAL OWNERS. If one of two legal owners shown on a certificate of title has his/her security interest in the vessel satisfied, that interest in the vessel shall be released in the appropriate manner and the appropriate documentation forms forwarded to the remaining legal owner. The remaining legal owner shall either (1) retain that documentation and forward it to the Department at the time his/her interest is satisfied along with an application for reissue or (2) the documentation shall be immediately presented to the department with an application for reissue of title to show the remaining secured party as the sole legal owner of the vessel. If the outstanding certificate of title does not show the address of the remaining legal owner, there must be an application for reissue of title in order that the address of the remaining legal owner may be indicated on the outstanding certificate of title.

NEW SECTION

WAC 308-93-410 REFUSAL BY DEPARTMENT TO RELEASE TITLE. The Department may refuse to release a vessel title under any one of the following circumstances:

(1) All or a part of the fees for the registration or certificate of title have not been paid; or

(2) All or a part of the fees for the registration or certificate of title have been paid with a check that has not been honored; or

(3) At the discretion of the Department when the Department has been requested by an interested party to hold the certificate of title pending legal action, or whenever the Department deems it inadvisable to release the certificate of title.

NEW SECTION

WAC 308-93-420 SPECIAL MAILING. The Department will mail the title to the legal owner of record. If it is the intent of the legal owner to have the title mailed to someone other than that shown on the title, written authorization, signed by the legal owner, is required. This must be in a form approved by the Department.

NEW SECTION

WAC 308-93-430 RELEASE OF INTEREST. If the registered and/or legal owners of record cannot release their interest on the title, a release of interest form

approved by the Department properly signed in accordance with WAC 308-93-470, shall be used as supportive documentation.

NEW SECTION

WAC 308-93-440 LACK OF PROPER RELEASE. If the registered or legal owner(s) as shown in the records of the Department or the records of the foreign state issuing the last certificate of title and/or registration of a vessel has not released his/her interest in the vessel by endorsement on the certificate or by a release of interest, the following must be attached to an application for Washington certificate of title:

(1) Proper documentation authorized by other sections of this chapter to be used in lieu of a release by the registered or legal owner, or

(2) A bond in accordance with WAC 308-93-210; or

(3) The following, if satisfactory to the Department:

(a) An affidavit by the applicant stating the reasons the person is unable to obtain a release of interest from the registered and/or legal owner(s) of record; and

(b) Evidence of ownership of the vessel by the applicant such as, but not limited to, a bill of sale; and

(c) Evidence of attempts to locate the owner(s) of record such as copies of correspondence sent to the last known address of the owner as well as returned receipts showing such correspondence was sent by registered or certified mail, return receipt requested.

NEW SECTION

WAC 308-93-450 SIGNATURE OF REGISTERED OWNER ON APPLICATION—EXCEPTIONS. On an application for an original, reissue, or transfer of certificate of title, the signature of each and every named registered owner is required except:

(1) When the application is for the sole purpose of removing a legal owner of record from the certificate of title when that legal owner's security interest has been satisfied in the vessel;

(2) When authorized supportive documentation is used in lieu of the signature or signatures;

(3) When the legal owner applies for a duplicate title;

(4) When there is a change in the secured party;

(5) When the legal ownership is transferred with an affidavit of repossession.

NEW SECTION

WAC 308-93-460 RELEASING INTEREST. (1) In order for a person to release his/her interest in a vessel as registered or legal owner, his/her signature is required on the certificate of title issued by the Department, unless authorized supportive documentation is used in lieu of that signature or in lieu of the certificate issued by the Department.

(2) If the signatures are not on the certificate of title, all signatures must be certified in accordance with WAC 308-93-470.

(3) If more than one person is shown on the certificate of title issued by the Department as registered or legal owner, the signature of each registered and legal owner is required no matter what the form of ownership unless

authorized supportive documents are used in lieu of one or more signatures.

(4) A release of interest is not required from one identified as a lessee.

NEW SECTION

WAC 308-93-470 CERTIFICATION OF SIGNATURE. The signature of every applicant to be shown on the certificate of title as the registered owner and of other signatures, as required, shall be subscribed to and sworn to by that person before a notary public, county auditor, deputy auditor, an authorized agent approved by the Director of Licensing, an agent appointed by the Director of Licensing, an employee or appointee of either type or agent, or an employee of the Department of Licensing authorized by the Director to certify to an applicant's signature. Approved identification of the person signing shall be required.

NEW SECTION

WAC 308-93-480 CERTIFICATION OF SIGNATURE—DEPARTMENTAL EMPLOYEES. The Director hereby authorizes the following Department employees to certify signatures: Deputy Director, the assistant director for vehicle services, the chief officer and assistant of the division primarily responsible for vessel registration and titles, persons assigned to liaison duties between the Department and its vehicle license agents, and persons assigned the responsibility of accepting title applications from persons appearing at the Department's office.

NEW SECTION

WAC 308-93-490 SHERIFFS SALE. (1) An application for title for a vessel sold by a sheriff pursuant to Washington State law transfers only the interests of the person(s) shown on the bill of sale, or if the former owner(s) is not shown, only the interests of the registered owner(s) of record, and shall be accompanied by:

- (a) The sheriff's bill of sale, and
- (b) A copy of the court order directing the sale, if any.

(2) The vessel must be titled in the name of the purchaser shown on the bill of sale.

NEW SECTION

WAC 308-93-500 NAME CHANGE. On any application for reissue of a certificate of title where the name of the registered owner has been changed by court action, a certified copy of the court order authorizing the name change shall be attached to the application.

NEW SECTION

WAC 308-93-510 TRANSFER BY COURT ORDER. Any application for certificate of title, where a change of legal or registered owner of a vessel is the result of the order of a court, shall be accompanied by a certified copy of the order or a certification from the clerk of court on a department approved form confirming the court's action. If the last issued certificate of title

is not attached to the application, an affidavit of lost or destroyed title or an affidavit explaining the nonavailability of the title document shall also be attached to the application.

NEW SECTION

WAC 308-93-520 OWNER DECEASED—COMMUNITY PROPERTY AGREEMENT. If the prior owner of record of a vessel is deceased and a valid community property agreement exists, the surviving spouse may release the interest of the deceased's estate in the vessel. The following shall be attached to any application for certificate of title:

- (1) A copy of the community property agreement;
- (2) A certified copy of the death certificate.
- (3) An affidavit that the community property agreement has not been amended or revoked prior to death and that no probate proceeding is pending or contemplated.

NEW SECTION

WAC 308-93-530 OWNER INCOMPETENT. On any application for certificate of title where the former owner of record of the vessel has been declared legally incompetent, the incompetent's interest in the vessel shall be released by signature of the court appointed guardian. A certified copy of the court order appointing the guardian shall be attached to the application.

NEW SECTION

WAC 308-93-540 OWNER BANKRUPT. On any application for certificate of title where the prior owner's interest has been terminated through bankruptcy proceedings, the interest of the bankrupt in the vessel may be released by his/her trustee. If the release is by his/her trustee, a certified copy of the court order appointing the trustee shall be attached to the application.

NEW SECTION

WAC 308-93-550 OWNER DECEASED—SIGNATURE OF PERSONAL REPRESENTATIVE. On any application for certificate of title where a vessel has been acquired from the estate of a deceased person, the interest of the deceased's estate in the vessel shall be released by the signature of the personal representative. A copy of the court order approving or confirming the personal representative shall be attached to the application. Any unreleased legal owners shall remain as such on the new certificate of title issued by the department.

NEW SECTION

WAC 308-93-560 OWNER DECEASED—WILL LEFT. If the prior owner of a vessel is deceased and a will was left, the following documents shall be attached to any application for transfer of title:

- (1) If the will is not a nonintervention will:
 - (a) A certified copy of the court order approving the transfer or a certificate from the clerk of court on department approved form confirming the court action; or

(b) A certified copy of the decree of distribution.

(2) If the will is a nonintervention will, a certified copy of the decree of solvency or distribution or a certification from the clerk of court confirming such action.

NEW SECTION

WAC 308-93-570 OWNER DECEASED—NO WILL LEFT. If the prior owner of a vessel is deceased and left no will, a certified copy of the court order authorization to transfer the vessel or a certification from the clerk of court confirming such action must be attached to any application for certificate of title.

NEW SECTION

WAC 308-93-580 OWNER DECEASED—TO SPOUSE "IN LIEU OF HOMESTEAD". If the prior owner of a vessel is deceased and the court awards the vessel to the surviving spouse "in lieu of homestead", a certified copy of the court's order or a certification from the clerk of court on department approved forms confirming such court action must be attached to the application for certificate of title.

NEW SECTION

WAC 308-93-590 OWNER DECEASED—IN NAME OF ESTATE. If the owner of record of a vessel is deceased, the vessel may be titled and licensed in the name of the estate of the deceased pending final settlement of the estate. A certified copy of the court order appointing or confirming the personal representative shall be attached to the application for certificate of title.

NEW SECTION

WAC 308-93-600 OWNER DECEASED—ESTATE NOT ADMINISTERED. If the prior owner of a vessel is deceased, left no will, and the estate will not be administered, the surviving spouse or any other heir may release the interest of the deceased's estate in the vessel by attaching the following to any application for certificate of title:

- (1) Affidavit of inheritance with affidavits of release of interest from other heirs attached thereto;
- (2) Certified copy of the death certificate.

NEW SECTION

WAC 308-93-610 SECURITY INTEREST—WHEN PERFECTED. The requirements for perfecting a security interest in a vessel as set forth in chapter 3, Laws of 1983, second extraordinary session, shall not take effect until certificates of registration and title are actually being issued on or about October 1, 1983. Until such time present methods of perfecting security interests in vessels shall remain effective.

NEW SECTION

WAC 308-93-620 HULL IDENTIFICATION NUMBER REQUIRED. No person shall operate a boat on the waters of this state for which registration and titling is required unless such boat has a hull identification

number. Hull identification numbers must be carved, burned, stamped, embossed, clearly imprinted or otherwise permanently affixed to the outboard side of the transom, or if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism above the waterline of the boat in such a way that alteration, removal or replacement would be obvious or evident. No person, firm, association or corporation shall destroy, remove, alter, cover or deface the hull identification number.

NEW SECTION

WAC 308-93-630 ASSIGNMENT OF HULL IDENTIFICATION NUMBER. Upon application for original registration or transfer of registration and title or transfer of registration and title of a vessel, the department may assign an appropriate hull identification number to such vessel whenever there is no hull identification number thereon, or when a hull identification number thereon has been destroyed or obliterated and such hull number shall be permanently affixed as prescribed by the department.

NEW SECTION

WAC 308-93-640 RECIPROCITY. A vessel owned by a resident of another state or a Canadian province which is already covered by a number in full force and effect issued to it pursuant to federal laws or a numbering system of such state or province shall be exempt from registration requirements for a period of sixty consecutive days in any twelve month period but only to the extent a similar reciprocity is granted for vessels registered in the state of Washington.

WSR 83-19-068
PROPOSED RULES
DEPARTMENT OF LICENSING
(Securities Division)
 [Filed September 21, 1983]

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 and registration of securities, adopting new chapter 460-31A WAC, real estate programs exceeding five million dollars and amending and repealing sections of chapter 460-32A WAC, real estate programs not exceeding five million dollars.

The department reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing.

- New WAC 460-31A-410 Application.
- New WAC 460-31A-415 Definitions.
- New WAC 460-31A-420 Experience of sponsor.
- New WAC 460-31A-425 Net worth of sponsor.
- New WAC 460-31A-430 Reports to administrator.
- New WAC 460-31A-435 Liability of sponsor.
- New WAC 460-31A-440 Suitability of standards for participants.
- New WAC 460-31A-445 Sales to appropriate persons.

New	WAC 460-31A-450	Maintenance of records of suitability.
New	WAC 460-31A-455	Minimum investment of participant.
New	WAC 460-31A-460	Fees, compensation and expenses.
New	WAC 460-31A-465	Organization and offering expenses.
New	WAC 460-31A-470	Investment in properties.
New	WAC 460-31A-475	Program management fees.
New	WAC 460-31A-480	Promotional interest.
New	WAC 460-31A-485	Real estate commissions on resale.
New	WAC 460-31A-490	Property management fee.
New	WAC 460-31A-495	Insurance services.
New	WAC 460-31A-500	Sales, leases, loans and related programs.
New	WAC 460-31A-505	Exchange of limited partnership interests.
New	WAC 460-31A-510	Exclusive agreements.
New	WAC 460-31A-515	Sales commissions on reinvestment and distribution.
New	WAC 460-31A-520	Expenses of the program.
New	WAC 460-31A-525	Reimbursement of costs.
New	WAC 460-31A-530	Other services of sponsor.
New	WAC 460-31A-535	Rebates, kickbacks and reciprocal arrangements commingling.
New	WAC 460-31A-540	Commingling.
New	WAC 460-31A-545	Investments in other programs.
New	WAC 460-31A-550	Lending practices.
New	WAC 460-31A-555	Development of construction contract.
New	WAC 460-31A-560	Completion bond requirements.
New	WAC 460-31A-565	Requirement for real property appraisal.
New	WAC 460-31A-570	Non-specific property programs.
New	WAC 460-31A-575	Minimum capitalization.
New	WAC 460-31A-580	Experience of sponsor.
New	WAC 460-31A-585	Statement of investment objectives.
New	WAC 460-31A-590	Period of offering and expenditure of proceeds.
New	WAC 460-31A-595	Special reports.
New	WAC 460-31A-600	Assessments.
New	WAC 460-31A-605	Multiple programs.
New	WAC 460-31A-610	Rights and obligations of participants.
New	WAC 460-31A-615	Voting rights of limited partners.
New	WAC 460-31A-620	Reports to holders of limited partnership.
New	WAC 460-31A-625	Access to records.
New	WAC 460-31A-630	Admission of participants.
New	WAC 460-31A-635	Redemption of program interests.
New	WAC 460-31A-640	Transferability of program interests.
New	WAC 460-31A-645	Assessments and defaults.
New	WAC 460-31A-650	Sales literature.
New	WAC 460-31A-655	Group meetings.
New	WAC 460-31A-660	Contents of prospectus.
New	WAC 460-31A-665	Use of forecasts.
New	WAC 460-31A-670	Forecasts for specific property programs.
New	WAC 460-31A-675	Realistic forecasts.
New	WAC 460-31A-680	Material information.
New	WAC 460-31A-685	Presentation of forecasts.
New	WAC 460-31A-690	Additional disclosures and limitations.
New	WAC 460-31A-695	Forecasts of unimproved property programs.
New	WAC 460-31A-700	Fiduciary duty.
New	WAC 460-31A-705	Deferred payments.
New	WAC 460-31A-710	Reserves.
New	WAC 460-31A-715	Reinvestment of cash flow and proceeds on distribution of property.
New	WAC 460-31A-720	Financial information required on application.
New	WAC 460-31A-725	Opinions of counsel.
New	WAC 460-31A-730	Provisions of the partnership agreement.
Amd	WAC 460-32A-010	Application.
Rep	WAC 460-32A-300	through 460-32A-325;

that the agency will at 10:00 a.m., Tuesday, November 8, 1983, in the Conference Room, Securities Division, 6th Floor, Highways-Licenses Building, Olympia, Washington 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 15, 1983.

The authority under which these rules are proposed is RCW 21.20.450.

The specific statutes the rules are intended to implement are as follows: RCW 21.20.010, 21.20.140 through 21.20.300, 21.20.450, 21.20.740 through 21.20.750 and 21.20.900 are for WAC 460-31A-430. RCW 21.20.010, 21.20.140 through 21.20.300, 21.20.450 and 21.20.900 are for WAC 460-31A-410 through 460-31A-425, 460-31A-435 through 460-31A-730 and 460-32A-010.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1983.

Written or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The department may need to change the date for hearing or adoption on short notice. To ascertain that the hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this office and the proposed rules should be addressed to:

Ralph R. Smith
Securities Administrator
P.O. Box 648
Olympia, WA 98504
(206) 753-6928

This notice is connected to and continues the matter in Notice No. WSR 83-15-040 filed with the code reviewer's office on July 19, 1983.

Dated: September 20, 1983

By: John Gonzalez
Director

STATEMENT OF PURPOSE

Name of Agency: Department of Licensing, Securities Division.

General Purpose of the Rules: The rules as amended after the hearing held on September 6, 1983, are proposed under the Securities Act of Washington, chapter 21.20 RCW, to implement guidelines adopted by the North American Securities Administrators Association for offerings exceeding five million dollars. Adoption of these rules will make the law of Washington uniform with other states. Offerings not exceeding five million dollars will continue to be registered under chapter 460-32A WAC unless the proposed rules are elected.

Description, Summary and Statutory Authority for Rules: Chapter 460-31A WAC, Real estate programs, adopting WAC 460-31A-410, setting forth the application of the rules of this chapter to registrations; adopting WAC 460-31A-415, setting forth specific definitions for use in this chapter; WAC 460-31A-420, requiring experience for sponsors of real estate programs; WAC 460-31A-425, requiring a sponsor to have a specified net worth to conduct a real estate program; WAC 460-

31A-430, requiring reports, statements or other information to be filed with the administrator; WAC 460-31A-435, limiting the circumstances for indemnification of the sponsor and passing liability to limited partners; WAC 460-31A-440, setting financial suitability standards for prospective investors in real estate programs; WAC 460-31A-445, setting forth criteria to assure sales of real estate programs to investors who can reasonably benefit from them; WAC 460-31A-450, requiring sponsor or underwriters to maintain records of investor suitability; WAC 460-31A-455, requiring a minimum cash purchase except in specified cases; WAC 460-31A-460, providing that compensation to sponsors and their affiliates be reasonable and be disclosed and specifying types of compensation; WAC 460-31A-465, stating that all organizational and offering expenses shall be reasonable and comply with the statutes and general rules; WAC 460-31A-470, requiring the sponsor to commit a substantial portion of the program's capital to investment in property; WAC 460-31A-475, setting limits on the annual compensation allowable to the sponsor for managing the program; WAC 460-31A-480, allowing a reasonable promotional interest and management fee and setting forth conditions for taking these interests; WAC 460-31A-485, limiting real estate commissions on the resale of program property to competitive rate, not to exceed a specified amount depending on subordination to the investors; WAC 460-31A-490, setting maximum fees to be paid to sponsors or affiliates for managing properties; WAC 460-31A-495, allowing the sponsor to provide insurance on program properties if the sponsor is independently engaged in the insurance business; WAC 460-31A-500, prohibiting purchase or lease of property by the sponsor except under specified conditions; WAC 460-31A-505, prohibits exchange program limited partnership interests except under specified circumstances; WAC 460-31A-510, prohibits a sponsor from taking an exclusive agreement to sell program property; WAC 460-31A-515, prohibiting except as set forth in this chapter payment by a program of commissions to a sponsor for reinvestment or distribution of the proceeds of the sale, exchange or reinvestment of program property; WAC 460-31A-520, setting forth the method of billing and reimbursing the sponsor for the expenses of the program; WAC 460-31A-525, requiring a breakdown and verification of costs reimbursed to the sponsor in the prospectus and annual program reports; WAC 460-31A-530, prohibiting the performance of services other than those set forth in this chapter unless justified in accordance with standards of this rule; WAC 460-31A-535, prohibiting rebates, kickbacks and reciprocal arrangements to sponsor; WAC 460-31A-545, prohibiting investments by the program in other programs except as specified in the rule; WAC 460-31A-550, providing the limitations on financing by the sponsor to the program; WAC 460-31A-555, limiting the conditions under which the sponsor will be permitted to construct or develop properties; WAC 460-31A-560, requiring a completion bond or other arrangements to insure completion of construction for program; WAC 460-31A-565, requiring independent property appraisal for program properties; WAC 460-31A-570, setting

forth the sections to follow for special rules dealing with nonspecified property programs; WAC 460-31A-575, setting forth one million dollars gross proceeds as minimum capitalization for a nonspecified property program; WAC 460-31A-580, providing for a nonspecified property program that the sponsor have five years experience in real estate business with two years in management and acquisition or demonstrate ability to manage nonspecified property program; WAC 460-31A-585, requiring a nonspecified property program to state the types of properties and scope of projects it will engage in and setting restrictions thereon; WAC 460-31A-590, limiting the length of offering to one year and requiring investment of proceeds in short-term securities for up to two years; WAC 460-31A-595, requiring special reports for nonspecified property programs showing investment of proceeds in properties and securities; WAC 460-31A-600, prohibiting installment or deferred payments, warrants and options in nonspecified property programs; WAC 460-31A-605, prohibiting a sponsor from offering more than one nonspecified property program at a time; WAC 460-31A-610, setting forth the procedures under which meetings are to be called; WAC 460-31A-615, setting forth the voting rights of limited partners on matters of amendment, dissolution, removal of sponsor and approval of sale of property; WAC 460-31A-620, requiring reports to limited partners and specifying the type of financial information required; WAC 460-31A-625, providing the program participants shall have access to records at all reasonable times; WAC 460-31A-630, setting forth the conditions and procedures under which participants or their assignees are admitted to the program; WAC 460-31A-635, setting forth the circumstances under which program interests may be redeemed by the program; WAC 460-31A-640, prohibiting restrictions on assignability of interests and disfavoring restrictions on substitution of limited partners; WAC 460-31A-645, stating the conditions under which assessments of participants can be made, and the remedies of the program for defaults by participants; WAC 460-31A-650, stating that sales literature and advertising shall conform to the filing and disclosure standards imposed on corporate securities; WAC 460-31A-655, regulating the disclosures and conduct at group meetings; WAC 460-31A-660, directing that the prospectus shall comply with the Securities and Exchange Commission regulations; WAC 460-31A-665, providing with disclosure when forecasts may be used and when they are prohibited; WAC 460-31A-670, providing that forecasts for specified property programs may be included in the prospectus if they comply with the following rules; WAC 460-31A-675, requiring forecasts to be reasonable, set forth assumptions and be prepared in accordance with accounting standards; WAC 460-31A-680, setting the required information in forecasts; WAC 460-31A-685, requiring that forecasts display a statement that they are a prediction on assumption only and set forth certain risk factors; WAC 460-31A-690, requiring forecasts to be for specified period of time, have adequate disclosure of economic and tax effects and compute return to investors; WAC 460-31A-695, prohibiting forecasts for

unimproved land, requiring schedule of deferred payments and if development a cash flow statement; WAC 460-31A-700, stating the sponsor's fiduciary duty; WAC 460-31A-705, setting forth the conditions under which deferred payments are allowed; WAC 460-31A-710, providing for a reasonable percentage of proceeds as reserves; WAC 460-31A-715, prohibiting reinvestment of cash flow and allowing reinvestment of proceeds on sale if taxes are met; WAC 460-31A-720, setting forth the financial information required for application and prospectus; WAC 460-31A-725, requiring opinion of counsel on tax and organization of limited partnership status; WAC 460-31A-730, setting forth provisions of rules to be included in the partnership agreement; and repealing WAC 460-32A-300 through 460-32A-325. These changes are implemented pursuant to 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: Joan Baird, Assistant Director, Professional Licensing, 3rd Floor, Highways-Licenses Building, Olympia, WA, 234-1369 scan, 753-1369; and Ralph R. Smith, Administrator, Securities Division, 6th Floor, Highways-Licenses Building, Olympia, WA, 234-6928 scan, 753-6928.

Name of Organization Proposing Rules: These rules are proposed by the Department of Licensing, Securities Division.

Department Comments: The rules of new chapter 460-31A WAC would adopt the North American Securities Administrators Association Real Estate Guidelines adopted April 15, 1980.

Reasons for Supporting the Proposed Rules: The rules adopt and expressly set forth guidelines for Real Estate Programs adopted by the North American Securities Administrators Association. If adopted these rules will aid issuers in registering Real Estate Programs exceeding five million dollars in the state of Washington as well as other states.

Federal Law or Court Decisions: These rules are not necessary to comply with any federal law or federal or state court decision.

Small Business Economic Impact Statement: A small business economic impact statement has not been prepared because the department does not believe that any substantial economic impact is involved in adopting the North American Securities Administrators Association Guidelines. These rules will not effect more than 20% of all industries, or more than 10% of the real estate operators or lessors industry. Any impact that the rules may have is intended to fall equally on all real estate programs. At the hearing held on September 6, 1983, spokesmen from the real estate industry recommended that the new proposed chapter 460-31A WAC apply only to offerings exceeding five million dollars. These offerings are usually conducted by large syndicators and not by small business. Comments regarding any possible economic impact on small business should be directed to Ralph R. Smith, Administrator of Securities, at the address and telephone above.

NEW CHAPTER

REAL ESTATE PROGRAMS EXCEEDING FIVE MILLION DOLLARS

NEW SECTION

WAC 460-31A-410 APPLICATION. (1) The rules in this chapter 460-31A WAC apply to registration of real estate programs in the form of limited partnerships (herein sometimes called "program" or "partnerships") whose total offering exceeds five million dollars. An applicant for registration may also elect to follow the rules of this chapter.

(2) The rules of this chapter will be applied by analogy to real estate programs in other forms. While applications not conforming to the rules of this chapter shall be looked upon with disfavor, where good cause is shown, certain rules may be modified or waived by the administrator.

(3) Where the individual characteristics of specific programs warrant modification of the rules of this chapter, such modification will be accommodated, insofar as possible while still being consistent with the spirit of these rules. A cross reference sheet shall be furnished with the application (See WAC 460-31A-415(11)).

(4) Where these rules conflict with requirements of the Securities and Exchange Commission, the rules will not apply unless otherwise directed by the administrator.

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 460-31A-415 DEFINITIONS. For the purposes of this chapter, the following definitions shall apply. (1) "Acquisition expenses" means expenses including but not limited to legal fees and expenses, travel and communications expenses, costs of appraisals, non-refundable option payments on property not acquired, accounting fees and expenses, title insurance, and miscellaneous expenses related to selection and acquisition of properties, whether or not acquired.

(2) "Acquisition fee" means the total of all fees and commissions paid by any party in connection with the purchase or development of property by a program, except a development fee paid to a person not affiliated with a sponsor in connection with the actual development of a project after acquisition of the land by the program. Included in the computation of such fees or commissions shall be any real estate commission, selection fee, development fee, nonrecurring management fee, or any fee of a similar nature, however designated.

(3) "Administrator" means the administrator of securities administering the Securities Act of Washington, chapter 21.20 RCW.

(4) "Affiliate" means (a) any person directly or indirectly controlling, controlled by or under the common control with another person (b) any person owning or controlling ten percent or more of the outstanding voting securities of such other person (c) any officer, director, partner of such person and (d) if such other person is an officer, director or partner, any company for which such person acts in any such capacity.

(5) "Assessments" means additional amounts of capital which may be mandatorily required of or paid at the option of a participant beyond his subscription commitment.

(6) "Capital contribution" means the gross amount of investment in a program by a participant, or all participants as the case may be.

(7) "Cash flow" means program cash funds provided from operations, including lease payments on net leases from builders and sellers, without deduction for depreciation, but after deducting cash funds used to pay all other expenses, debt payments, capital improvements and replacements.

(8) "Cash available for distribution" means cash flow less amount set aside for restoration or creation of reserves.

(9) "Competitive real estate commission" means that real estate or brokerage commission paid for the purchase or sale of property which is reasonable, customary and competitive in light of the size, type and location of the property.

(10) "Construction fee" means a fee for acting as general contractor to construct improvements on a program's property either initially or at a later date.

(11) "Cross reference sheet" means a compilation of the sections of the rules referenced to the page of the prospectus, partnership agreement, or other exhibits, and justification of any deviation from the rules.

(12) "Development fee" means a fee for the packaging of a program's property, including negotiating and approving plans, and undertaking to assist in obtaining zoning and necessary variances and necessary financing for the specific property, either initially or at a later date.

(13) "Front-end fees" means fees and expenses paid by any party for any services rendered during the program's organizational or acquisition phase including organization and offering expenses, acquisition fees, acquisition expenses, and any other similar fees, however designated by the sponsor.

(14) "Investment in properties" means the amount of capital contributions actually paid or allocated to the purchase, development, construction or improvement of properties acquired by the program (including the purchase of properties, working capital reserves allocable thereto (except that working capital reserves in excess of five percent shall not be included), and other cash payments such as interest and taxes but excluding front-end fees).

(15) "Net worth" means the excess of total assets over total liabilities as determined by generally accepted accounting principles, except that if any of such assets have been depreciated, then the amount of depreciation relative to any particular asset may be added to the depreciated cost of such asset to compute total assets, provided that the amount of depreciation may be added only to the extent that the amount resulting after adding such depreciation does not exceed the fair market value of such asset.

(16) "Non-specified property program" means a program where, at the time a securities registration is ordered effective, less than 75 percent of the net proceeds from the sale of program interests is allocable to the purchase, construction, or improvement of specific properties, or a program in which the proceeds from any sale or refinancing of properties may be reinvested. Reserves shall be included in the non-specified 25 percent.

(17) "Organization and offering expenses" means those expenses incurred in connection with and in preparing a program from registration and subsequently offering and distributing it to the public, including sales commissions paid to broker-dealers in connection with the distribution of the program and all advertising expenses.

(18) "Participant" means the holder of a program interest.

(19) "Person" means any natural person partnership, corporation, association or other legal entity.

(20) "Program" means a limited or general partnership, joint venture, unincorporated association or similar organization other than a corporation formed and operated for the primary purpose of investment in and the operation of or gain from an interest in real property.

(21) "Program interest" means the limited partnership unit or other indicia of ownership in a program.

(22) "Program management fee" means a fee paid to the sponsor or other persons for management and administration of the program.

(23) "Property management fee" means the fee paid for day-to-day professional property management services in connection with a program's real property projects.

(24) "Prospectus" means the meaning given to that term by Section 2(10) of the Securities Act of 1933, including a preliminary prospectus; provided, however, that such term as used herein shall also include an offering circular as described in Rule 256 of the General Rules and Regulations under the Securities Act of 1933 or, in the case of an intrastate offering, any document by whatever name known, utilized for the purpose of offering and selling securities to the public.

(25) "Purchase price of property" means the price paid upon the purchase or sale of a particular property, including the amount of acquisition fees and all liens and mortgages on the property, but excluding points and prepaid interest.

(26) "Sponsor" means any person directly or indirectly instrumental in organizing, wholly or in part, a program or any person who will manage or participate in the management of a program, and any affiliate of any such person, but does not include a person whose only relation with the program is as that of an independent property manager, whose only compensation is as such. "Sponsor" does not include wholly independent third parties such as attorneys, accountants, and underwriters whose only compensation is for professional services rendered in connection with the offering of syndicate interests.

properties being acquired, and any of the foregoing or any affiliate providing services to the program shall have had not less than four years relevant experience in the kind of service being rendered or otherwise must demonstrate sufficient knowledge and experience to perform the services proposed.

NEW SECTION

WAC 460-31A-425 NET WORTH OF SPONSOR. The financial condition of the sponsor liable for the debts of the program must be commensurate with any financial obligations assumed in the offering and in the operation of the program. As a minimum, such sponsor shall have an aggregate financial net worth, exclusive of home, automobile and home furnishings, of the greater of either \$50,000 or an amount at least equal to five percent of the gross amount of all offerings sold within the prior 12 months plus five percent of the gross amount of the current offering, to an aggregate maximum net worth of such sponsor of one million dollars. In determining net worth for this purpose, evaluation will be made of contingent liabilities and the use of promissory notes, to determine the appropriateness of their inclusion in computation of net worth.

NEW SECTION

WAC 460-31A-430 REPORTS TO ADMINISTRATOR. The sponsor shall submit to the administrator any information required to be filed with the administrator, including, but not limited to, reports and statements required to be distributed to limited partners.

NEW SECTION

WAC 460-31A-435 LIABILITY OF SPONSOR. (1) Sponsors shall not attempt to pass on to limited partners the general liability imposed on them by law except that the partnership agreement may provide that a general partner shall have no liability whatsoever to the partnership or to any limited partner for any loss suffered by the partnership which arises out of any action or inaction of the general partner, if the general partner, in good faith, determined that such course of conduct was in the best interests of the partnership, and such course of conduct did not constitute negligence of the general partner. The sponsor may be indemnified by the program against losses sustained in connection with the program, provided the losses were not the result of negligence or misconduct on the part of the sponsors.

(2) The program may not incur the cost of that portion of liability insurance which insures the sponsor for any liability as to which the sponsor is prohibited from being indemnified under this section.

NEW SECTION

WAC 460-31A-440 SUITABILITY STANDARDS FOR THE PARTICIPANTS. Given the limited transferability, the relative lack of liquidity, and the specific tax orientation of many real estate programs, the sponsors and its selling representatives should be cautious concerning the persons to whom such securities are marketed. Suitability standards for investors will, therefore, be imposed which are reasonable in view of the foregoing and of the type of program to be offered. Sponsors will be required to set forth in the prospectus the investment objectives of a program, a description of the type of person who could benefit from the program and the suitability standards to be applied in marketing it. The suitability standards proposed by the sponsor will be reviewed for fairness by the administrator in processing the application. In determining how restrictive the standards must be, special attention will be given to the existence of such factors as high leverage, tax implications, balloon payment financing, excessive investments in unimproved land, and uncertain or no cash flow from program property. As a general rule, programs structured to give deductible tax losses of 50 percent or more of the capital contribution of the participant in the year of investment should be sold only to persons in higher income tax brackets considering both state and federal income taxes. Programs which involve more than ordinary investor risk should emphasize suitability standards involving substantial net worth of the investor.

NEW SECTION

WAC 460-31A-445 SALES TO APPROPRIATE PERSONS. The sponsor and each person selling program interests on behalf of the sponsor or program shall make every reasonable effort to assure that those persons being offered or sold the program interests are suitable,

NEW SECTION

WAC 460-31A-420 EXPERIENCE OF SPONSOR. The sponsor, the general partner or their chief operating officers shall have at least two years relevant real estate or other experience demonstrating the knowledge and experience to acquire and manage the type of

in light of the standards set forth in WAC 460-31A-440, and the program interests are appropriate for the customers' investment objectives and financial situations.

The sponsor or his representatives shall ascertain that the investor can reasonably benefit from the program, and the following shall be evidence thereof:

(1) The investor has the capacity of understanding the fundamental aspects of the program, which capacity may be evidenced by the following:

- (a) The nature of employment experience;
- (b) Educational level achieved;
- (c) Access to advice from qualified sources, such as, attorney, accountant and tax advisor;
- (d) Prior experience with investments of a similar nature.

(2) The sponsor or his representatives shall ascertain that the investor has apparent understanding:

(a) of the fundamental risks and possible financial hazards of the investment;

- (b) of the lack of liquidity of this investment;
- (c) that the investment will be directed and managed by the sponsor; and
- (d) of the tax consequences of the investment.

(3) The participant can reasonably benefit from the program in view of his overall investment objectives and portfolio structure.

(4) The participant is able to bear the economic risk of the investment. For purposes of determining the ability to bear the economic risk, unless the administrator approves a lower suitability standard, participants shall have a minimum annual gross income of \$30,000 and a net worth of \$30,000, or in the alternative, a net worth of \$75,000. For purposes of this calculation, the investment price includes cash, notes and other recourse liability; and, additional contributions, whether voluntary or mandatory; and, the cost of assessments or cost of exercising warrants or options. In high risk or principally tax oriented offerings, higher suitability standards may be required. In the case of sales to fiduciary accounts, the suitability standards shall be met by the fiduciary or by the fiduciary account or by a donor who directly or indirectly supplies the funds to purchase the program interests. Net worth shall be determined exclusive of home, home furnishings and automobiles.

NEW SECTION

WAC 460-31A-450 MAINTENANCE OF RECORD OF SUITABILITY. The sponsor shall maintain a record of the information obtained to indicate that a participant meets the suitability standards employed in connection with the offer and sale of its interests and a representation of the participant that he is purchasing for his own account or, in lieu of such representation, information indicating that the participants for whose account the purchase is made meet such suitability standards. Such information may be obtained from the participant through the use of a form which sets forth the prescribed suitability standards in full and which includes a statement to be signed by the participant in which he represents that he meets such suitability standards and is purchasing for his own account. However, where the offering is underwritten or sold by a broker-dealer, the sponsor shall obtain a commitment from the broker-dealer to maintain the same record of information required of the sponsor.

NEW SECTION

WAC 460-31A-455 MINIMUM INVESTMENT OF PARTICIPANT. A minimum initial cash purchase of \$2,500 per investor shall be required. Subsequent transfers of such interests shall be limited to no less than a minimum unit equivalent to an initial minimum purchase, except for transfers by gifts, inheritance, intra-family transfers, family dissolutions, and transfers to affiliates.

NEW SECTION

WAC 460-31A-460 FEES, COMPENSATION AND EXPENSES. (1) The total amount of consideration of all kinds which may be paid directly or indirectly to the sponsor or its affiliates shall be reasonable, considering all aspects of the syndication program and the investors. Such consideration may include, but is not limited to:

- (a) Organization and selling expenses.
- (b) Compensation for acquisition services.
- (c) Compensation for development or construction services.

(d) Compensation for program management.
(e) Additional compensation to the sponsor including subordinated interests and promotional interests.

(f) Real estate brokerage commissions on resale of property.

(g) Property management fee.

(h) Insurance services.

(2) Except to the extent that a subordinated interest is permitted for promotional activities pursuant to WAC 460-31A-480 hereof, consideration may only be paid for reasonable and necessary goods, property or services.

(3) The application for qualification or registration and the prospectus must fully disclose and itemize all consideration which may be received from the program directly or indirectly by the sponsor, its affiliates and underwriters, what the consideration is for and how and when it will be paid. This shall be set forth in one location in tabular form.

NEW SECTION

WAC 460-31A-465 ORGANIZATION AND OFFERING EXPENSES. All organization and selling expenses incurred in order to sell program interests shall be reasonable. Selling expenses shall comply with WAC 460-16A-075.

NEW SECTION

WAC 460-31A-470 INVESTMENT IN PROPERTIES. (1) The sponsor shall be required to commit a substantial portion of the program's capital contributions toward investment in properties. The remaining capital contributions may be used to pay front-end fees. When acquisition fees are paid by the seller of properties, such fees shall not be included in satisfying the required minimum investment in properties. Additionally, in determining the amount committed to investment in properties, such calculation shall not take into account any front-end fees.

If capital contributions are paid on an installment basis, the front-end fee shall be paid to the sponsor pro rata as installments are paid.

(2) At a minimum, the sponsor shall commit a percentage of the capital contributions to investment in properties which is equal to the greater of:

(a) 80 percent of the capital contributions reduced by .1625 percent for each one percent of indebtedness encumbering program properties; or

(b) 67 percent of the capital contributions.

(3) If the total amount of the investment in properties exceeds the minimum required amount in WAC 460-31A-470(2) above, for each one percent of front-end fees deferred the sponsor may take an additional promotional interest upon sale of the properties equal to one percent of the net proceeds remaining from the sale or refinancing of the property after payment to investors of an amount equal to 100 percent of capital contributions.

To calculate the percent of indebtedness encumbering program properties in WAC 460-31A-470(2), divide the amount of indebtedness by the purchase price of property, excluding front-end fees. The quotient is multiplied by .1625 percent to determine the percentage to be deducted from 80 percent.

The following are examples of application of the formula using capital contributions of \$1 Million in each case:

(a) No indebtedness - 80 percent to be committed to investment in properties.

(b) 50 percent indebtedness - $50 \times .1625\% = 8.125\%$
 $80 - 8.125\% = 71.875\%$ to be committed to investment in properties.

(c) 80 percent indebtedness - $80 \times .1625\% = 13\%$
 $80 - 13\% = 67\%$ to be committed to investment in properties.

NEW SECTION

WAC 460-31A-475 PROGRAM MANAGEMENT FEE. (1) A general partner of a program owning unimproved land shall be entitled to annual compensation not exceeding 1/4 of one percent of the cost of such unimproved land for operating the program until such time as the land is sold or improvement of the land commences by the limited partnership. In no event shall this fee exceed a cumulative total of two percent of the original cost of the land regardless of the number of years held.

(2) A general partner of a program holding property in government subsidized projects shall be entitled to annual compensation not exceeding 1/2 of one percent of the cost of such property for operating the program until such time as the property is sold.

(3) Program management fees other than as set forth above shall be prohibited.

NEW SECTION

WAC 460-31A-480 PROMOTIONAL INTEREST. An interest in the program will be allowed as a promotional interest and program management fee, provided the amount or percentage of such interest is reasonable. Such an interest will be considered presumptively reasonable if it is within the limitations expressed below:

(1) An interest equal to 25 percent of cash to be distributed from the net proceeds remaining from the sale or refinancing of properties after payment to investors of an amount equal to 100 percent of capital contributions, plus an amount equal to six percent of capital contributions per annum cumulative, less the sum of prior distributions to investors from cash available for distribution; or

(2) An interest equal to:

(a) Ten percent of distributions from cash available for distribution; and

(b) Fifteen percent of cash to be distributed from the net proceeds remaining from the sale or refinancing of properties after payment to investors of an amount equal to 100 percent of capital contributions, plus an amount equal to six percent of capital contributions per annum cumulative, less the sum of prior distributions to investors from cash available for distribution.

(3) For purposes of this WAC 46032A-480, the capital contribution of the investors shall only be reduced by a cash distribution to investors of the proceeds from the sale or refinancing of properties. In addition, the cumulative return to each investor shall commence no later than the end of the calendar quarter in which his capital contribution is made.

(4) Dissolution and liquidation of the partnership. The distribution of assets upon dissolution and liquidation of the partnership shall conform to the applicable subordination provisions of WAC 460-31A-480(1) and (2)(b), and appropriate language shall be included in the partnership agreement.

NEW SECTION

WAC 460-31A-485 REAL ESTATE COMMISSIONS ON RE-SALE. The total compensation paid to all persons for the sale of a program property shall be limited to a competitive real estate commission, not to exceed six percent of the contract price for the sale of the property. The sponsor may receive up to one-half of the competitive real estate commission, not to exceed three percent and subordinated to payment to the investors of an amount equal to 100 percent of capital contributions, if he provides a substantial amount of the services in the sales effort. Such commission shall be subordinated as in WAC 460-31A-480(2). If the sponsor participates with an independent broker on resale, the subordination requirement shall apply only to the commission earned by the sponsor.

NEW SECTION

WAC 460-31A-490 PROPERTY MANAGEMENT FEE. Should the sponsor or its affiliates perform property management services permitted under WAC 460-31A-520 and WAC 460-31A-525, the fees paid to the sponsor or its affiliates shall be the lesser of the maximum fees set forth in subsections (1) through (3) below or the fees which are competitive for similar services in the same geographic area. Included in such fees shall be bookkeeping services and fees paid to non-related persons for property management services.

(1) In the case of a residential property, the maximum property management fee (including all rent-up, leasing, and re-leasing fees and bonuses, and leasing related services, paid to any person) shall be five percent of the gross revenues from such property.

(2) In the case of industrial and commercial property, except as set forth in (3) below, the maximum property management fee from such leases shall be six percent of the gross revenues where the sponsor or its affiliates includes leasing, re-leasing and leasing related services, and the maximum property management fee from such leases shall be three percent of the gross revenues where the sponsor or its affiliates do not perform the leasing, re-leasing and leasing related services with respect to the property.

(3) In the case of industrial and commercial properties which are leased on a long term (ten or more years) net (or similar) basis, the maximum property management fee from such leases shall be one percent of the gross revenues, except for a one time initial leasing fee of three percent of the gross revenues on each lease payable over the first five full years of the original term of the lease.

NEW SECTION

WAC 460-31A-495 INSURANCE SERVICES. The sponsor or his affiliate may provide insurance brokerage services in connection with obtaining insurance on the program's property so long as the cost of providing such service, including cost of the insurance, is not greater than the lowest quote obtained from two unaffiliated insurance agencies and the coverage and terms are likewise comparable. In no event may such services be provided by the sponsor or his affiliate unless they are independently engaged in the business of providing such services to other than affiliates and at least 75 percent of their insurance brokerage service gross revenue is derived from other than affiliates.

NEW SECTION

WAC 460-31A-500 SALES, LEASES, LOANS, AND RELATED PROGRAMS. (1) A program shall not purchase or lease property in which a sponsor has an interest unless:

(a) The transaction occurs at the formation of the program and is fully disclosed in its prospectus or offering circular, and

(b) The property is sold upon terms fair to the program and at a price not in excess of its appraised value, and

(c) The cost of the property and any improvements thereon to the sponsor is clearly established. If the sponsor's cost was less than the price to be paid by the program, the price to be paid by the program will not be deemed fair, regardless of the appraised value, unless some material change has occurred to the property which would increase the value since the sponsor acquired the property. Material factors may include the passage of a significant amount of time (but in no event less than two years), the assumption by the promoter of the risk of obtaining a re-zoning of the property and its subsequent re-zoning, or some other extraordinary event which in fact increases the value of the property.

(d) The provisions of this subsection notwithstanding, the sponsor may purchase property in its own name (and assume loans in connection therewith) and temporarily hold title thereto for the purpose of facilitating the acquisition of such property or the borrowing of money or obtaining of financing for the program, or completion of construction of the property, or any other purpose related to the business of the program, provided that such property is purchased by the program for a price no greater than the cost of such property to the sponsor, except compensation in accordance with WAC 460-31A-460 through WAC 460-31A-495, and provided there is no difference in interest rates of the loans secured by the property at the time acquired by the sponsor and the time acquired by the program, nor any other benefit arising out of such transaction to the sponsor apart from compensation otherwise permitted by these rules.

(2) The program will not ordinarily be permitted to sell or lease property to the sponsor except that the program may lease property to the sponsor under a lease-back arrangement made at the outset and on terms no more favorable to the sponsor than those offered other persons and fully described in the prospectus.

(3) No loans may be made by the program to the sponsor or affiliate.

(4) A program shall not acquire property from a program in which the sponsor has an interest.

NEW SECTION

WAC 460-31A-505 EXCHANGE OF LIMITED PARTNERSHIP INTERESTS. The program may not acquire property in exchange for limited partnership interests, except for property which is described in the prospectus or offering circular which will be exchanged immediately upon effectiveness. In addition, such exchange shall meet the following conditions:

(1) A provision for such exchange must be set forth in the partnership agreement, and appropriate disclosure as to tax effects of such exchange are set forth in the prospectus or offering circular;

(2) The property to be acquired must come within the objectives of the program;

(3) The purchase price assigned to the property shall be no higher than the value supported by an appraisal prepared by an independent qualified appraiser;

(4) Each limited partnership interest must be valued at no less than (a) market value if there is a market or if there is no market,

(b) fair market value of the program's assets as determined by an independent appraiser within the last 90 days, less its liabilities, divided by the number of interests outstanding;

(5) No more than one-half of the interests issued by the program shall have been issued in exchange for property;

(6) No securities sales or underwriting commissions shall be paid in connection with such exchange.

NEW SECTION

WAC 460-31A-510 EXCLUSIVE AGREEMENT. A program shall not give a sponsor an exclusive right to sell or exclusive employment to sell property for the program.

NEW SECTION

WAC 460-31A-515 SALES COMMISSIONS ON REINVESTMENT OR DISTRIBUTION. A program shall not pay, directly or indirectly, a commission or fee (except as permitted under WAC 460-31A-460 through WAC 460-31A-490) to a sponsor in connection with the reinvestment or distribution of the proceeds of the resale, exchange, or refinancing of program property.

NEW SECTION

WAC 460-31A-520 EXPENSES OF THE PROGRAM. (1) All expenses of the program shall be billed directly to and paid by the program. The sponsor may be reimbursed for the actual cost of goods and materials used for or by the program and obtained from entities unaffiliated with the sponsor. The sponsor may be reimbursed for the administrative services necessary to the prudent operation of the program provided that the reimbursement shall be at the lower of the sponsor's actual cost or the amount the program would be required to pay to independent parties for comparable administrative services in the same geographic location. No reimbursement shall be permitted for services for which the sponsor is entitled to compensation by way of a separate fee. Excluded from the allowable reimbursement (except as permitted under WAC 460-31A-470(1)) shall be:

(a) rent or depreciation, utilities, and capital equipment and other overhead items, and;

(b) salaries, fringe benefits, and other administrative items, travel expenses, and other overhead items incurred or allocated to any controlling persons of the sponsor or affiliates.

(2) Controlling person, for purpose of this section, includes but is not limited to, any person, whatever his or her title, who performs functions for the sponsor similar to those of:

(a) Chairman or member of the Board of Directors;

(b) Executive management, such as the

(i) President,

(ii) Vice-President or Senior Vice-President,

(iii) Corporate Secretary,

(iv) Treasurer;

(c) Senior management, such as the vice-president of an operating division who reports directly to executive management; or, those holding five percent or more equity interest in the sponsor or a person having the power to direct or cause the direction of the sponsor, whether through the ownership of voting securities, by contract, or otherwise.

NEW SECTION

WAC 460-31A-525 REIMBURSEMENT OF COSTS. The annual program report must contain a breakdown of the costs reimbursed to the sponsor. Within the scope of the annual audit of the sponsor's financial statement, the independent certified public accountants must verify the allocation of such costs to the program. The method of verification shall at minimum provide:

(1) A review of the time records of individual employees, the costs of whose services were reimbursed;

(2) A review of the specific nature of the work performed by each such employee;

(3) A review of the reasonableness of the determination of the hourly rate for each such employee; and

(4) A verification of the comparability of the rate of the independent party to the rate for the specific services being performed by each such employee.

The methods of verification shall be in accordance with generally accepted auditing standards and shall accordingly include such tests of the accounting records and such other auditing procedures which the sponsor's independent certified public accountants consider appropriate in the circumstance. The additional costs of such verification will be itemized by said accountants on a program by program basis and may be reimbursed to the sponsor by the program in accordance with this subsection only to the extent that such reimbursement when added to the cost for administrative services rendered does not exceed the competitive rate for such services as determined above.

The prospectus must disclose in tabular form an estimate of such proposed expenses for the next fiscal year together with a breakdown by year of such expenses reimbursed in each of the last five public programs formed by the sponsor.

NEW SECTION

WAC 460-31A-530 OTHER SERVICES BY SPONSOR. No other services may be performed by the sponsor for the program except in extraordinary circumstances fully justified to the administrator. As a minimum, self-dealing arrangements must meet the following criteria:

(1) the compensation, price or fee therefore must be comparable and competitive with the compensation, price or fee of any other person who is rendering comparable services or selling or leasing comparable goods which could reasonably be made available to the programs and shall be on competitive terms, and

(2) the fees and other terms of the contract shall be fully disclosed and

(3) the sponsor must be previously engaged in the business of rendering such services or selling or leasing such goods, independently of the program and as an ordinary and ongoing business, and

(4) all services or goods for which the sponsor is to receive compensation shall be embodied in a written contract which precisely describes the services to be rendered and all compensation to be paid, which contract may only be modified by a vote of the majority of the limited partners. Said contract shall contain a clause allowing termination without penalty on 60 days notice.

NEW SECTION

WAC 460-31A-535 REBATES, KICKBACKS AND RECIPROCAL ARRANGEMENTS. (1) No rebates or give-ups may be received by the sponsor nor may the sponsor participate in any reciprocal business arrangements which would circumvent these rules. Furthermore the prospectus and program charter documents shall contain language prohibiting the above as well as language prohibiting reciprocal business arrangements which would circumvent the restrictions against dealing with affiliates or promoters.

(2) No sponsor shall directly or indirectly pay or award any commissions or other compensation to any person engaged by a potential investor for investment advice as an inducement to such advisor to advise the purchaser of interests in a particular program; provided, however, that this clause shall not prohibit the normal sales commissions payable to a registered broker-dealer or other properly licensed person for selling program interests.

NEW SECTION

WAC 460-31A-540 COMMINGLING. The funds of a program shall not be commingled with the funds of any other person.

NEW SECTION

WAC 460-31A-545 INVESTMENTS IN OTHER PROGRAMS. (1) Investments in limited partnership interests of another program shall be prohibited; however, nothing herein shall preclude the investment in general partnerships or ventures which own and operate a particular property provided the program acquires a controlling interest in such other ventures or general partnerships (except as permitted by subsection (3)). In such event, duplicate property management or other fees shall not be permitted.

(2) Such prohibitions shall not apply to programs participating in the subsidized housing provisions of the National Housing Act or any similar programs that may be enacted, but unless prohibited by the applicable federal statute, such partnership (herein referred to as lower tier partnership) shall provide for its limited partners all of the rights

and obligations required to be provided by the original program in WAC 460-31A-610 through 460-31A-645 of this chapter.

(3) The program shall be permitted to invest in joint venture arrangements with another program formed by the sponsor if all of the following conditions are met.

- (a) The two programs have identical investment objectives.
- (b) There are no duplicate property management or other fees.
- (c) The sponsor compensation should be substantially identical in each program.
- (d) The program must have a right of first refusal to buy if the other program wishes to sell property held in the joint venture.
- (e) The investment of each program is on substantially the same terms and conditions.

(f) The prospectus must disclose the potential risk of impasse on joint venture decisions since neither program controls and the potential risk that while one program may buy the property from the other joint venturer, in the event of a sale, it may not have the resources to do so.

NEW SECTION

WAC 460-31A-550 LENDING PRACTICES. (1) On financing made available to the program by the sponsor, the sponsor may not receive interest and other financing charges or fees in excess of the amounts which would be charged by unrelated lending institutions on comparable loans for the same purpose in the same locality of the property. No prepayment charge or penalty shall be required by the sponsor on a loan to the program secured by either a first or a junior or all-inclusive trust deed, mortgage or encumbrance on the property, except to the extent that such prepayment charge or penalty is attributable to the underlying encumbrance. Except as permitted by subsection (2) of this section, the sponsor shall be prohibited from providing permanent financing for the program.

(2) An "all-inclusive" or "wrap-around" note and deed of trust (the "all-inclusive note" herein) may be used to finance the purchase of property by the program only if the following conditions are complied with:

(a) The sponsor under the all-inclusive note shall not receive interest on the amount of the underlying encumbrance included in the all-inclusive note in excess of that payable to the lender on that underlying encumbrance;

(b) The program shall receive credit on its obligation under the all-inclusive note for payments made directly on the underlying encumbrance, and

(c) A paying agent, ordinarily a bank, escrow company, or savings and loan, shall collect payments (other than any initial payment of prepaid interest or loan points not to be applied to the underlying encumbrance) on the all-inclusive note and make disbursements therefrom to the holder of the underlying encumbrance prior to making any disbursement to the holder of the all-inclusive note, subject to the requirements of subparagraph (a) above, or, in the alternative, all payments on the all-inclusive and underlying note shall be made directly by the program.

NEW SECTION

WAC 460-31A-555 DEVELOPMENT OR CONSTRUCTION CONTRACT. The sponsor will not be permitted to construct or develop properties, or render any services in connection with such development or construction unless all of the following conditions are satisfied:

(1) The transactions occur at the formation of the program.

(2) The specific terms of the development and construction of identifiable properties are ascertainable and fully disclosed in the prospectus.

(3) The purchase price to be paid by the program is based upon a firm contract price which in no event can exceed the sum of the cost of the land and the sponsor's cost of construction. For the purposes of this subdivision, cost of construction includes the contractor or construction fee customarily paid for services as a general contractor, provided, however, that any overhead of the general contractor is not charged to the program or included in the cost of construction.

(4) In the case of construction, the only fees paid to the sponsor in connection with such project shall consist of a construction fee for acting as a general contractor, which fees must be comparable and competitive with the fee of disinterested persons rendering comparable services (excluding, however, any overhead of the contractor) and a real estate commission in connection with the acquisition of the land, if

appropriate under the circumstances. Any such real estate commission shall be subject to the provisions of WAC 460-31A-470.

(5) The sponsor demonstrates the presence of extraordinary circumstances as required by WAC 460-31A-530 and otherwise complies with subdivisions (2), (3), and (4) thereunder.

NEW SECTION

WAC 460-31A-560 COMPLETION BOND REQUIREMENTS. The completion of property acquired which is under construction should be guaranteed at the price contracted by an adequate completion bond or other satisfactory arrangements.

NEW SECTION

WAC 460-31A-565 REQUIREMENT FOR REAL PROPERTY APPRAISAL. All real property acquisitions must be supported by an appraisal prepared by a competent, independent appraiser. The appraisal shall be maintained in the sponsor's records for at least five years, and shall be available for inspection and duplication by any participant. The prospectus shall contain notice of this right.

NEW SECTION

WAC 460-31A-570 NON-SPECIFIED PROPERTY PROGRAMS. In addition to other rules in this chapter, the following special provisions in WAC 460-31A-575 through WAC 460-31A-605 shall apply to non-specified property programs.

NEW SECTION

WAC 460-31A-575 MINIMUM CAPITALIZATION. A non-specified property program shall provide for a minimum gross proceeds from the offering of not less than \$1,000,000.00 to be available for investment in properties.

NEW SECTION

WAC 460-31A-580 EXPERIENCE OF SPONSOR. For non-specified property programs, the sponsor or at least one of its principals must establish that he has had the equivalent of not less than five years experience in the real estate business in an executive capacity and two years experience in the management and acquisition of the type of properties to be acquired or otherwise must demonstrate to the satisfaction of the administrator that he has sufficient knowledge and experience to acquire and manage the type of properties proposed to be acquired by the non-specified property program.

NEW SECTION

WAC 460-31A-585 STATEMENT OF INVESTMENT OBJECTIVES. A non-specified property program shall state types of properties in which it proposes to invest, such as first-user apartment projects, subsequent-user apartment projects, shopping centers, office buildings, unimproved land, etc., and the size and scope of such projects shall be consistent with the objectives of the program and the experience of the sponsors. As a minimum the following restrictions on investment objectives shall be observed:

(1) Unimproved or non-income producing property shall not be acquired except in amounts and upon terms which can be financed by the program's proceeds or from cash flow;

(2) Investments in junior trust deeds and other similar obligations shall be limited. Normally such investments shall not exceed ten percent of the gross assets of the program.

(3) The manner in which acquisitions will be financed including the use of an all-inclusive note or wrap-around, and the leveraging to be employed shall all be fully set forth in the statement of investment objectives.

(4) The statement shall indicate whether the program will enter into joint venture arrangements and the projected extent thereof.

NEW SECTION

WAC 460-31A-590 PERIOD OF OFFERING AND EXPENDITURE OF PROCEEDS. No offering of securities in a non-specified property program may extend for more than one year from the date of effectiveness. While the proceeds of an offering are awaiting investment in real property, the proceeds may be temporarily invested in short-term highly liquid investments where there is appropriate safety of principal, such as U.S. Treasury Bonds or Bills. Any proceeds of the

offering of securities not invested within two years from the date of effectiveness (except for necessary operating capital) shall be distributed pro rata to the partners as a return of capital so long as the adjusted investment in properties is in compliance with section WAC 460-31A-470.

NEW SECTION

WAC 460-31A-595 SPECIAL REPORTS. At least quarterly, a "Special Report" of real property acquisitions within the prior quarter shall be sent to all participants until the proceeds are invested or returned to the partners as set forth in WAC 460-31A-590. Such notice shall describe the real properties, and include a description of the geographic locale and of the market upon which the sponsor is relying in projecting successful operation of the properties. All facts which reasonably appear to the sponsor to materially influence the value of the property should be disclosed. The "special report" shall include, by way of illustration and not of limitation, a statement of the date and amount of the appraised value, if applicable, a statement of the actual purchase price including terms of the purchase, a statement of the total amount of cash expended by the program to acquire each property and a statement regarding the amount of proceeds in the program which remain unexpended or uncommitted. This unexpended or uncommitted amount shall be stated in terms of both dollar amount and percentage of the total amount of the offering of the program.

NEW SECTION

WAC 460-31A-600 ASSESSMENTS. Plans calling for installment payments, warrants, options, or other staged or deferred payments shall not be allowed.

NEW SECTION

WAC 460-31A-605 MULTIPLE PROGRAMS. Sponsors shall not be permitted to offer for sale more than one non-specified property program at any point in time unless the programs have different investment objectives. Additionally, new offerings by the same sponsor shall not be permitted if that sponsor has not substantially committed or placed the funds raised from similar non-specified property programs.

NEW SECTION

WAC 460-31A-610 RIGHTS AND OBLIGATIONS OF PARTICIPANTS - MEETINGS. Meetings of the program may be called by the sponsor or the participants holding more than ten percent of the then outstanding limited partnership interests, for any matters for which the participants may vote as set forth in the limited partnership agreement. A list of the names and addresses of all participants shall be maintained as part of the books and records of the limited partnership and shall be made available on request to any participants or his representative at his cost. Upon receipt of a written request either in person or by registered mail stating the purpose(s) of the meeting, the sponsor shall provide all participants within ten days after receipt of said request, written notice (either in person or by registered mail) of a meeting and the purpose of such meeting to be held on a date not less than fifteen nor more than sixty days after receipt of said request, at a time and place convenient to participants.

NEW SECTION

WAC 460-31A-615 VOTING RIGHTS OF LIMITED PARTNERS. To the extent the law of the state in question is not inconsistent, the limited partnership agreement must provide that a majority of the then outstanding limited partnership interests may, without the necessity for concurrence by the sponsor, vote to (1) amend the limited partnership agreement, (2) dissolve the program, (3) remove the sponsor and elect a new sponsor, and (4) approve or disapprove the sale of all or substantially all of the assets of the program. The agreement should provide for a method of valuation of the sponsor interest, upon removal of the sponsor, that would not be unfair to the participants. The agreement should also provide for a successor sponsor where the only sponsor of the program is an individual.

NEW SECTION

WAC 460-31A-620 REPORTS TO HOLDERS OF LIMITED PARTNERSHIP INTERESTS. The partnership agreement shall provide that the sponsor shall cause to be prepared and distributed to the holders of program interests during each year the following reports:

(1) In the case of a program registered under Section 12(g) of the Securities Exchange Act of 1934, within sixty days after the end of each quarter of the program, a report containing:

- (a) a balance sheet, which may be unaudited,
- (b) a statement of income for the quarter then ended, which may be unaudited, and
- (c) a cash flow statement for the quarter then ended, which may be unaudited, and

(d) other pertinent information regarding the program and its activities during the quarter covered by the report;

(2) In the case of all other programs in addition to the annual report required by subsection (4) hereof, within sixty days after the end of the program's first six-month period, a semi-annual report containing the same information as to the preceding six-month period as that required in quarterly reports under subsection (1) hereof;

(3) In the case of all programs, within 75 days after the end of each program's fiscal year, all information necessary for the preparation of the limited partners' federal income tax returns;

(4) In the case of all programs, within 120 days after the end of each program's fiscal year, an annual report containing (i) a balance sheet as of the end of its fiscal year and statements of income, partners' equity, and changes in financial position and a cash flow statement, for the year then ended, all of which, except the cash flow statement, shall be prepared in accordance with generally accepted accounting principles and accompanied by an auditor's report containing an opinion of an independent certified public accountant, (ii) a report of the activities of the program during the period covered by the report, and (iii) where projections have been provided to the holders of limited partnership interests, a table comparing the projections previously provided with the actual results during the period covered by the report. Such report shall set forth distributions to limited partners for the period covered thereby and shall separately identify distributions from (a) cash flow from operations during the period, (b) cash flow from operations during a prior period which had been held as reserves, (c) proceeds from disposition of property and investments, (d) lease payments on net leases with builders and sellers, and (e) reserves from the gross proceeds of the offering originally obtained from the limited partners.

(5) Where assessments have been made during any period covered by any report required by subsections (1), (2) and (4) hereof, then such report shall contain a detailed statement of such assessments and the application of the proceeds derived from such assessments; and

(6) Where any sponsor receives fees for services, then he shall, within 60 days of the end of each quarter wherein such fees were received, send to each limited partner a detailed statement setting forth the services rendered, or to be rendered by such sponsor and the amount of the fees received. This requirement may not be circumvented by lump-sum payments to management companies or other entities who then disburse the funds.

NEW SECTION

WAC 460-31A-625 ACCESS TO RECORDS. The participants and their designated representatives shall be permitted access to all records of the program at all reasonable times.

NEW SECTION

WAC 460-31A-630 ADMISSION OF PARTICIPANTS. Admission of participants to the program shall be subject to the following:

(1) Upon the original sale of partnership units by the program, the purchasers should be admitted as limited partners not later than 15 days after the release from impound of the purchaser's funds to the program, and thereafter purchasers should be admitted into the program not later than the last day of the calendar month following the date their subscription was accepted by the program. Subscriptions shall be accepted or rejected by the program within 30 days of their receipt; if rejected, all subscription monies should be returned to the subscriber forthwith.

(2) The program shall amend the certificate of limited partnership at least once each calendar quarter to effect the subscription of substituted participants, although the sponsor may elect to do so more frequently.

In the case of assignments, where the assignee does not become a substituted limited partner, the program shall recognize the assignment not later than the last day of the calendar month following receipt of notice of assignment and required documentation.

NEW SECTION

WAC 460-31A-635 REDEMPTION OF PROGRAM INTERESTS. Ordinarily, the program and the sponsor may not be mandatorily obligated to redeem or repurchase any of its program interests, although the program and the sponsor may not be precluded from purchasing such outstanding interests if such purchase does not impair the capital or the operation of the program. Notwithstanding the foregoing, a real estate program may provide for mandatory redemption rights under the following necessitous circumstances:

- (1) death or legal incapacity of the owner, or
- (2) a substantial reduction in the owner's net worth or income provided that (a) the program has sufficient cash to make the purchase, (b) the purchase will not be in violation of applicable legal requirements and (c) not more than 15 percent of the outstanding units are purchased in any year.

NEW SECTION

WAC 460-31A-640 TRANSFERABILITY OF PROGRAM INTERESTS. Restrictions on assignment of limited partnership interests will not be allowed. Restrictions on the substitution of a limited partner are generally disfavored and will be allowed only to the extent necessary to preserve the tax status of the partnership and any restriction must be supported by opinion of counsel.

NEW SECTION

WAC 460-31A-645 ASSESSMENTS AND DEFAULTS. (1) Except in the case of non-specified property programs, as provided in WAC 460-31A-600, if the anticipated cash flow from property (after payment of debt service and all operating expenses) is not sufficient to pay taxes or special assessments imposed by governmental or quasi-governmental units, the program agreement may include a provision for assessability to meet such deficiencies, including those obligations of a defaulting participant. Assessability must be limited to the foregoing obligations, and all amounts derived from such assessments must be applied only to satisfaction of said obligations.

(2) In the event of a default in the payment of assessments by a participant his interests shall not be subject to forfeiture, but may be subject to a reasonable penalty for failure to meet his commitment. Provided that the arrangements are fair, this may take the form of reducing his proportionate interest in the program, subordinating his interest to that of nondefaulting partners, a forced sale complying with applicable procedures for notice and sale, the lending of the amount necessary to meet his commitment by the other participants or a fixing of the value of his interest by independent appraisal or other suitable formula with provision for a delayed payment to him for his interest not beyond a reasonable period, but a debt security issued for such interest should not have a claim prior to that of the other investors in the event of liquidation.

NEW SECTION

WAC 460-31A-650 SALES LITERATURE. Sales literature, sales presentations (including prepared presentations to prospective investors at group meetings) and advertising used in the offer or sale of partnership interests shall conform in all applicable respects to requirements of filing, disclosure and adequacy currently imposed on sales literature, sales presentations and advertising used in the sale of corporate securities and chapter 460-28A WAC.

NEW SECTION

WAC 460-31A-655 GROUP MEETINGS. All advertisements of and oral or written invitations to "seminars" or other group meetings at which program interests are to be described, offered or sold shall clearly indicate that the purpose of such meeting is to offer such program interests for sale, the minimum purchase price thereof, and the name of the sponsor, underwriter or selling agent. No cash, merchandise or other item of value shall be offered as an inducement to any prospective participants to attend any such meeting. In connection with the offer or sale of program interests, no general offer shall be made of

"free" or "bargain price" trips to visit property in which the program or proposed program has invested or intends to invest.

All written or prepared audio-visual presentations (including scripts prepared in advance for oral presentations) to be made at such meetings must be submitted in advance to the administrator not less than three business days prior to the first use thereof. This section and WAC 460-31A-650 shall not apply to meetings consisting only of representatives of securities broker-dealers.

NEW SECTION

WAC 460-31A-660 CONTENTS OF PROSPECTUS. The prospectus shall meet the requirements of Guide 5 as promulgated under general Securities and Exchange Commission guides for the preparation of registration statements relating to interests in real estate limited partnerships.

NEW SECTION

WAC 460-31A-665 USE OF FORECASTS. The presentation of predicted future results of operations of real estate programs shall be permitted but not required for specified property programs investing primarily in improved property and shall be prohibited for non-specified property programs or specified property programs investing primarily in unimproved land. The covers of the prospectus must contain in bold face language one of the following statements:

- (1) for specified property programs:

"FORECASTS ARE CONTAINED IN THIS PROSPECTUS (OFFERING CIRCULAR). ANY PREDICTIONS AND REPRESENTATIONS, WRITTEN OR ORAL, WHICH DO NOT CONFORM TO THOSE CONTAINED IN THE PROSPECTUS (OFFERING CIRCULAR) SHALL NOT BE PERMITTED."

- (2) for non-specified property and unimproved land programs:

"THE USE OF FORECASTS IN THIS OFFERING IS PROHIBITED. ANY REPRESENTATIONS TO THE CONTRARY AND ANY PREDICTIONS, WRITTEN OR ORAL, AS TO THE AMOUNT OR CERTAINTY OF ANY PRESENT OR FUTURE CASH BENEFIT OR TAX CONSEQUENCE WHICH MAY FLOW FROM AN INVESTMENT IN THIS PROGRAM IS NOT PERMITTED."

NEW SECTION

WAC 460-31A-670 FORECASTS FOR SPECIFIED PROPERTY PROGRAMS. Forecasts for specified property programs shall be included in the prospectus, offering circular or sales material of the program only if they comply with WAC 460-31A-675 through WAC 460-31A-695.

NEW SECTION

WAC 460-31A-675 REALISTIC FORECASTS. Forecasts shall be realistic in their predictions and shall clearly identify the assumptions made with respect to all material features of the presentation. Forecasts should be reviewed by an independent certified public accountant in accordance with the Guide For A Review Of A Financial Forecast as promulgated by the American Institute of Certified Public Accountants, and that person or firm should be identified in the prospectus or offering circular as being responsible for the preparation of the forecasts. No forecasts shall be permitted in any sales literature which does not appear in the prospectus or offering circular. If any forecasts are included in the sales literature, all forecasts must be presented.

NEW SECTION

WAC 460-31A-680 MATERIAL INFORMATION. Forecasts shall include all the following information:

- (1) Annual predicted revenue by source; including the occupancy rate used in predicting rental revenue;
- (2) Annual predicted expenses;
- (3) Mortgage obligation—annual payments for principal and interest, points and financing fees, shown as dollars, not percentages;
- (4) The required occupancy rate in order to meet debt service and all expenses;
- (5) Predicted annual cash flow; stating assumed occupancy rate;

(6) Predicted annual depreciation and amortization with full description of methods to be used;

(7) Predicted annual taxable income or loss and a simplified explanation of the tax treatment of such results; assumed tax brackets may not be used;

(8) Predicted construction costs—including disclosure regarding contracts;

(9) Accounting policies—e.g., with respect to points, financing costs and depreciation.

NEW SECTION

WAC 460-31A-685 PRESENTATION OF FORECASTS. (1) Forecasts shall prominently display a statement to the effect that they represent a mere prediction of future events based on assumptions which may or may not occur and may not be relied upon to indicate the actual results which will be obtained.

(2) Explanatory notes describing assumptions made and referring to risk factors should be integrated with tabular and numerical information.

(3) When a sale-leaseback is employed, the statement that the seller is assuming the operating risk and consequently may have charged a higher price for the property must be included.

NEW SECTION

WAC 460-31A-690 ADDITIONAL DISCLOSURES AND LIMITATIONS. (1) Forecasts shall be for a period at least equivalent to the anticipated holding period for the property, or ten years, whichever is shorter, and project a resale occurrence, including depreciation recapture, if applicable. The forecasted resale price must be reasonable.

(2) Adequate disclosure shall be made of the changing economic effects upon the limited partners resulting principally from federal income tax consequences over the life of the partnership property, e.g., substantial tax losses in early years followed by increasing amount of taxable income in later years.

(3) Forecasts shall disclose all possible undesirable tax consequences of an early sale of the program property (such as, depreciation recapture or the failure to sell the property at a price which would return sufficient cash to meet resulting tax liabilities of the participants).

(4) In computing the return to investors, no appreciation, so called "equity buildup", or any other benefits from unrealized gains or value shall be shown or included.

NEW SECTION

WAC 460-31A-695 FORECASTS FOR UNIMPROVED PROPERTY PROGRAMS. Forecasts shall not be allowed for unimproved land. Instead, a table of deferred payments specifying the various holding costs, i.e., interest, taxes, and insurance shall be inserted. However, where the program intends to develop and sell the land as its primary business, a detailed cash flow statement showing the timing of expenditures and anticipated revenues shall be required. Additionally, the consequences of a delayed selling program shall be shown.

NEW SECTION

WAC 460-31A-700 FIDUCIARY DUTY. The program agreement shall provide that the sponsor shall have fiduciary responsibility for the safekeeping and use of all funds and assets of the program, whether or not in his immediate possession or control, and that he shall not employ, or permit another to employ such funds or assets in any manner except for the exclusive benefit of the program.

In addition, the program shall not permit the participant to contract away the fiduciary duty owed to the participant by the sponsor under the common law.

NEW SECTION

WAC 460-31A-705 DEFERRED PAYMENTS. Arrangements for deferred payments on account of the purchase price of program interests may be allowed when warranted by the investment objectives of the partnership, but in any event such arrangements shall be subject to the following conditions:

(1) The period of deferred payments shall coincide with the anticipated cash needs of the program.

(2) Selling commissions paid upon deferred payments are collectible when payment is made on the note.

(3) Deferred payments shall be evidenced by a promissory note of the investor. Such notes shall be with recourse and shall not be negotiable and shall be assignable only subject to defenses of the maker. Such notes shall not contain a provision authorizing a confession of judgment.

(4) The program shall not sell or assign the deferred obligation notes at a discount to meet financing needs of the program.

(5) In the event of a default in the payment of deferred payments by a participant, his interests may be subjected to a reasonable penalty, as set forth in WAC 460-31A-645.

NEW SECTION

WAC 460-31A-710 RESERVES. Provision should be made for adequate reserves in the future by retention of a reasonable percentage of proceeds from the offering and regular receipts for normal repairs, replacements and contingencies. Normally, not less than five percent of the offering proceeds will be considered adequate.

NEW SECTION

WAC 460-31A-715 REINVESTMENT OF CASH FLOW AND PROCEEDS ON DISPOSITION OF PROPERTY. Reinvestment of cash flow (excluding proceeds resulting from a disposition or refinancing of property) shall not be allowed. The partnership agreement and the prospectus shall set forth that reinvestment of proceeds resulting from a disposition or refinancing will not take place unless sufficient cash will be distributed to pay any state or federal income tax (assuming investors are in a specified tax bracket) created by the disposition or refinancing of property. Such a prohibition must be contained in the prospectus.

NEW SECTION

WAC 460-31A-720 FINANCIAL INFORMATION REQUIRED ON APPLICATION. In any offering of interests by a program, the program shall provide as an exhibit to the application the following financial information:

(1) A balance sheet of any corporate sponsors as of the end of their most recent fiscal year, examined and reported upon by an independent certified public accountant and prepared in accordance with generally accepted accounting principles. An unaudited balance sheet as of a date not more than one hundred thirty-five days prior to the date of filing should also be prepared. Such statements shall be included in the prospectus.

(2) A balance sheet for each non-corporate sponsor (including individual partners or individual joint ventures of a sponsor) as of a time not more than one hundred thirty-five days prior to the date of filing an application; such balance sheet shall be examined and reported upon by an independent certified public accountant under the limited review standards set forth by the American Institute of Certified Public Accountants, and shall be signed and sworn to by such sponsors. A representation of the amount of such net worth must be included in the prospectus, or in the alternative, a representation that such sponsor meets the net worth requirements of WAC 460-31A-425.

NEW SECTION

WAC 460-31A-725 OPINIONS OF COUNSEL. The application for registration shall contain a favorable ruling from the Internal Revenue Service or an opinion of independent counsel to the effect that the issuer will be taxed as a "partnership" and not as an "association" for federal income tax purposes. An opinion of counsel shall be in form and substance satisfactory to the administrator and shall be unqualified except to the extent permitted by the administrator. However, an opinion of counsel may be based on reasonable assumptions, such as:

(1) facts or proposed operations as set forth in the offering circular or prospectus and organizational documents; (2) the absence of future changes in applicable laws; (3) the securities offered are paid for; (4) compliance with certain procedures such as the execution and delivery of certain documents and the filing of a certificate of limited partnership or an amended certificate; and (5) the continued maintenance of or compliance with certain financial, ownership, or other requirements by the issuer or sponsor. The administrator may request from counsel as supplemental information such supporting legal memoranda and an analysis as he shall deem appropriate under the circumstances. To the extent the opinion of counsel or Internal Revenue Service ruling is based on the maintenance of or compliance with certain requirements

or conditions by the issuer or sponsor, the offering circular or prospectus shall contain representations that such requirements or conditions will be met and the partnership agreement shall, to the extent practicable, contain provisions requiring such compliance.

There shall be included also an opinion of independent counsel to the effect that the securities being offered are duly authorized or created and validly issued interests to the issuer, and that the liability of the public investors will be limited to their respective total agreed upon investment in the issuer.

NEW SECTION

WAC 460-31A-730 PROVISIONS OF THE PARTNERSHIP AGREEMENT. The requirements or provisions of appropriate portions of the following sections shall be included in a partnership agreement:

WAC 460-31A-430; WAC 460-31A-475; WAC 460-31A-480; WAC 460-31A-485; WAC 460-31A-490; WAC 460-31A-495; WAC 460-31A-500; WAC 460-31A-505; WAC 460-31A-510; WAC 460-31A-515; WAC 460-31A-520; WAC 460-31A-525; WAC 460-31A-530; WAC 460-31A-535; WAC 460-31A-540; WAC 460-31A-545; WAC 460-31A-550; WAC 460-31A-565; WAC 460-31A-585; WAC 460-31A-590; WAC 460-31A-595; WAC 460-31A-600; WAC 460-31A-610; WAC 460-31A-615; WAC 460-31A-620; WAC 460-31A-625; WAC 460-31A-630; WAC 460-31A-635; WAC 460-31A-645; WAC 460-31A-700; WAC 460-31A-705(4); WAC 460-31A-710; WAC 460-31A-715.

AMENDATORY SECTION (Amending Order 304, filed 2/28/75)

WAC 460-32A-010 APPLICATION. (1) The((se)) rules contained in ((these regulations)) WAC 460-32A-010 through WAC 460-32A-255 apply to registrations of real estate programs in the form of limited partnerships (herein sometimes called "programs" or "partnerships") whose total offering does not exceed five million dollars. These rules ((and)) will be applied by analogy to real estate programs in other forms. While applications not conforming to the standards contained herein shall be looked upon with disfavor, where good cause is shown certain regulations may be modified or waived by the administrator.

(2) Where the individual characteristics of specific programs warrant modification from these standards, they will be accommodated, insofar as possible while still being consistent with the spirit of these rules.

(3) In lieu of the application of WAC 460-32A-010 through WAC 460-32A-255, a registrant may elect to apply WAC 460-32A-410 through WAC 460-32A-730, those rules applicable to offerings whose total dollar amount exceeds five million dollars.

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 each repealed:

- (1) WAC 460-32A-300 OIL AND GAS PROGRAMS.
- (2) WAC 460-32A-315 TITLE.
- (3) WAC 460-32A-320 REGULATION B FILINGS.
- (4) WAC 460-32A-325 FUNDS TO BE HELD IN TRUST.

WSR 83-20-001

NOTICE OF PUBLIC MEETINGS FOREST PRACTICES BOARD [Memorandum—September 21, 1983]

This notice is given according to provisions of RCW 42.30.080. The Forest Practices Board will hold a public meeting at 10:00 a.m., October 26, 1983, Rooms 204-205, Samuelson Student Union Building, Central Washington University, Ellensburg, Washington. This

meeting will continue at 8:30 a.m., October 27, 1983, with the board members meeting for a field trip in the vicinities of Ellensburg and Cle Elum, Washington to review forest practices.

Additional information is available at the Division of Private Forestry and Recreation, 120 East Union Avenue Building, Suite 109, Olympia, Washington, Phone (206) 753-5315.

WSR 83-20-002

EXECUTIVE ORDER

OFFICE OF THE GOVERNOR

[EO 83-14]

ESTABLISHING AN INTERAGENCY TASK FORCE ON MILFOIL CONTROL

Eurasian water milfoil (*Myriophyllum spicatum*), first noted in this state in 1977, impairs the beneficial uses of many lakes and rivers in Washington, including Lake Osoyoos, the Okanogan River, the Columbia River as far downstream as Crescent Bar, the Pend Oreille River, Lake Washington, Banks Lake, and also to a lesser degree Lake Sammamish, Lake Whatcom as well as other lakes in Western Washington and the Columbia Basin. The spread of milfoil threatens hydropower generation, fisheries resources, and recreational uses of the waters. Since 1980, the Washington Department of Ecology and the U.S. Army Corps of Engineers have operated a cooperative, cost-shared program of milfoil control and prevention in conjunction with local sponsors. Seventy percent is paid by the Corps of Engineers with the local sponsor and the Department of Ecology providing the other thirty percent. While this cooperative program has sought to control milfoil in lakes and other river stretches, the extent and cost of the program have increased each year, and it has become increasingly difficult for the state and local sponsors to provide necessary funding.

Now, therefore, I, John Spellman, Governor of the State of Washington, do hereby order and direct that:

- A. An interagency task force on Milfoil Control is hereby established, composed of the Directors of the Departments of Agriculture, Ecology, Game and the Parks and Recreation Commission and the Supervisor of the Department of Natural Resources. The Director of the Department of Ecology shall chair the task force.
- B. The task force shall invite participation by the U.S. Army Corps of Engineers, Seattle District, and such local agencies as appropriate in the task force functions.
- C. The interagency task force on Milfoil Control shall:
 1. Examine and evaluate the existing Milfoil Control program;
 2. Evaluate the potential economic impacts of the spread of Milfoil;

- 3. Investigate the feasibility of increased state involvement in financing, managing, and evaluating new control methodologies;
- 4. Conduct public meetings at which interested and affected citizens may express views on the extent and seriousness of the milfoil problem and the environmental impacts of various control methodologies;
- 5. Formulate recommendations by December 1, 1983, for future milfoil control programs. These should identify the appropriate state lead agency, the resources needed to provide a continued cost-share program with the U.S. Army Corps of Engineers, and any legislative action needed to implement an expanded program.

IN WITNESS WHERE-
OF, I have hereunto set my
hand and caused the seal of
the State of Washington to
be affixed at Olympia this
20th day of September,
A.D., Nineteen Hundred
and Eighty-three.

John Spellman

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Deputy Secretary of State

WSR 83-20-003
EXECUTIVE ORDER
OFFICE OF THE GOVERNOR
[EO 83-15]

**ESTABLISHING THE GOVERNOR'S ADVISORY
COUNCIL ON FOOD ASSISTANCE**

The present and continued need for basic support for the underprivileged citizens of the state dictates the highest possible use of surplus and donated food, together with efficient and equitable statewide distribution systems. The most efficient and effective delivery of food to those who are without requires close cooperation between business, government, and volunteers. The food banks and emergency feeding Centers are proven efficient methods to provide surplus food to individuals and families in need.

NOW, THEREFORE, I, John Spellman, Governor of the State of Washington, do hereby establish the Governor's Advisory Council on Food Assistance with the following stipulations:

- A. The membership of the Council shall be appointed by the Governor and represent:
 - 1. Food bank administrators.

- 2. Producer associations.
- 3. Retail/wholesale distributors.
- 4. Labor organizations.
- 5. The transportation industry.
- 6. Public relations experts.
- 7. Local government officials
- 8. Other, i.e., restaurants, catering companies, corporate delegates, and private sector representatives.

- B. The Chair and Vice Chair of the Council will be appointed by the Governor.
- C. The Council shall determine the best ways to support the food assistance system, to ensure efficient and equitable distribution of surplus and donable food to needy citizens of the state, and to counsel the Governor on appropriate state government support in order to enhance the statewide food assistance program. The primary goals of the Council are to get more food to those who are in need and to enhance the cooperation between government, volunteers and the private sector to ensure this happening.
- D. As a first order of business, the Council shall inventory existing food programs, identify resource deficiencies, determine feasibility of public and private support, and make recommendations to the Office of the Governor.
- E. The Planning and Community Affairs Agency will provide administrative support to the Council and will coordinate staff support for the Council with other relevant state agencies.

IN WITNESS WHERE-
OF, I have hereunto set my
hand and caused the seal of
the State of Washington to
be affixed at Olympia this
20th day of September,
A.D., nineteen hundred and
eighty-three.

John Spellman

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Deputy Secretary of State

WSR 83-20-004
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-130—Filed September 22, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1983.

By Gary C. Alexander
for William R. Wilkerson
Director

NEW SECTION

WAC 220-32-05100Y SEASONS—SALMON
Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Columbia River Management and Catch Reporting Areas 1F, 1G or 1H, except that those individuals possessing treaty rights pursuant to the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish from noon, September 26 until noon, September 29, 1983.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100X SEASONS—SALMON
(83-108)

WAC 220-32-05800K CLOSED AREAS SALMON—RIVER MOUTHS (83-108)

WSR 83-20-005

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-131—Filed September 22, 1983]

I, William R. Wilkerson, director of the Department of Fisheries do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is this regulation is necessary to provide chinook escapement for hatchery needs.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 22, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100C WILLAPA HARBOR—GILL NET SEASONS. Notwithstanding the provisions of WAC 220-40-021 and WAC 220-40-022 it is unlawful to take, fish for or possess salmon for commercial purposes will gill net gear in the following Willapa Harbor fishing areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G — 6:00 p.m. September 26 to 6:00 p.m. September 27, 6:00 p.m. October 3 to 6:00 p.m. October 8, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25, and 6:00 p.m. November 1 to 11:59 p.m. November 30, 1983.

Area 2H — 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25 and 6:00 p.m. November 1 to 11:59 p.m. November 30, 1983.

Area 2J and 2K — 6:00 p.m. September 26 to 6:00 p.m. September 27, 6:00 p.m. October 3 to 6:00 p.m. October 4, 6:00 p.m. October 6 to 6:00 p.m. October 7, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25 and 6:00 p.m. November 1 to 11:59 p.m. November 30, 1983.

Area 2M — 6:00 p.m. September 26 to 6:00 p.m. September 27, 6:00 p.m. October 3 to 6:00 p.m. October 8, 6:00 p.m. October 17 to 6:00 p.m. October 18, 6:00 p.m. October 24 to 6:00 p.m. October 25, and 6:00 p.m. November 1 to 11:59 p.m. November 30, 1983.

REPEALER

The following sections of the Washington Administrative Code is repealed effective September 26, 1983:

WAC 220-40-02100A WILLAPA HARBOR—GILL NET SEASONS. (83-113)

WAC 220-40-02100B WILLAPA HARBOR—GILL NET. (83-125)

WSR 83-20-006
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-132—Filed September 22, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5 and 6C allow the least restrictive regulations that allow protection of adult Canadian chinook salmon while providing opportunity for limited harvest, limited impact, limited effort, immobile treaty Indian coho fisheries. Restrictions in Areas 6, 6A, 7 and 7A provide protection for summer/fall chinook during the IPSFC sockeye and pink management. Restrictions in Area 7C and the Samish River protect milling chinook destined for the Samish Hatchery. Restrictions in Area 6D and Strait of Juan de Fuca tributaries provide protection for local chinook stocks and pink stocks in inner Area 6D and the Dungeness and Elwha rivers. Restrictions in Area 12C provide protection for summer/fall chinook and 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest chinook and protect Lake Washington sockeye. Restrictions in Area 13 and the Nooksack and Nisqually rivers provide protection for local pink stocks. Restrictions in Areas 6B and 9 protect the integrity of the South Sound, Stillaguamish, Snohomish and Hood Canal run size updates. Restrictions in Area 8 and the Skagit River protect local pink stocks. Test fishery results indicate pink clearance in the Puyallup River.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 22, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-321 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *Effective immediately 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:*

Areas 4B, 5, and 6C – Gill net gear restricted to 6-1/2-inch maximum mesh, when open.

Areas 6 and 6A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Area 6B – Effective until further notice, closed to all net gear.

Area 6D in that portion within a 1,000-foot radius of the mouth of the Dungeness River and the Dungeness River – Effective through September 24, closed to all commercial fishing.

Areas 7 and 7A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Area 7C – Closed to all commercial fishing.

Area 8 – Effective until further notice, closed to all commercial fishing.

Area 9 – Effective until further notice, closed to all commercial fishing.

Area 10B – Effective through September 24, gill nets restricted to 6-1/2-inch minimum mesh and all other gear must release sockeye, when open.

Area 10C – Effective until further notice, closed to all commercial fishing.

Area 10D – Effective through October 8, gill net gear restricted to 6-1/2-inch minimum mesh and all other gear must release sockeye, when open. That portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek is closed to all commercial fishing until further notice.

Area 12C – Effective through September 30, closed to all commercial fishing within 1,000 feet of the western shore between Hoodspout Marina Dock and Glen Ayr Trailer Park.

Area 13 – Effective through October 1, excluding (1) that portion of Chambers Bay east of the railroad trestle, and (2) that portion north of a line from Green Point on the eastern shoreline of Carr Inlet to the flashing signal beacon #4 on the west shoreline, gill net gear is restricted to 7-inch minimum mesh, and all other gear must immediately release pink salmon, when open. Purse seine gear is prohibited.

Cedar River – Effective until further notice, closed to all commercial fishing.

Nooksack River – Upstream of the confluence of north and south forks – closed to all net gear.

Nisqually River – Effective through September 24, gill net gear restricted to 7-1/2" minimum mesh, when open.

Skagit River including all tributaries – Effective until further notice, closed to all commercial fishing.

Samish River – Closed to all commercial fishing.

Elwha, Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks - Effective through September 24, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-320 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-128)

WSR 83-20-007

ADOPTED RULES
COUNCIL FOR

POSTSECONDARY EDUCATION

[Order 5-83, Resolution No. 84-2—Filed September 22, 1983]

Be it resolved by the Council for Postsecondary Education, acting at the Spokane Higher Education Center, Spokane, Washington, that it does adopt the annexed rules relating to the Educational Services Registration Act.

This action is taken pursuant to Notice No. WSR 83-16-080 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28B.05-.050 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 14, 1983.

By Carl A. Trendler
Executive Coordinator

AMENDATORY SECTION (Amending Order 4/81, Resolution 81-64, filed 6/17/81)

WAC 250-55-030 EXEMPTIONS. Notwithstanding any other exemption provision in this section, no institution or organization shall advertise, offer, sell, or award a degree or any other type of educational credential unless the student has enrolled in and successfully completed a prescribed program of study, as outlined in the institution's catalog: PROVIDED, That this prohibition shall not apply to honorary credentials clearly designated as such on the front side of the diploma or certificate and awarded by institutions that offer other educational credentials requiring enrollment in and successful completion of a prescribed program of study, in compliance with the requirements of this chapter.

The following types of education and institutions are exempted from the provisions of the act and this chapter:

(1) Education offered or sponsored by a bona fide trade, business, professional, or fraternal organization primarily for that organization's membership or offered by that organization on a no-fee basis;

(2) Workshops or seminars lasting no longer than three calendar days for which academic credit is not awarded and continuing education courses approved under chapters 18.04, 18.15, 18.18, 18.78, 18.88 or 48.17 RCW.

(3) Education solely avocational or recreational in nature, as defined in WAC 250-55-020(7), and institutions offering such education exclusively: PROVIDED, That the institution does not advertise, promote, or offer educational credentials;

~~((3))~~ (4) Education offered by charitable institutions, organizations or agencies, as defined in WAC 250-55-020(6): PROVIDED, That the institution, organization or agency does not advertise, promote, or offer educational credentials;

~~((4))~~ (5) Institutions that are established, operated, and governed by this state or its political subdivisions under the provisions of Titles 28A (Common Schools), 28B (Higher Education), and 28C (Vocational Education) RCW;

(6) Institutions that are licensed by the state of Washington.

~~((5))~~ (7) Institutions that have received institutional accreditation from any accrediting association recognized by the council under the provisions of WAC 250-55-220: PROVIDED,

(a) That this exemption shall pertain only to degrees that ~~((1))~~ (i) are covered by the institution's accreditation or ~~((2))~~ (ii) have achieved candidacy status with the agency or association that has accredited the institution.

(b) That an institution, branch, extension or facility operating within the state of Washington, which is affiliated with an institution operating in another state, must have separate institutional accreditation from a recognized accrediting association to qualify for this exemption;

(c) That an institution offering instruction on a federal installation solely to federal employees, and their dependents, shall not be required to have separate institutional accreditation in order to qualify for this exemption; and

(d) That a dual-purpose institution, as defined in RCW 28B.05.030(13), shall not be exempted under the provisions of both chapters 250-55 and 490-600 WAC unless it is specifically exempted under the provisions of both chapters.

~~((6))~~ (8) Any other institution to the extent that it has been exempted from some or all of the provisions of the act and this chapter in accordance with the agency exemption procedure outlined in RCW 28B.05.130. The executive coordinator may suspend or modify any of the registration or other requirements contained in this chapter in a particular case if the executive coordinator finds ~~((1))~~ (a) that such suspension or modification will not frustrate the purposes of this chapter and ~~((2))~~ (b) that the educational services to be offered address a substantial, demonstrated need among residents of the

state of Washington or that literal application of this chapter works a manifestly unreasonable hardship on the educational institution: PROVIDED, That the chief administrative officer of the institution, after hearing, shall be entitled to appeal the decision of the executive coordinator to the council. An application for an agency exemption shall be submitted on a form developed by the executive coordinator.

((7)) (9) Institutions not otherwise exempt that are of a religious character, but only as to those educational programs exclusively devoted to religious or theological objectives, and that are represented in an accurate manner in institutional catalogs and other official publications. The following procedures shall be employed in the implementation of this subsection:

(a) The executive coordinator shall ask the chief administrative officer of any institution that may qualify for an exemption on religious grounds to forward to the council office a copy of the institution's catalog and/or any other official publications that describe the nature of the institution and its programs. This information shall be used by the executive coordinator to verify the exemption status of the institution.

(b) For purposes of this subsection, "educational program exclusively devoted to religious or theological objectives" shall mean a program that has as its sole stated objective training in the religious beliefs of the controlling religious organization and/or preparation of students for occupations that are primarily church-related.

(c) In the case of a religious institution that offers both religious and secular programs of instruction, the requirements of chapter 28B.05 RCW and chapter 250-55 WAC shall pertain only to the secular programs of the institution.

(d) If the executive coordinator has reasonable cause to believe that certain religious or theological programs offered by a religious institution are not represented in a materially accurate manner in the institution's catalog and other official publications, the executive coordinator shall proceed according to the provisions of WAC 250-55-200.

WSR 83-20-008
PROPOSED RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION
 [Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning Rules of practice and procedure—Public Employment Relations Commission, chapter 391-08 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is RCW 34.04.022.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
 Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-08 WAC, Rules of practice and procedure—Public Employment Relations Commission.

Description of Purpose: To promulgate general rules for practice and procedure applicable to all types of proceedings before the agency.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: The following existing PERC rules are amended to conform PERC procedures in noncontested case proceedings to the rules adopted by the Chief Administrative Law Judge as chapter 10-08 WAC, governing contested case proceedings: WAC 391-08-001 Application and scope of chapter 391-08 WAC; 391-08-007 Definitions; 391-08-110 Service of process—Computation of time; 391-08-120 Service of process—Upon whom served; 391-08-180 Service of process—Continuances; 391-08-210 Definition of issues—Prehearing conference; 391-08-300 Subpoenas—Form; 391-08-310 Subpoenas—Issuance to parties; 391-08-600 Agency decisions in contested cases—Form and content; and 391-08-610 Agency decisions in contested cases—Service. The following existing PERC rules are repealed: WAC 391-08-103 Service of process—Additional time after service by mail; 391-08-105 Service of process—Extension of time; 391-08-130 Service of process—Method of service; 391-08-140 Service of process—Completion of service on parties; 391-08-150 Service of process—Filing with agency; 391-08-170 Service of process—Notice of hearing; 391-08-220 Definition of issues—Record of action taken during prehearing conference; 391-08-320 Subpoenas—Service; 391-08-330 Subpoenas—Fees; 391-08-340 Subpoenas—Proof of service; 391-08-350 Subpoenas—Quashing; 391-08-360 Subpoenas—Enforcement; 391-08-370 Subpoenas—Geographical scope; 391-08-400 Evidence—Examination of witnesses; 391-08-410 Evidence—Application of rules of evidence; 391-08-420 Evidence—Objections and rulings; 391-08-450 Evidence—Stipulations and admissions of record; 391-08-460 Evidence—Submission of documentary evidence; 391-08-470 Evidence—Excerpts from documentary evidence; and 391-08-490 Evidence—Refusal of witness to answer.

Reasons Supporting Proposed Action: As amended by chapter 67, Laws of 1981, effective July 1, 1982, the authority to adopt rules of practice and procedure for contested cases has been transferred in RCW 34.04.022 from individual agencies to the Chief Administrative Law Judge. The Chief Administrative Law Judge has

promulgated chapter 10-08 WAC, and that chapter preempts agency rules in the areas covered. Accordingly, PERC proposes to repeal its rules which have been preempted by chapter 10-08 WAC and to amend its remaining rules so that the procedures for noncontested cases before the agency will be conformed to administrative procedures applicable to contested cases.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 80-4, filed 9/30/80, effective 11/1/80)

WAC 391-08-001 APPLICATION AND SCOPE OF CHAPTER 391-08 WAC. Chapter 391-08 WAC has been added to the Washington Administrative Code by the Public Employment Relations Commission pursuant to the authority of section 12, chapter 288, Laws of 1975 1st ex. sess. (RCW 41.59.110); sections 14(;) and 20 ((and 35)), chapter 296, Laws of 1975 1st ex. sess. (RCW 28B.52.080(;) and 41.56.040((-and 47.64.040))); and section 3, chapter 5, Laws of 1975, ((2d)) 2nd ex. sess. (RCW 41.58.050), to promulgate comprehensive and uniform rules for practice and procedure before the agency. The provisions of chapter 1-08 WAC shall not be applicable to proceedings before the agency. This chapter sets forth general rules applicable to all types of proceedings before the agency, and should be read in conjunction with the provisions of:

(1) Chapter 10-08 WAC which contains rules promulgated by the chief administrative law judge governing the conduct of contested cases.

(2) Chapter 391-25 WAC, which contains rules relating to proceedings on petitions for investigation of questions concerning representation of employees.

((2)) (3) Chapter 391-35 WAC, which contains rules relating to proceedings on petitions for clarification of an existing bargaining unit.

((3)) (4) Chapter 391-45 WAC, which contains rules relating to proceedings on complaints charging unfair labor practices.

((4)) (5) Chapter 391-55 WAC, which contains rules relating to the resolution of impasses occurring in collective bargaining.

((5)) (6) Chapter 391-65 WAC, which contains rules relating to arbitration of grievance disputes arising out of the interpretation or application of a collective bargaining agreement.

((6)) (7) Chapter 391-95 WAC, which contains rules relating to determination of union security disputes arising between employees and employee organizations certified or recognized as their bargaining representative.

In the event of a conflict between general rule in this chapter and a special rule in another chapter applicable to a particular proceeding, the special rule shall govern.

AMENDATORY SECTION (Amending Order 80-4, filed 9/30/80, effective 11/1/80)

WAC 391-08-007 DEFINITIONS. As used in Title 391 WAC:

(1) "Agency" means the Public Employment Relations Commission, its officers and agents;

(2) "Commission" means the Public Employment Relations Commission;

(3) "Executive director" means the officer of that title appointed by the commission pursuant to RCW 41.58.015(2);

(4) "Labor dispute" means any controversy concerning terms or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether or not the disputants stand in the proximate relation of employer and employee.

(5) "Presiding officer" means an agency official(s), examiner, hearing officer or other person authorized to act on behalf of the agency.

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-100 SERVICE OF PROCESS—COMPUTATION OF TIME. In computing any period of time prescribed or allowed by any applicable ((statute)) statute or rule, the day of the act, event, or default after which the designated period of time begins to run is not to be included. 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.

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-120 SERVICE OF PROCESS—((UPON WHOM SERVED)) FILING AND SERVICE OF PAPERS. (1) All ((formal papers served by the agency or by any party shall be served upon all counsel then of record and upon all parties not represented by counsel or upon their agents designated by them or by law. Any counsel entering an appearance subsequent to the initiation of the proceeding shall notify all other counsel then of record and all parties not represented by counsel of such fact. Except as specifically provided elsewhere in these rules, copies of all correspondence directed to the agency or by the agency in connection with any matter pending before the agency shall be furnished to all counsel of record and to all parties not represented by counsel)) notices, pleadings, and other papers filed with the presiding officer shall be served upon all counsel and representatives of record and upon parties not represented by counsel or upon their agents designated by them or by law.

(2) Service shall be made personally or, unless otherwise provided by law, by first class, registered, or certified mail, or by telegraph.

(3) Service by mail shall be regarded as completed upon deposit in the United States mail properly stamped and addressed, and by telegraph when deposited with a telegraph company properly addressed and with charges prepaid.

(4) Papers required to be filed with the agency or with the presiding officer shall be deemed filed upon actual receipt during office hours at any office of the agency or of the presiding officer.

(5) Where proof of service is required by statute or rule, filing the papers with the presiding officer, together with either an acknowledgment of service or the following certificate shall constitute proof of service:

"I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding by delivering a copy thereof in person to (names) or by mailing a copy thereof, properly addressed with postage prepaid, to each party to the proceeding or his or her attorney or authorized agent.

Dated at this . . . day of, 19. . . .

(signature)"

AMENDATORY SECTION (Amending Order 80-4, filed 9/30/80, effective 11/1/80)

WAC 391-08-180 SERVICE OF PROCESS—CONTINUANCES. ((Immediately upon receipt of notice of a hearing, or as soon thereafter as circumstances necessitating a continuance come to its knowledge, any party desiring a continuance shall notify all other parties prior to filing a request for continuance with the agency. All continuance requests shall be filed in writing and shall specify, in detail, the reasons why the continuance is necessary, the position of all other parties concerning the requested continuance and suggested alternative dates for rescheduling. In passing upon a request for continuance, the agency shall consider whether the request was promptly and timely made. For good cause shown, the agency or its designated hearing officer or examiner may grant a continuance and may at any time order a continuance on its or his own motion. During a hearing, if it appears in

~~the public interest or in the interest of justice that further testimony or argument should be received, the examiner or other officer conducting the hearing may, in his discretion, continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.)) Postponements, continuances, extensions of time, and adjournments may be ordered by the presiding officer on his or her own motion or may be granted on timely request of any party, with notice to all other parties, showing good and sufficient cause therefor.~~

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-210 DEFINITION OF ISSUES—PREHEARING CONFERENCE ((~~AUTHORIZED~~)). ((~~In any proceeding, the agency or its designated hearing officer or examiner, upon its or his own motion or upon the motion of one of the parties or their qualified representatives, may in its or his discretion direct the parties or their qualified representatives to appear at a specified time and place for a conference to consider:~~

- (1) ~~The simplification of issues;~~
- (2) ~~The necessity of amendments to the pleadings;~~
- (3) ~~The possibility of obtaining stipulations, admissions of facts and of documents;~~
- (4) ~~The limitation of the number of expert witnesses;~~
- (5) ~~Such other matters as may aid in the disposition of the proceeding.))~~ (1) The presiding officer upon his or her own motion or upon request of a party may direct the parties or their representatives to engage in a prehearing conference or conferences to consider:
 - (a) Simplification of issues;
 - (b) The necessity or desirability of amendments to the pleadings;
 - (c) The possibility of obtaining stipulations, admissions of fact and admissions of the genuineness of documents which will avoid unnecessary proof;
 - (d) Limitations on the number and consolidation of the examination of witnesses;
 - (e) Procedural matters;
 - (f) Distribution of written testimony and exhibits to the parties prior to the hearing;
 - (g) Such other matters as may aid in the disposition or settlement of the proceeding.
- (2) Prehearing conferences may be held by telephone conference call or at a time and place specified by the presiding officer.
- (3) Following the prehearing conference, the presiding officer shall issue an order reciting the action taken at the conference, the amendments allowed to the pleadings, and the agreements made by the parties concerning all of the matters considered. If no objection to such notice is filed within ten days after the date such notice is mailed, it shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.
- (4) In any proceeding the presiding officer may, in his or her discretion, conduct a conference prior to the taking of testimony, or may recess the hearing for such conference, for the purpose of carrying out the purpose of this rule. The presiding officer shall state on the record the results of such conference.
- (5) Nothing in this rule shall be construed to limit the right of an agency to order a prehearing conference or other settlement procedure prior to issuance of a notice of hearing.

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-300 SUBPOENAS—FORM. Every subpoena shall state the name of the agency as: State of Washington, Public Employment Relations Commission; and shall state the title of the proceeding (~~(, if any, shall show on its face the name and address of the party at whose request the subpoena was issued, and shall command the person to whom it is directed to attend and give testimony or produce designated books, documents or things under his control at a specified time and place)) and case number.~~

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-310 SUBPOENAS—ISSUANCE TO PARTIES. Subpoenas requiring the attendance and testimony of witnesses or the production of evidence shall be issued ex parte to any party to a (~~contested~~) case: PROVIDED, HOWEVER, That no subpoena shall be issued or given effect to require the attendance and testimony of, or the production of evidence by, any member of the commission or any member of the agency staff in any proceeding before the agency. The

commission or its hearing officer or examiner shall issue subpoenas upon the application of counsel or other representative authorized to practice before the agency, and may condition the issuance of subpoenas to parties not so represented upon a showing of general relevance and reasonable scope of the testimony or evidence sought. Attorneys may act under the authority conferred by RCW 34.04.105(2)(a).

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-600 AGENCY DECISIONS ((~~IN CONTESTED CASES~~))—FORM AND CONTENT. Every decision and final order shall:

- (1) Be correctly captioned as to name of agency and name of proceeding;
- (2) Designate all parties and ((~~counsel to~~)) representatives participating in the proceeding;
- (3) Include a concise statement of the nature and background of the proceeding;
- (4) ((~~Be accompanied by appropriate numbered findings of fact and conclusions of law;~~
- (5) Whenever practical, the conclusions of law shall include the reason or reasons for the particular order or remedy afforded;
- (6) Whenever practical, the conclusions and/or order shall be referenced to specific provisions of the law and/or regulations appropriate thereto, together with reasons and precedents relied upon to support the same.)) Contain appropriate numbered findings of fact based exclusively on the record;
- (7) Contain appropriate numbered conclusions of law, including citations of statutes and rules relied upon;
- (8) Contain an order, decision, or recommendation, as appropriate, disposing of all contested issues;
- (9) If applicable, contain a statement describing the parties' rights to agency review of the order or decision.

AMENDATORY SECTION (Amending Order 77-1, filed 1/27/77)

WAC 391-08-610 AGENCY DECISIONS ((~~IN CONTESTED CASES~~))—SERVICE. Every final order issued by the agency shall be served on each party or upon the agency designated by the party or by law to receive service of such papers; and a copy shall be furnished to any counsel or person appearing for a party in a representative capacity.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 391-08-103 SERVICE OF PROCESS—ADDITIONAL TIME AFTER SERVICE BY MAIL.
- (2) WAC 391-08-105 SERVICE OF PROCESS—EXTENSION OF TIME.
- (3) WAC 391-08-130 SERVICE OF PROCESS—METHOD OF SERVICE.
- (4) WAC 391-08-140 SERVICE OF PROCESS—COMPLETION OF SERVICE ON PARTIES.
- (5) WAC 391-08-150 SERVICE OF PROCESS—FILING WITH AGENCY.
- (6) WAC 391-08-170 SERVICE OF PROCESS—NOTICE OF HEARING.
- (7) WAC 391-08-220 DEFINITION OF ISSUES—RECORD OF ACTION TAKEN DURING PREHEARING CONFERENCE.
- (8) WAC 391-08-320 SUBPOENAS—SERVICE.
- (9) WAC 391-08-330 SUBPOENAS—FEES.
- (10) WAC 391-08-340 SUBPOENAS—PROOF OF SERVICE.
- (11) WAC 391-08-350 SUBPOENAS—QUASHING.
- (12) WAC 391-08-360 SUBPOENAS—ENFORCEMENT.
- (13) WAC 391-08-370 SUBPOENAS—GEOGRAPHICAL SCOPE.
- (14) WAC 391-08-400 EVIDENCE—EXAMINATION OF WITNESSES.
- (15) WAC 391-08-410 EVIDENCE—APPLICATION OF RULES OF EVIDENCE.
- (16) WAC 391-08-420 EVIDENCE—OBJECTIONS AND RULINGS.

- (17) WAC 391-08-450 EVIDENCE—STIPULATIONS AND ADMISSIONS OF RECORD.
 (18) WAC 391-08-460 EVIDENCE—SUBMISSION OF DOCUMENTARY EVIDENCE.
 (19) WAC 391-08-470 EVIDENCE—EXCERPTS FROM DOCUMENTARY EVIDENCE.
 (20) WAC 391-08-490 EVIDENCE—REFUSAL OF WITNESS TO ANSWER.

WSR 83-20-009
PROPOSED RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION
 [Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning representation case rules, chapter 391-25 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is RCW 34.04.022 and chapter 47.64 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
 Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-25 WAC, Representation case rules.

Description of Purpose: To govern proceedings before the Public Employment Relations Commission on petitions for investigation of a question concerning representation.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: WAC 391-25-002 is amended to delete obsolete material and WAC 391-25-330, Authority of hearing officer is repealed.

Reasons Supporting Proposed Action: Jurisdiction for administration of labor relations matters involving the Washington State Ferries System was transferred from the Public Employment Relations Commission to the Marine Employees Commission by chapter 15, Laws of 1983, effective March 28, 1983. Pursuant to chapter 67, Laws of 1981, the Chief Administrative Law Judge has promulgated chapter 10-80 WAC, governing proceedings in contested cases and preempting agency rules on those matters. WAC 391-25-330 has been preempted, and is repealed.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 80-5, filed 9/30/80, effective 11/1/80)

WAC 391-25-002 SEQUENCE AND NUMBERING OF RULES—SPECIAL PROVISIONS. This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. General rules are set forth in sections with numbers divisible by ten. Where a deviation from the general rule is required for conformity with a particular statute, that special provision is set forth in a separate rule numbered as follows:

(1) Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (port employees) are set forth in WAC sections numbered one digit greater than the general rule on that subject matter.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter.

(3) Special provisions relating to chapter 28B.52 RCW (professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter.

(4) ~~((Special provisions relating to chapter 47.64 RCW (marine employees) are set forth in WAC sections numbered four digits greater than the general rule on that subject matter.~~

(5)) Special provisions relating to chapter 49.08 RCW (private sector employees) are set forth in WAC sections numbered nine digits greater than the general rule on that subject matter.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 391-25-330 AUTHORITY OF HEARING OFFICER.

WSR 83-20-010
PROPOSED RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION
 [Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning unit clarification case rules, chapter 391-35 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is RCW 34.04.022 and chapter 47.64 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-35 WAC, Unit clarification case rules.

Description of Purpose: To govern proceedings before the Public Employment Relations Commission on petitions for unit clarification.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: WAC 391-35-002 is amended to delete obsolete material and WAC 391-35-150, Authority of hearing officer is repealed.

Reasons Supporting Proposed Action: Jurisdiction for administration of labor relations matters involving the Washington State Ferries System was transferred from the Public Employment Relations Commission to the Marine Employees Commission by chapter 15, Laws of 1983, effective March 28, 1983. Pursuant to chapter 67, Laws of 1981, the Chief Administrative Law Judge has promulgated chapter 10-80 WAC, governing proceedings in contested cases and preempting agency rules on those matters. WAC 391-25-330 has been preempted, and is repealed.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform to the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 80-6, filed 9/30/80, effective 11/1/80)

WAC 391-35-002 SEQUENCE AND NUMBERING OF RULES—SPECIAL PROVISIONS. This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. General rules are set forth in sections with numbers divisible by ten. Where a deviation from the general rule is required for conformity with a particular statute, that special provision is set forth in a separate rule, numbered as follows:

(1) Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (port employees) are set forth in WAC sections numbered one digit greater than the general rule on that subject matter.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter.

(3) Special provisions relating to chapter 28B.52 RCW (professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter.

(4) ~~(Special provisions relating to chapter 47.64 RCW (marine employees) are set forth in WAC sections numbered four digits greater than the general rule on that subject matter.~~

(5)) Special provisions relating to chapter 49.08 RCW (private sector employees) are set forth in WAC sections numbered nine digits greater than the general rule on that subject matter.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 391-35-150 AUTHORITY OF HEARING OFFICER.

WSR 83-20-011 PROPOSED RULES PUBLIC EMPLOYMENT RELATIONS COMMISSION

[Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning unfair labor practice case rules, chapter 391-45 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is RCW 34.04.022 and chapter 47.64 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-45 WAC, Unfair labor practice case rules.

Description of Purpose: To govern proceedings before the Public Employment Relations Commission on petitions for unfair labor practice.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: WAC 391-45-002 is amended to delete obsolete material and WAC 391-45-150, Authority of examiner is repealed.

Reasons Supporting Proposed Action: Jurisdiction for administration of labor relations matters involving the Washington State Ferries System was transferred from the Public Employment Relations Commission to the Marine Employees Commission by chapter 15, Laws of 1983, effective March 28, 1983. Pursuant to chapter 67, Laws of 1981, the Chief Administrative Law Judge has promulgated chapter 10-80 WAC, governing proceedings in contested cases and preempting agency rules on those matters. WAC 391-25-330 has been preempted, and is repealed.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 80-7, filed 9/30/80, effective 11/1/80)

WAC 391-45-002 SEQUENCE AND NUMBERING OF RULES—SPECIAL PROVISIONS. This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. General rules are set forth in sections with numbers divisible by ten. Where a deviation from the general rule is required for conformity with a particular statute, that special provision is set forth in a separate rule, numbered as follows:

(1) Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (port employees) are set forth in WAC sections numbered one digit greater than the general rule on that subject matter.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter.

(3) Special provisions relating to chapter 28B.52 RCW (professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter.

(4) ~~((Special provisions relating to chapter 47.64 RCW (marine employees) are set forth in WAC sections numbered four digits greater than the general rule on that subject matter.~~

(5)) Special provisions relating to chapter 49.08 RCW (private sector employees) are set forth in WAC sections numbered nine digits greater than the general rule on that subject matter.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 391-45-150 AUTHORITY OF EXAMINER.

WSR 83-20-012
PROPOSED RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION
[Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning impasse resolution case rules, chapter 391-55 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is chapter 47.64 RCW, RCW 41.58.020, 41.56.450, 41.59.120 and 28B.52.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-55 WAC, Impasse resolution case rules.

Description of Purpose: To govern impasse resolution before the Public Employment Relations Commission.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: WAC 391-55-002 is amended to delete obsolete material. The following existing PERC rules are repealed: WAC 391-55-500 Marine employees—Interest arbitration; 391-55-510 Marine employees—Intervention and consolidation of proceedings; 391-55-515 Marine employees—Conduct of interest arbitration proceedings; 391-55-520 Marine employees—Submission of issues for arbitration; 391-55-525 Marine employees—Hearing; 391-55-530 Marine employees—Order of proceedings and evidence; 391-55-535 Marine employees—Arbitration in the absence of a party; 391-55-540 Marine employees—Closing of hearing; 391-55-545 Marine employees—Interest arbitration award; and 391-55-560 Marine employees—Central filing of agreements. WAC 391-55-110 is amended to establish new qualifications and procedures for operation of the dispute resolution panel. The following rules are amended to conform to recent legislative actions: WAC 391-55-205 Uniformed personnel—Appointment of partisan arbitrators; 391-55-210 Uniformed personnel—Selection of impartial arbitrator; 391-55-310 Educational employees—Selection of fact finder; 391-55-355 Educational employees—Expenses of fact finder; and 391-55-455 Academic employees—Expenses of fact finding.

Reasons Supporting Proposed Action: Jurisdiction for administration of labor relations matters involving the Washington State Ferries System was transferred from the Public Employment Relations Commission to the Marine Employees Commission by chapter 15, Laws of 1983, effective March 28, 1983. The commission is updating its requirements for membership on its dispute resolution panel in recognition of gradual changes in the use of the panel and insufficient detail in existing procedures. Chapter 287, Laws of 1983 altered certain time periods in RCW 41.56.440 and 41.56.450. The state appropriations act for the 1983-85 biennium does not include funds for PERC to provide factfinders or interest arbitrators under personal services contracts, and such services will be provided by PERC staff.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-002 SEQUENCE AND NUMBERING OF RULES—SPECIAL PROVISIONS. This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. Special provisions required for conformity with a particular statute are set forth in separate rules numbered as follows:

(1) Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (port employees), are set forth in WAC sections numbered one digit greater than the general rule on that subject matter and in a subchapter of rules beginning with WAC 391-55-200.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter and in a subchapter of rules beginning with WAC 391-55-300.

(3) Special provisions relating to chapter 28B.52 RCW (professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter and in a subchapter of rules beginning with WAC 391-55-400.

~~((4) Special provisions relating to chapter 47.64 RCW (marine employees) are set forth in WAC sections numbered four digits greater than the general rule on that subject matter and in a subchapter of rules beginning with WAC 391-55-500.))~~

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-110 IMPASSE RESOLUTION—DISPUTE RESOLUTION PANEL. The commission shall establish and maintain a panel of individuals qualified ~~((individuals and))~~ to serve in an impartial capacity in the resolution of labor disputes.

(1) Applicants for membership on the dispute resolution panel must demonstrate minimum background and experience equal to the minimum qualifications for the working level positions on the professional

staff of the commission: A master's degree in labor relations, personnel management or industrial relations or closely allied field, and experience equivalent to two years of full-time work with major assignments in collective bargaining, contract administration or related work as a union, management or government official, mediator, arbitrator or educator in the above areas. A law degree may be substituted for the master's degree. Additional qualifying experience may be substituted, year for year, for education.

(2) Applicants for membership on the dispute resolution panel must furnish letters of recommendation from: (a) At least one attorney, consultant or labor relations director representing management; (b) at least one attorney, union officer or business agent representing labor; and (c) at least one impartial arbitrator, mediator or labor relations administrative agency official. Such letters of recommendation must support the acceptability of the applicant as an impartial in the resolution of labor disputes.

(3) Applicants for membership on the dispute resolution panel must file, in the form specified by the executive director, information on their background, qualifications, professional certifications and affiliations. All information submitted shall be subject to administrative verification.

(4) Applications of persons appearing to be qualified for membership on the panel shall be forwarded to the commission for consideration and action. The commission shall review each application submitted to it, together with the supporting letters of recommendation, and shall notify the applicant of the determination made. Upon initial application or at any subsequent time as it may appear to the commission that the applicant or member of the dispute resolution panel has failed or refused to comply with applicable statutes, rules and ethical standards, the application shall be rejected or the member shall be removed from the dispute resolution panel. A member shall also be removed from the panel if he or she has ceased accepting appointments as an impartial in the resolution of labor disputes.

(5) Persons referred from the dispute resolution panel must be impartial. No active member of the dispute resolution panel may serve in any capacity as an advocate or representative for either labor or management in labor relations matters. Any member of the panel who intends to engage in advocacy work shall so notify the executive director and shall be placed on inactive status on the panel while such advocacy work continues.

(6) Upon request of the parties, the executive director shall make a list of members of ~~((that))~~ the dispute resolution panel available to parties for their use in selecting a neutral chairman for an interest arbitration panel, a grievance arbitrator, a fact-finder or an ad hoc interest arbitrator. ~~((Any person may apply for membership on the panel and;))~~ The parties may use any method agreed upon for selecting an impartial from the list provided by the executive director. In the absence of agreement on any other method, they shall alternately strike names from the list, with the order of striking determined by lot.

(7) Upon ~~((acceptance))~~ appointment to the dispute resolution panel by the ~~((agency, shall))~~ commission, the panel member may be placed under contract pursuant to RCW 39.29.010. Only persons listed on the panel will be compensated by the agency ~~((as a neutral chairman under RCW 41.56.450 or as a fact-finder under RCW 41.59.120))~~ under personal service contract for services.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-205 UNIFORMED PERSONNEL—APPOINTMENT OF PARTISAN ARBITRATORS. Within ~~((five))~~ seven days following the issuance of the notice by the executive director, each party shall name one person who is available and willing to serve as its member of the arbitration panel, and shall notify the opposite party and the executive director of the name, address and telephone number of the person so designated. The members so appointed shall proceed as provided in RCW 41.56.450.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-210 UNIFORMED PERSONNEL—SELECTION OF IMPARTIAL ARBITRATOR. (1) If the appointed members agree on the selection of a neutral chairman, they shall obtain a commitment to serve, and shall notify the executive director of the identity of the neutral chairman so selected.

(2) If the appointed members agree to have the commission appoint a neutral chairman, they shall file with the executive director a written

joint request. The parties and the appointed members are not entitled to influence the designation of an arbitrator under this subsection and shall not, either in writing or by other communication, attempt to indicate any preference for or against any person as the neutral chairman to be appointed by the commission. Upon the filing of a request in compliance with this subsection, the executive director shall appoint a neutral chairman from the commission staff or the dispute resolution panel.

(3) If the appointed members desire to select a neutral chairman from a panel of arbitrators, they shall attempt to agree as to which of the agencies designated in RCW 41.56.450 will supply the list of arbitrators. If the choice of agency is agreed, either party or the parties jointly shall proceed forthwith to request a panel of five arbitrators. If the appointed members are unable to agree within ~~((five))~~ seven days following their first meeting as to which agency is to supply the list of arbitrators, either of them may apply to the executive director for a list of five available neutral chairmen other than agency staff members and the neutral chairman shall be selected from the commission's dispute resolution panel. All request for panels under this subsection shall specify: "For interest arbitration proceedings under RCW 41.56.450." The selection of the impartial arbitrator shall be made pursuant to the rules of the agency supplying the list of arbitrators, and the parties shall notify the executive director of the identity of the arbitrator so selected.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-310 EDUCATIONAL EMPLOYEES—SELECTION OF FACT FINDER. Upon the filing of a timely request for fact finding, the executive director shall furnish the parties a list of five members of the dispute resolution panel from which the parties will be invited to exercise their right under RCW 41.59.120(5). Within seven days following receipt of the list, the parties shall meet to attempt to select a fact finder. The parties may agree to designate the mediator as fact finder. If the parties agree on a fact finder, they shall obtain a commitment to serve and shall notify the executive director of the identity of the fact finder so selected. If the parties are unable to agree on a fact finder under RCW 41.59.120(5), they shall notify the executive director, who shall designate a fact finder from the commission staff or the dispute resolution panel. The parties are not entitled to influence the designation of a fact finder and shall not, either in writing or by other communication, attempt to indicate any preference for or against any person as the fact finder to be appointed by the commission.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-355 EDUCATIONAL EMPLOYEES—EXPENSES OF FACT FINDING. Each party shall pay the expenses of presenting its own case. The expenses of witnesses shall be paid by the party producing them. The fees and traveling expense of a fact finder ~~((selected from))~~ appointed by the commission ((panel)) shall be paid by the commission.

AMENDATORY SECTION (Amending Order 80-8, filed 9/30/80, effective 11/1/80)

WAC 391-55-455 ACADEMIC EMPLOYEES—EXPENSES OF FACT FINDING. Each party shall pay the expenses of presenting its own case. The expenses of witnesses shall be paid by the party producing them. The fees and traveling expense of a fact finder ~~((selected from the commission panel))~~ shall be paid by the ~~((commission))~~ parties equally.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 391-55-500 MARINE EMPLOYEES—INTEREST ARBITRATION.
- (2) WAC 391-55-510 MARINE EMPLOYEES—INTERVENTION AND CONSOLIDATION OF PROCEEDINGS.
- (3) WAC 391-55-515 MARINE EMPLOYEES—CONDUCT OF INTEREST ARBITRATION PROCEEDINGS.
- (4) WAC 391-55-520 MARINE EMPLOYEES—SUBMISSION OF ISSUES FOR ARBITRATION.
- (5) WAC 391-55-525 MARINE EMPLOYEES—HEARING.

(6) WAC 391-55-530 MARINE EMPLOYEES—ORDER OF PROCEEDINGS AND EVIDENCE.

(7) WAC 391-55-535 MARINE EMPLOYEES—ARBITRATION IN THE ABSENCE OF A PARTY.

(8) WAC 391-55-540 MARINE EMPLOYEES—CLOSING OF HEARING.

(9) WAC 391-55-545 MARINE EMPLOYEES—INTEREST ARBITRATION AWARD.

(10) WAC 391-55-560 MARINE EMPLOYEES—CENTRAL FILING OF AGREEMENTS.

WSR 83-20-013 PROPOSED RULES PUBLIC EMPLOYMENT RELATIONS COMMISSION

[Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning grievance arbitration rules, chapter 391-65 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is chapter 47.64 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-65 WAC, Grievance arbitration rules.

Description of Purpose: To govern proceedings before the Public Employment Relations Commission on petitions for grievance arbitration.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: WAC 391-65-002 is amended to delete obsolete material. The following existing PERC rules are repealed: WAC 391-65-500 Marine employees—Grievance arbitration; 391-65-510 Marine employees—Intervention and consolidation of proceedings; 391-65-515 Marine employees—Conduct of grievance arbitration proceedings; 391-65-525 Marine employees—Hearing; 391-65-530 Marine employees—Order of proceedings and evidence; 391-65-535 Marine employees—Arbitration in the absence of a party; 391-65-540 Marine employees—Closing of hearing; 391-65-545 Marine employees—Examiner decision; 391-65-550

Marine Employees—Petition for review of examiner decision; 391-65-555 Marine employees—Commission action; and 391-65-560 Marine employees—Grievance arbitration remedies.

Reasons Supporting Proposed Action: Jurisdiction for administration of labor relations matters involving the Washington State Ferries System was transferred from the Public Employment Relations Commission to the Marine Employees Commission by chapter 15, Laws of 1983, effective March 28, 1983.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

AMENDATORY SECTION (Amending Order 80-9, filed 9/30/80, effective 11/1/80)

WAC 391-65-002 SEQUENCE AND NUMBERING OF RULES—SPECIAL PROVISIONS. This chapter of the Washington Administrative Code is designed to regulate proceedings under a number of different chapters of the Revised Code of Washington. General rules are set forth in sections with numbers divisible by ten. Where a deviation from the general rule is required for conformity with a particular statute, that special provision is set forth in a separate rule, numbered as follows:

(1) Special provisions relating to chapter 41.56 RCW (Public Employees' Collective Bargaining Act) and to chapter 53.18 RCW (port employees) are set forth in WAC sections numbered one digit greater than the general rule on that subject matter.

(2) Special provisions relating to chapter 41.59 RCW (Educational Employment Relations Act) are set forth in WAC sections numbered two digits greater than the general rule on that subject matter.

(3) Special provisions relating to chapter 28B.52 RCW (professional negotiations—academic faculties of community college districts) are set forth in WAC sections numbered three digits greater than the general rule on that subject matter.

(4) ((Special provisions relating to chapter 47.64 RCW (marine employees) are set forth in WAC sections numbered four digits greater than the general rule on that subject matter, and in a subchapter of rules beginning with WAC 391-65-500.

(5)) Special provisions relating to chapter 49.08 RCW (private sector employees) are set forth in WAC sections numbered nine digits greater than the general rule on that subject matter.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 391-65-500 MARINE EMPLOYEES—GRIEVANCE ARBITRATION.

(2) WAC 391-65-510 MARINE EMPLOYEES—INTERVENTION AND CONSOLIDATION OF PROCEEDINGS.

(3) WAC 391-65-515 MARINE EMPLOYEES—CONDUCT OF GRIEVANCE ARBITRATION PROCEEDINGS.

(4) WAC 391-65-525 MARINE EMPLOYEES—HEARING.

(5) WAC 391-65-530 MARINE EMPLOYEES—ORDER OF PROCEEDINGS AND EVIDENCE.

(6) WAC 391-65-535 MARINE EMPLOYEES—ARBITRATION IN THE ABSENCE OF A PARTY.

(7) WAC 391-65-540 MARINE EMPLOYEES—CLOSING OF HEARING.

(8) WAC 391-65-545 MARINE EMPLOYEES—EXAMINER DECISION.

(9) WAC 391-65-550 MARINE EMPLOYEES—PETITION FOR REVIEW OF EXAMINER DECISION.

(10) WAC 391-65-555 MARINE EMPLOYEES—COMMISSION ACTION.

(11) WAC 391-65-560 MARINE EMPLOYEES—GRIEVANCE ARBITRATION REMEDIES.

WSR 83-20-014
PROPOSED RULES
PUBLIC EMPLOYMENT
RELATIONS COMMISSION

[Filed September 22, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Employment Relations Commission intends to adopt, amend, or repeal rules concerning union security dispute rules, chapter 391-95 WAC;

that the agency will at 10:30 a.m., Wednesday, November 16, 1983, in the Conference Room, Second Floor, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

The specific statute these rules are intended to implement is RCW 34.04.022 and chapter 47.64 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 22, 1983

By: Marvin L. Schurke
Executive Director

STATEMENT OF PURPOSE

Title: Chapter 391-95 WAC, Union security dispute rules.

Description of Purpose: To govern proceedings before the Public Employment Relations Commission on petitions for union security disputes.

Statutory Authority: RCW 34.04.022, 41.58.050, 41.56.090, 41.59.110 and 28B.52.080.

Summary of Rule: WAC 391-95-280 is amended to delete obsolete material and 391-95-210, Authority of hearing officer is repealed.

Reasons Supporting Proposed Action: Jurisdiction for administration of labor relations matters involving the Washington State Ferries System was transferred from the Public Employment Relations Commission to the Marine Employees Commission by chapter 15, Laws of 1983, effective March 28, 1983. Pursuant to chapter 67, Laws of 1981, the Chief Administrative Law Judge has promulgated chapter 10-80 WAC, governing proceedings in contested cases and preempting agency rules on those matters. WAC 391-25-330 has been preempted, and is repealed.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Marvin L. Schurke, Executive Director, Public Employment Relations Commission, 603 Evergreen Plaza, Olympia, Washington 98504, telephone: (206) 753-3444.

Person or Organization Proposing Rule and Whether Public, Private, or Governmental: The changes are proposed by the Public Employment Relations Commission, a state agency.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: These changes are made to conform the rules adopted by the Public Employment Relations Commission to recent legislative changes.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

NEW SECTION

WAC 391-95-280 FILING AND SERVICE OF CROSS-PETITION FOR REVIEW. Where a petition for review has been timely filed under WAC 391-95-270, any party who has not previously filed a petition for review may, within seven days after the last date on which a petition for review may be filed, file a cross-petition for review. Such cross-petition for review shall be filed and served in the same manner as a petition for review. Upon the filing of a cross-petition for review, the deadline for the submission of briefs or written arguments shall be extended by seven days.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 391-95-210 AUTHORITY OF HEARING OFFICER.

**WSR 83-20-015
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY
COLLEGE DISTRICT
[Memorandum—September 15, 1983]**

A special meeting of the board of trustees of the Seattle Community College District VI has been scheduled for Tuesday, September 27, 1983, at 6:30 p.m., in the District Office Board Room, 300 Elliott Avenue West, Seattle, WA 98119.

**WSR 83-20-016
ADOPTED RULES
THE EVERGREEN
STATE COLLEGE**

[Order 83-4, Resolution No. 83-42—Filed September 22, 1983]

Be it resolved by the board of trustees of The Evergreen State College, acting at Olympia, Washington, that it does adopt the annexed rules relating to parking and traffic rules, WAC 174-116-010 through 174-116-260.

This action is taken pursuant to Notice No. WSR 83-16-083 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are

filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of The Evergreen State College as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 8, 1983.

By Richard N. Schwartz
Acting President

**Chapter 174-116 WAC
~~((CAMPUS PARKING AND TRAFFIC REGULATIONS))~~ PARKING AND TRAFFIC RULES**

WAC

- 174-116-010 Purpose.
- 174-116-011 Regulations.
- 174-116-020 Authority.
- 174-116-030 Enforcement.
- 174-116-040 ~~((Scope:))~~ Parking permits—General information.
- 174-116-041 Parking permits—Visitors and guests.
- 174-116-042 Parking permits—Special permits.
- 174-116-043 Parking permits—Issuance and display.
- 174-116-044 Parking permits—Validity periods.
- 174-116-045 Parking permits—Housing residents.
- 174-116-046 Parking permits—Revocations.
- 174-116-050 Responsibility and presumption in reference to illegal parking.
- 174-116-060 ~~((Traffic regulations applicable:))~~ Designated and assigned parking areas.
- 174-116-070 Speed.
- 174-116-071 Parking—Prohibited places.
- 174-116-072 Impounding of vehicles.
- 174-116-080 Access.
- 174-116-091 Special parking and traffic regulations and restrictions authorized.
- 174-116-092 Parking of motorcycles and scooters.
- 174-116-119 Fines.
- 174-116-121 Election to pay or contest a notice of infraction.
- 174-116-122 Appeal/hearing procedure.
- 174-116-123 Establishment of Infraction Review Committee.
- 174-116-124 Jurisdiction of the Infraction Review Committee.
- 174-116-125 ~~((Valid parking permits:))~~ Appeal/hearing procedure—Rules of evidence.
- 174-116-126 Appeal/hearing—Procedure—Review decision.
- 174-116-127 Appeal/hearing—Mitigation and suspension of fines.
- 174-116-260 Fines and penalties.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-010 PURPOSE. (1) To expedite college business, protect state property, provide maximum safety and convenience for all.

(2) To assure access at all times for emergency vehicles and personnel.

(3) To provide funds to obtain and maintain suitable campus parking facilities.

(4) ~~((These regulations shall become effective on November 26, 1972:))~~ To protect and control pedestrian and vehicular traffic.

NEW SECTION

WAC 174-116-011 REGULATIONS. Drivers and owners of vehicles on the property of The Evergreen State College are responsible for safe and lawful operation of those vehicles. Individuals operating or parking vehicles on college owned property must at all times comply with the campus regulations, ordinances of Thurston County and laws of the state of Washington.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-020 AUTHORITY. (1) The Evergreen State College through its Board of Trustees is authorized to establish traffic and parking regulations as stated in RCW 28B.10.560. The Board of Trustees reserves the right to add, delete or modify portions of these regulations including the appended fee and fine and penalty schedules in accordance with its regulations and applicable laws. Administration and enforcement of these regulations will be delegated to the Security and Parking Office.

(2) The Evergreen State College Security and Parking Office is authorized to issue annual, quarterly, daily, car-pool, housing and special permits to park upon the campus. Special permits are issued pursuant to the provisions of these regulations. All outstanding campus parking violations must be satisfactorily settled before a special permit will be issued or renewed.

(3) The authority and powers conferred upon the Security Chief by these regulations shall be subject to delegation by him/her to subordinates.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-030 ENFORCEMENT. ~~((Personnel of the Security Office and any other enforcement agency having jurisdiction shall be responsible for enforcing all of the parking and traffic regulations of the campus:))~~ Security Office personnel shall be responsible for enforcing traffic regulations on the campus. This shall include all College Parking regulations and "rules of the road" as set forth in Title 46 of the Revised Code of the state of Washington.

Whenever an unattended vehicle is observed in violation of the regulations herein set forth, the Parking Personnel shall take the registration number and other

identifiable information and shall affix to such vehicle a parking infraction in a conspicuously visible location.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-040 ~~((SCOPE:))~~ PARKING PERMITS—GENERAL INFORMATION. ~~((These laws and regulations shall be applicable at all times and on all lands which are or may hereafter be devoted mainly to educational, research, housing, recreational, or parking activities of The Evergreen State College:))~~ (1) Parking permits are issued by the Security and Parking Office following application and the payment of the appropriate fees. All privately owned motor vehicles parked or left standing unattended on college property are required to display a currently valid Evergreen parking permit during the hours of 7:00 a.m. to 4:00 p.m., Monday through Friday, and at such other times as the college may designate.

(2) Fees for parking permits are as follows:

	<u>Automobile</u>	<u>Motorcycle</u>
<u>Quarterly</u>	<u>16.00</u>	<u>8.00</u>
<u>Annual</u>	<u>40.00</u>	<u>20.00</u>
<u>Daily</u>	<u>.50</u>	<u>.50</u>

NEW SECTION

WAC 174-116-041 PARKING PERMITS—VISITORS AND GUESTS. All visitors, including guests, salespersons, maintenance or service personnel and all other members of the public will park in available space as established by The Evergreen State College parking and traffic regulations and will pay the established parking fee except as noted below:

(1) Federal, state, county, city, school district, and similar governmental personnel, on official business in vehicles with tax exempt licenses, will be admitted without charge.

(2) Vehicles owned by contractors and their employees working on campus construction may be parked within available construction sites or designated areas without charge.

(3) Members of the press, television, radio and wire services, on official business, may park without charge, but must have a permit authorized by the Parking Office to do so.

(4) Taxis and commercial delivery vehicles may enter the campus without payment of the parking fee only for pick up and delivery of passengers, supplies and equipment.

(5) Visitors and guests attending special college events may be parked without charge if prior arrangement has been made with the Parking Office.

(6) Visitors invited to the campus for the purpose of rendering uncompensated services to The Evergreen State College may be parked without charge, provided prior notification is given to the Parking Office.

NEW SECTION

WAC 174-116-042 PARKING PERMITS—SPECIAL PERMITS. (1) Physically disabled faculty

members, staff personnel, visitors, and students may apply through the Security and Parking Office for a special parking permit in a reserved area. Such individuals must obtain a certificate from a physician indicating that special parking assignment is essential in order for them to perform their assigned duties or to attend classes. Such persons, however, must also display on their vehicle a valid daily, quarterly or annual parking permit. State of Washington handicapped "Overtime Parking" permits will be honored as valid on campus.

(2) Salespersons, maintenance and service personnel, persons serving the college without pay, and other visitors who must frequently visit the campus on college business, may be issued a parking permit from the Parking Office, upon request from the division benefiting from the services provided, subject to approval by the Security and Parking Office. Parking on campus will not be provided to persons intending to make personal solicitations from or personal sales to college employees or students.

(3) Overnight or extended period permits may be obtained from the Security and Parking Office for disabled vehicles, field trips or other valid reasons that may necessitate the operator's leaving the vehicle on campus.

NEW SECTION

WAC 174-116-043 PARKING PERMITS—ISSUANCE AND DISPLAY. (1) All parking permits must be positioned so that they are clearly visible and readable from the outside of the vehicle.

(2) Car pool permits may be purchased by faculty, staff and students. One transferable permit will be issued by the Security and Parking Office for each car pool. This permit is transferable only among the registered members of the car pool. The permit must be displayed on the dashboard in the left corner in front of the driver on a registered car pool vehicle.

(3) Annual and quarterly parking permits must be affixed to the vehicle's rear window with the following exceptions:

(a) On convertibles and trucks they may be affixed in the lower left corner of the front windshield.

(b) On station wagons and cars with heated rear windows permits must be affixed in the left rear side window.

(c) Motorcycle permits must be affixed in a conspicuous place.

(4) Daily parking permits shall be placed on the dashboard with date stamp facing up, so as to be clearly visible from the exterior of the vehicle.

(5) A parking permit application is required to be on file for each vehicle displaying a permit. Ownership of permits is not transferable except when approved by the Security and Parking Office. The Security and Parking Office can approve replacement of or transfer of a permit under the following conditions:

(a) The person relinquishing ownership and the purchaser appear in person at the Parking Office when requesting a transfer.

(b) The former owner relinquishes all ownership or claims to said permit.

(c) The purchaser qualifies for ownership.

(d) The new owner completes a new application form for the permit.

(e) If the vehicle is sold, and for any reason a replacement permit is requested, the old permit must be removed and presented to the Security and Parking Office to be eligible for a replacement or a refund.

(6) Faculty, staff and students may be issued a duplicate car permit for another vehicle either personally owned, family owned, or owned by their employer. Proof of ownership or authorization from the owner for all additional vehicles must be presented. However, two vehicles bearing the same numbered permit may not be parked on campus at the same time unless one also displays a valid daily permit.

(7) Any permit holder may obtain a temporary permit at the Security and Parking Office without charge for another vehicle when the vehicle for which a permit was purchased is unavailable due to repair or for another valid reason.

NEW SECTION

WAC 174-116-044 PARKING PERMITS—VALIDITY PERIODS. (1) Annual parking permits shall be valid from the date of issue until the first day of the following fall quarter.

(2) Quarterly parking permits shall be valid from the date issued each academic quarter until the first day of the following academic quarter.

(3) Daily permits shall be valid from the time purchased until 4:00 p.m. on the date of purchase.

NEW SECTION

WAC 174-116-045 PARKING PERMITS—HOUSING RESIDENTS. Under the following conditions, College Housing residents will, upon request, receive a parking permit at no charge.

(1) Permits must be renewed quarterly.

(2) Housing residents must show proof of ownership before permit will be issued.

(3) Free parking will be discontinued when residents terminate their contract with Housing.

(4) Housing will verify residency status to the Security and Parking Office.

(5) Only one permit per resident will be issued free. Additional permits may be purchased through regular procedures.

(6) Resident parking permits will only be valid for parking in the modular parking areas or in "F" lot. A regularly purchased permit is required for use in all other parking areas.

NEW SECTION

WAC 174-116-046 PARKING PERMITS—REVOCACTIONS. Permits are licenses and the property of the college, and may be recalled for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists.

(2) When a permit is used by an unauthorized individual.

(3) Falsification on a second car parking permit application.

(4) Counterfeiting or altering of permits.

(5) Appeals of permit revocations must be made in accordance with the Institutional Hearing procedures outlined in Infraction Review Committee's governing document.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-050 RESPONSIBILITY AND PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. ~~((The operator or owner, or both, of any vehicle driven in areas covered under the scope of this policy shall be held responsible for obeying all state laws and campus traffic and parking regulations.~~

~~Ignorance of these laws and regulations shall not be an excuse for their violation.))~~ The registered owner or permit holder shall be responsible for all parking violations involving the vehicle on which the permit is displayed.

In any hearing alleging the violation of any parking regulation, proof that the particular vehicle described was stopping, standing or parked in violation of any such regulation together with proof that the person named in the complaint or infraction at the time of such violation was the registered owner or permit holder of such vehicle shall constitute in evidence a prima facie presumption that the owner was the person who parked or placed such vehicle in the location the violation occurred.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-060 ((TRAFFIC REGULATIONS APPLICABLE:)) DESIGNATED AND ASSIGNED PARKING AREAS. The motor vehicle laws of the state of Washington and any rules stated herein shall be applicable at all times in areas covered under the scope of this policy.

The college assumes no liability for vehicles operated or parked on college properties. No bailment, but only a license, is created by the purchase and/or issuance of any permit.

(1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked in any parking area without a permit for that area.

(3) Vehicles may only park within marked spaces provided in each parking lot.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-070 SPEED. Unless otherwise posted, the maximum speed limit in areas covered under the scope of this policy shall be 25 miles per hour for all motor vehicles and bicycles.

Reviser's note: No amendatory language was filed by the adopting institution for the above section. It appears as filed pursuant to RCW 34.08.040.

NEW SECTION

WAC 174-116-071 PARKING—PROHIBITED PLACES. (1) No person shall stop, stand or park any vehicle so as to obstruct traffic along or upon any street or sidewalk.

(2) No vehicle shall park or stand except momentarily to pick up or discharge passengers:

(a) At any place where official signs prohibit parking;

(b) Within 15 feet of a fire hydrant or in fire lanes;

(c) On any lawn or grass areas except as required for maintenance or construction authorized by the Director of Facilities;

(d) In excess of posted time limits;

(e) Within an intersection;

(f) So as to block a curb cut or driveway;

(g) Adjacent to a painted curb;

(h) Within 30 feet of an intersection;

(i) In a handicapped zone;

(j) In a bus zone.

(3) No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the violator to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

NEW SECTION

WAC 174-116-072 IMPOUNDING OF VEHICLES. (1) No disabled or inoperative vehicle shall be parked on the campus for a period in excess of ninety-six hours. Vehicles which have been parked for periods in excess of ninety-six hours and which appear to be disabled or inoperative may be impounded and stored at the expense of the registered owner. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from impounding and/or storage services provided by a private vendor. Notice of intent to impound will be posted on the vehicle twenty-four hours prior to impound. In any case, the owner or operator of a disabled vehicle should notify the Security and Parking Office of the vehicle's location and estimated time of removal or repair.

(2) Any vehicle parked upon property of The Evergreen State College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington, may be impounded or immobilized and taken to such place for storage as the Chief of Security selects. The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid by him/her prior to its release. The college and its employees shall not be liable for loss or damage of any kind resulting from such impounding and/or storage services provided by a private vendor.

AMENDATORY SECTION (Amending Order 72-7, filed 10/27/72)

WAC 174-116-080 ACCESS. Privately owned motor vehicles shall be driven only on those roadways designed and built for their use.

Marked "service" drives shall be used only by college employees conducting official business, emergency vehicles, and authorized delivery vehicles. Any and all other vehicles are prohibited from traveling or parking in these areas ((for any reason)).

Brick-paved and other designated areas are for pedestrian and bicycle traffic only, except as needed for emergency vehicle or for maintenance of buildings or grounds.

NEW SECTION

WAC 174-116-091 SPECIAL PARKING AND TRAFFIC REGULATIONS AND RESTRICTIONS AUTHORIZED. (1) During special conditions causing additional heavy traffic and during emergencies, the Security Chief is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the specified objectives of these regulations and provide appropriate notice thereof whenever possible.

(2) The Director of Facilities is authorized to erect signs, barricades and other structures and to paint marks and other directions aids upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational, recreational, or parking activities of The Evergreen State College.

(3) No person without authorization from the Director of Facilities shall move, deface, or in any way change a sign, barricade, structure, marking or direction so placed, or previously placed, for the purpose of regulating traffic or parking.

NEW SECTION

WAC 174-116-092 PARKING OF MOTORCYCLES AND SCOOTERS. (1) Motorcycles, motorized bicycles and scooters are for the purpose of these regulations considered to be motor vehicles and are subject to all traffic and parking rules and regulations controlling other motor vehicles.

(2) Motorcycles, motorized bicycles and scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles, motorized bicycles and scooters are not permitted on paths, sidewalks, in buildings or in pedestrian areas at any time.

NEW SECTION

WAC 174-116-119 FINES. (1) Payment.

(a) Persons cited for violation of these regulations may respond by paying a fine within ten days of the date of notice of infraction. Such payment shall constitute a waiver of the right to request a review as described in WAC 174-116-121.

(b) All fines are payable to The Evergreen State College cashier. Fines may be paid in person or by mail by sending the notice of infraction and amount of fine to The Evergreen State College cashier. The cashier will not discuss the appropriateness of the fine with the payor.

(2) Unpaid.

If any fine remains unpaid after ninety days from the date of the notice of infraction, the following action will be taken by The Evergreen State College:

(a) Academic registration for the following quarter shall be prohibited.

(b) Transcripts shall be withheld for any persons having outstanding unpaid fines.

(c) Unless payment of the fine has been made, the amount of the fine will be deleted from an employee's paycheck after the employee has been offered the right of a hearing as contained in this document.

NEW SECTION

WAC 174-116-121 ELECTION TO PAY OR CONTEST A NOTICE OF INFRACTION. The notice of infraction issued pursuant to these regulations shall direct the alleged violator that he/she may elect either to pay the fine applicable to the violation(s) charged or to request a review with the Infraction Review Committee within ten days of the date of the infraction.

(1) If the alleged violator chooses to contest, a written request for a review will be filed with the Chairperson of the Infraction Review Committee, through the Security Chief. Requests for review forms are available at the Security and Parking Office. Requests for a review may be submitted without posting of the fine within ten days after date of infraction.

(2) The Infraction Review Committee will review the written Request for Review and notify the alleged violator of their decision within ten class days.

NEW SECTION

WAC 174-116-122 APPEAL/HEARING PROCEDURE. (1) If the decision of the Infraction Review Committee is not supportive of the alleged violator's request, the alleged violator may request a hearing before the Review Committee to present his/her case in person. The Infraction Review Committee will meet a minimum of once a month (usually the first Wednesday of the month) to hear such appeals.

(2) Persons requesting a hearing before the Infraction Review Committee must make such requests to the chairperson of the Infraction Review Committee within ten class days of notification of the initial review decision.

(3) The appellant will be notified by the chairperson of the Infraction Review Committee of the time and date of such hearing. Decisions rendered by the Infraction Review Committee on appeals heard shall be binding, except as provided by RCW 28B.10.565.

NEW SECTION

WAC 174-116-123 ESTABLISHMENT OF INFRACTION REVIEW COMMITTEE. The Evergreen State College Infraction Review Committee is hereby established, the members of which shall be composed of the following:

(1) One faculty member chosen by the Vice President and Provost;

(2) One exempt staff member chosen by the President;

(3) One classified staff member chosen by the Vice President for Business;

(4) Two currently enrolled students chosen by the Evergreen Council; and

(5) The Chief of Security will serve as a nonvoting member.

NEW SECTION

WAC 174-116-124 JURISDICTION OF THE INFRACTION REVIEW COMMITTEE. The Infraction Review Committee established by these regulations shall have jurisdiction to hear and review infractions involving alleged violations of these rules and to render a judgment as to the validity of such infractions.

AMENDATORY SECTION (Amending Order 77-3, filed 12/16/77)

WAC 174-116-125 (~~VALID PARKING PERMITS~~) **APPEAL/HEARING PROCEDURE—RULES OF EVIDENCE.** (~~Quarter periods are defined as fall, winter, spring and summer. Annual permits are valid for one calendar year, quarterly permits are valid until the beginning of the next quarter as listed on the academic schedule, monthly permits are valid for one calendar month, daily permits are valid for date stamped only.~~) The rules of evidence applicable to courts of law shall not apply and any oral or documentary evidence may be received, but the chairperson of the Infraction Review Committee may exclude such evidence as is irrelevant, immaterial or unduly repetitious.

NEW SECTION

WAC 174-116-126 **APPEAL/HEARING—PROCEDURE—REVIEW DECISION.** Upon conclusion of the review and/or appeal, the chairperson of the Infraction Review Committee shall render the decision of the review committee as to guilty or not guilty and shall assess fines or penalties not in excess of the schedule of fines set forth in WAC 174-116-260. The decision shall be recorded in the records maintained by the Security and Parking Office and the chairperson of the Infraction Review Committee shall endorse his/her signature therein, certifying the record to be correct.

NEW SECTION

WAC 174-116-127 **APPEAL/HEARING—MITIGATION AND SUSPENSION OF FINES.** Upon the showing of good cause or mitigating circumstances, the Infraction Review Committee may impose any lesser fine than those established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairperson may grant an extension of time within which to comply with the review and/or appeal decision. A person charged with a parking infraction who deems himself or herself aggrieved by the final decision in an internal adjudication may, within ten days after written notice of the final decision, appeal by filing a written notice thereof with the college or university police force. Documents relating to the appeal shall immediately be forwarded to the district court in the county in which the

offense was committed, which court shall have jurisdiction over such offense and such appeal shall be heard de novo.

NEW SECTION

WAC 174-116-260 **FINES AND PENALTIES.** The following schedule of fines for violations of the rules listed in chapter 174-116 WAC is hereby established:

No.	Offense	Maximum Fine
1.	No valid permit	\$5.00
2.	Overtime parking	10.00
3.	Improper position	5.00
4.	Parked where signs prohibit	15.00
5.	Parked within 15 feet of hydrant	15.00
6.	Handicapped Zone	15.00
7.	Parked within intersection	10.00
8.	Within 30 feet of intersection	5.00
9.	Blocking driveway	10.00
10.	Parked at painted curb	10.00
11.	Parked in prohibited zone	15.00
12.	Obstructing traffic	10.00
13.	Parked in bus zone	15.00
14.	Parked in fire lane	15.00
15.	Altered permit	25.00

REPEALER

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

- (1) WAC 174-116-090 MOTOR VEHICLE REGISTRATION.
- (2) WAC 174-116-105 VALID PARKING PERMITS REQUIRED.
- (3) WAC 174-116-115 PARKING PERMIT REGULATIONS.
- (4) WAC 174-116-135 PARKING PERMITS DISPLAYED.
- (5) WAC 174-116-140 PARKING AREAS.
- (6) WAC 174-116-150 VIOLATION, PENALTY, IMPOUNDING.
- (7) WAC 174-116-160 BICYCLE PARKING.
- (8) WAC 174-116-170 BICYCLE TRAVEL.
- (9) WAC 174-116-180 BICYCLE EQUIPMENT, BRAKES, LIGHTS.

WSR 83-20-017
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 83-31—Filed September 23, 1983]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the General Administration Building, Olympia, Washington, the annexed rules relating to circumstances wherein a self-insured employer shall or shall not make a referral to a registered vocational counselor for evaluation of vocational services, setting time frames and procedures to govern these circumstances.

WSR 83-20-018
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed September 23, 1983]

I, Sam Kinville, find that an emergency exists and that this 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 the emergency is the original rule, when adopted, contained a wording error which completely changes the intended meaning of the relevant section. Application of the adopted language could interfere with the orderly provision of rehabilitation to injured workers.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 51.41.090 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.

By Sam Kinville
 Director

AMENDATORY SECTION (Amending Order 82-40, filed 11/30/82)

WAC 296-18-140 RETURN TO WORK SUMMARY REPORT (SELF-INSURED CLAIMS). (1) *If, after review of the medical reports, the self-insurer determines that the injured worker may return to employment consistent with priority (a), (b), or (c) of WAC 296-18-180, the self-insurer is not required to refer a registered vocational rehabilitation counselor to the injured worker. The self-insurer shall submit a return to work summary report to the office of rehabilitation review. Copies shall also be submitted to the injured worker and the attending physician. This return to work summary report shall be submitted:*

(a) *Within thirty days after the self-insurer receives medical information that the injured worker is not able to return to work without vocational rehabilitation assistance, or*

(b) *No later than one hundred twenty days after the most recent initiation of a claim for temporary total disability, whichever occurs first.*

(2) *If a copy of the return to work summary report has not been received by the injured worker by the time set out in subsection (1) of this section, the injured worker may petition the office of rehabilitation review requesting that a registered vocational rehabilitation counselor be referred to him or her. Upon receipt of such a request, the office of rehabilitation review shall order the self-insurer to immediately select and refer a registered vocational rehabilitation counselor to the injured worker.*

(3) *The return to work summary report shall include the expected date of reemployment.*

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 Liquor sales in Indian country—Appointment of tribal liquor vendors—Qualifications, WAC 314-37-010;

that the agency will at 9:30 a.m., Wednesday, November 30, 1983, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030 and 66.08.050(2).

The specific statute these rules are intended to implement is RCW 66.08.050(2).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 30, 1983.

Dated: September 23, 1983

By: Kazuo Watanabe
 Board Member

STATEMENT OF PURPOSE

Title: WAC 314-37-010 Liquor sales in Indian country—Appointment of tribal liquor vendors—Qualifications.

Description of Purpose: The amendments to WAC 314-37-010 are intended to update that rule to conform to the current status of the law relating to liquor sales in Indian country after the United States Supreme Court Decision in *Rice v. Rehner* (decided July 1, 1983). The rule as amended is intended to provide a method whereby qualifying tribes desiring to do so may enter into negotiated agreements with the board to continue sale of liquor in Indian country in conformity with state licensing and regulatory law. Any such agreements negotiated would maintain state control and recover for the state all applicable taxes on those liquor sales (i.e. taxes on sales to nontribal members). Additionally, the agreements will take into consideration the nature of tribal enterprises and will deal with all aspects of the purchase, sale, etc. of liquor in Indian country and are intended to maintain state revenue in a manner comparable to that received from other outlets, while taking into consideration the unique nature of a tribal liquor vendor operation. The ultimate purpose of these rule amendments is to reach a final resolution to the Indian country liquor sales issue and to thereby eliminate the possibility of future confrontation and litigation.

Statutory Rule-Making Authority: RCW 66.08.030 and 66.08.050(2).

Statutes Implemented by the Rule: RCW 66.08.050(2).

Summary of Rule: The amendments to WAC 314-37-010 bring it into conformity with the United States

Supreme Court Decision in Rice v. Rehner, *supra*, which held that the state and the tribes have concurrent jurisdiction over sales of liquor in Indian country. The essence of the amendments and of the rule itself is the requirement for a negotiated business agreement which will insure that sales of liquor in Indian country will be in accord with state law. The rule recognizes that while the state still may not tax transactions between tribes and their own members, liquor transactions between tribes and their own members do require state licenses and are subject to the regulatory control of the state in addition to the regulatory control of the tribe itself. Liquor vendor tribes which also desire to sell beer and wine purchased from licensed wholesalers other than the board must also have Class E and F licenses in addition to their status as tribal liquor vendors.

Reasons Supporting Proposed Action: The amendments to WAC 314-37-010 will bring the currently existing system for appointment of tribal liquor vendors into conformity with federal law (18 U.S.C. § 1161) as interpreted by the United States Supreme Court in Rice v. Rehner, *supra*. The board desires to bring the Indian country liquor sales issue to an orderly conclusion without further confrontation or litigation by dealing with those tribes who desire to cooperate with the state for the mutual benefit of both parties. The amendments to WAC 314-37-010 will facilitate this end by providing a framework for the negotiation of business agreements whereby the interests of both parties may be protected.

Agency Personnel Involved: In addition to the board the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Robert H. Harvey, Liquor Purchasing Agent, Capital Plaza Building, Olympia, Washington 98504, 753-6255; Bob Obenland, Chief Enforcement Officer, Capital Plaza Building, Olympia, Washington 98504, 753-6270; and Ray Hensel, Licensing Supervisor, Capital Plaza Building, Olympia, Washington 98504, 753-6259.

Person or Organization Proposing Rule: These rule amendments were proposed by the Liquor Control Board.

Agency Comments: It is hoped that WAC 314-37-010 as amended, and the agreements which will be entered into pursuant to it will finally resolve the issue of liquor sales in Indian country to the benefit of both the state and the tribes.

Necessity of Rule: These rule amendments were made necessary as a result of the opinion of the United States Supreme Court in the case of Rice v. Rehner (filed July 1, 1983).

Small Business Economic Impact Statement: Cost impact for both small and larger businesses is estimated to be zero.

Discussion: This rule only applies to federally recognized Indian tribes and does not contain any requirements applicable to small businesses.

AMENDATORY SECTION (Amending Order 118, Resolution No. 127, filed 1/26/83)

WAC 314-37-010 LIQUOR SALES IN INDIAN COUNTRY—APPOINTMENT OF TRIBAL LIQUOR VENDORS—QUALIFICATIONS. (1) The Washington state liquor control board

deems it necessary and advisable to adopt this rule for the following reasons:

(a) The decision of the ~~((Federal 9th Circuit Court of Appeals))~~ United States Supreme Court in the case of Rice v. Rehner (filed ~~((June 8, 1982))~~ July 1, 1983) has established that the state of Washington has ~~((no))~~ licensing jurisdiction over tribal liquor sales in Indian country and that those sales, when made in conformity with federal law, are subject to ~~((the exclusive jurisdiction of the tribe))~~ both tribal and state liquor regulatory requirements.

(b) ~~((Notwithstanding the decision in Rice v. Rehner, the state court of appeals in State v. Atukken District Court has held that it still remains))~~ It is contrary to state law (see chapter 66.44 RCW) for ~~((nontribal))~~ purchasers of Indian liquor to remove that liquor from the reservation and into the state of Washington in those instances where the tribal liquor sellers are not authorized by the board to sell liquor ~~((to those nontribal purchasers. Substantial expense has been incurred by the board's enforcement division in arresting and prosecuting nontribal purchasers of liquor sold by tribal outlets in Indian country.))~~

(c) ~~The board has negotiated a settlement of pending litigation with certain Indian tribes, which settlement provides for recovery by the state of state tax on tribal liquor sold to nontribal purchasers provided that those sales are authorized by the board under RCW 66.08.050(2) through the appointment of qualifying Indian tribes as liquor vendors)).~~

(2) Accordingly, pursuant to RCW 66.08.050(2), the Washington state liquor control board will appoint qualifying Indian tribes, which have entered into negotiated business agreements with the board, as liquor vendors ~~((for the purpose of sales to individuals who intend to remove the liquor from the reservation. The status of liquor vendor will authorize them to sell liquor by the bottle under))~~ which will authorize those vendor tribes to sell liquor by the bottle to such persons, firms or corporations as may be sold liquor from a state liquor store. All such appointments will be subject to the following conditions:

(a) The tribe must ~~((have in force a tribal ordinance governing liquor sales, which ordinance must have been certified by the Secretary of the Interior and published in the Federal Register))~~ enter into a business agreement with the Washington state liquor control board for the purchase and sale of liquor which will insure that the state's control over liquor traffic will be maintained while taking into consideration the unique nature of a tribal liquor vendor operation.

(b) The tribe must purchase all of its spirituous liquor for resale in Indian country from the board at a negotiated price ~~((which will cover the board's cost of acquisition, transportation, and handling, and the taxes imposed by RCW 82.08.150.))~~ PROVIDED~~((:))~~, That a quota of spirituous liquor will be sold by the board each year to the vendor tribe without the payment of state taxes, which quota shall be negotiated between the board and the qualified tribes and approved by the department of revenue.

(c) The tribe must ~~((purchase beer and wine only from the board or from board-licensed manufacturers or wholesalers))~~ have in force a tribal ordinance governing liquor sales, which ordinance must have been certified by the Secretary of the Interior and published in the Federal Register as required by 18 U.S.C. § 1161.

(d) The tribe must make all liquor sales in Indian country in conformity with both state and federal law ~~((and must conform to state law insofar as state law is made applicable to such sales by federal law. The tribe may make sales of liquor by the bottle to such persons, firms or corporations as may be sold liquor from a state liquor store except that the tribe will not be authorized to sell liquor to any state-licensed retail liquor licensees.))~~

(e) ~~The tribe shall collect and remit to the state department of revenue the retail sales tax imposed by RCW 82.08.020 on retail sales of beer and wine to nontribal members.~~

(f) "Indian country" as used herein shall have the meaning ascribed to it in Title 18 U.S.C. § 1154 as of the date of promulgation of this rule).

(3) Should a tribe which has been appointed as a liquor vendor pursuant to this section fail to comply with all the above enumerated conditions, which shall be construed as continuing requirements to maintain the status of liquor vendor, the appointment of that tribe as a liquor vendor may be revoked by the board.

(4) A tribe, whether or not it has status as an Indian liquor vendor, which desires to sell beer and wine purchased from a licensed wholesaler must obtain state licenses for the sale of beer and wine and must abide by all state laws and rules applicable to sale of beer and wine by state licensees. Tribes selling beer and wine shall collect and remit to

the state department of revenue the retail sales tax imposed by RCW 82.08.020 on retail sales of beer and wine to nontribal members.

(5) "Indian country" as used herein shall have the meaning ascribed to it in Title 18 U.S.C. § 1151 as qualified by Title 18 U.S.C. § 1154 as of July 1, 1983.

Rates Effective
January 1, 1983

WSR 83-20-019
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
[Order 83-29—Filed September 23, 1983]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at the Department of Labor and Industries, General Administration Building, Olympia, Washington, the annexed rules relating to workers' compensation insurance rates applicable to risk classification 67-7, contact sports.

I, Sam Kinville, find that an emergency exists and that this 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 the emergency is recent changes in the risks insured under classification 67-7 have rendered workers' compensation insurance rates in this class inappropriate for current employers. Available experience data and other knowledge concerning operations presently subject to class 67-7 suggest that current rates would be excessive if applied to future exposures of the class; the purpose of this emergency amendment is to adjust current rates to more accurately reflect the risk presented by these insured operations.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 51.16.035 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.

By Sam Kinville
Director

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund base rates and medical aid rates by class of industry shall be as set forth below.

Class	Accident Fund Base Rate	Medical Aid Fund Rate
1-1	.5072	.2971
1-2	.3293	.2482
1-3	.4862	.3438
1-4	.3835	.2265
1-5	.4201	.3220
1-6	.9252	.4784
1-7	.3658	.2432
1-8	.4581	.2604
1-9	.6442	.4714
2-1	1.0428	.5990
2-2	1.1342	.6412
2-6	.4672	.2850
3-1	.2181	.2169
3-2	.7312	.2899
3-6	.2478	.2006
3-7	.2477	.2112
4-1	.8337	.5804
4-2	.8337	.5804
4-3	.6632	.4135
5-2	.3888	.2668
5-3	.2555	.2410
5-4	.5897	.3451
5-5	.5237	.3610
5-6	.6413	.4318
5-7	.6558	.4170
5-8	.7565	.5643
5-9	.6718	.5010
6-1	.1909	.1565
6-2	.2062	.1626
6-3	.3880	.2177
6-4	.5071	.4182
6-6	.1024	.1093
6-7	.1332	.0924
7-1	.5235	.4200
8-3	.1792	.1342
8-4	.2986	.3663
9-1	1.0272	.3067
10-2	.4765	.2864
10-3	.2915	.1752
10-4	.2915	.1752
10-5	1.0826	.6104
10-7	.0401	.0383
11-1	.2438	.1912
11-2	.4720	.3183
11-3	.1832	.1397
11-4	.2017	.1685
11-6	.0442	.0559
11-8	.2350	.2127
13-1	.1728	.1343
13-3	.0985	.1016
13-4	.0053	.0091
13-5	.1052	.1034
14-1	.3659	.3135
14-4	.2196	.1151

Rates Effective January 1, 1983			Rates Effective January 1, 1983		
Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
15-1	.1607	.1254	37-8	.0889	.0805
15-7	.1315	.1135	38-1	.1210	.0964
17-1	.9210	.4400	38-2	.0740	.0707
17-2	.9210	.4400	38-8	.0805	.0794
17-3	.2948	.1698	39-1	.1711	.1211
17-4	.2567	.2032	39-2	.2944	.1855
18-1	.3064	.2947	39-3	.3841	.3746
20-2	.2521	.1814	39-5	.0583	.0756
20-3	.1797	.1407	39-6	.2024	.1642
20-4	.2721	.2976	39-9	.0723	.0833
20-5	.1553	.1584	40-2	.2720	.2079
20-7	.2027	.1542	41-1	.0566	.0614
20-8	.1300	.1019	41-3	.1039	.1066
21-1	.2041	.1635	41-7	.0301	.0381
21-2	.1797	.1407	41-8	.0566	.0614
21-4	.0864	.1068	41-9	.0566	.0614
21-5	.3461	.2712	42-1	.2543	.1686
22-1	.1097	.0830	43-1	.3503	.2637
22-2	.1489	.1064	43-2	.3270	.2837
24-1	.2913	.2442	43-3	.3570	.3088
29-3	.2928	.2650	43-4	.3147	.2329
29-4	.3770	.2657	43-5	.5532	.3345
29-6	.1991	.1839	44-1	.1963	.1560
29-8	.3196	.2891	44-2	.2333	.1759
31-1	.3252	.2039	44-4	.1797	.1407
31-2	.2507	.1612	45-1	.0566	.0515
31-3	.2507	.1612	45-2	.0242	.0177
31-4	.2682	.1682	45-4	.0283	.0396
31-5	.3950	.2859	46-1	.2195	.3103
33-1	.3417	.2406	48-2	.0995	.0777
33-2	.2225	.2167	48-3	.1640	.1744
33-3	.1381	.1488	48-4	.2259	.1776
33-9	.1734	.1724	48-5	.1168	.1122
34-1	.1789	.1494	48-6	.0299	.0323
34-2	.2176	.2109	48-7	.5237	.3610
34-3	.0540	.0310	48-8	.1464	.1571
34-4	.2152	.1908	48-9	.0919	.0757
34-5	.0898	.0684	49-1	.0291	.0302
34-6	.0862	.0973	49-2	.0866	.0644
34-7	.1298	.1358	49-3	.0291	.0302
34-8	.0515	.0523	49-4	.0072	.0076
34-9	.0797	.0921	49-5	.1466	.1226
35-1	.1940	.2053	49-6	.0260	.0242
35-3	.1336	.1448	49-7	.0473	.0376
35-6	.3328	.1850	49-8	.0473	.0742
35-8	.1636	.1645	49-9	.0473	.0742
36-2	.0451	.0408	50-1	1.6386	1.0022
36-3	.2261	.2108	50-2	.1717	.1784
36-4	.3829	.2715	50-3	.6951	.4252
36-5	.1371	.1279	50-4	.2927	.2725
36-6	.2617	.2255	51-1	.3674	.2788
37-1	.1111	.0905	51-2	.5728	.5256
37-2	.2261	.1587	51-3	.5067	.3801
37-7	.1459	.1333	51-6	.2489	.2548

Rates Effective
January 1, 1983Rates Effective
January 1, 1983

Class	Accident Fund Base Rate	Medical Aid Fund Rate
51-8	.3023	.2759
51-9	.2361	.2117
52-1	.1755	.1462
52-4	.6253	.2354
52-6	.1944	.1519
52-7	.0643	.0709
52-8	.2997	.2786
52-9	.2376	.2304
53-1	.0072	.0076
53-5	.0123	.0129
53-6	.0139	.0116
53-7	.0866	.0644
61-3	.0141	.0188
61-4	.1521	.1228
61-5	.0983	.0980
61-7	.0797	.0681
61-8	.2112	.1554
61-9	.0184	.0155
62-1	.0748	.0714
62-2	.2831	.1868
62-3	.0562	.0520
62-4	.0675	.0792
62-5	.0675	.0792
62-6	.0675	.0792
62-7	.3451	.5190
62-8	.1169	.0975
62-9	.0905	.1254
63-1	.0630	.0405
63-2	.0777	.0558
63-3	.0209	.0174
63-4	.0553	.0437
63-5	.0231	.0303
63-6	.0822	.0924
63-8	.0190	.0133
63-9	.0408	.0527
64-2	.0967	.0744
64-3	.0695	.0736
64-4	.0224	.0245
64-5	.2024	.1857
64-6	.0341	.0386
64-7	.0768	.0756
64-8	.1456	.1536
64-9	.2003	.2216
65-1	.0190	.0173
65-2	.0066	.0067
65-3	.0517	.0260
65-4	.0703	.0984
65-5	.0739	.0808
65-6	.0188	.0189
65-8	.1271	.1125

Class	Accident Fund Base Rate	Medical Aid Fund Rate
65-9	.0754	.0784
66-1	.1015	.1071
66-2	.1827	.1228
66-3	.1076	.0875
66-4	.0317	.0277
66-5	.0924	.0853
66-7	.0643	.0709
66-8	.1350	.0858
66-9	.6627	.7290
67-4	.0762	.0868
67-5	.2085	.2545
67-6	.1168	.1087
67-7	((8.46*))	((16.73*))
	<u>4.23*</u>	<u>8.36*</u>
67-8	4.4921	2.6357
67-9	.0557	.0656
68-1	.2672	.1656
68-2	.2136	.1847
68-3	1.4755	.8182
68-4	.1015	.0946
68-9	.7566	1.3595
69-1	-	.0363
69-2	.4123	.2323
69-3	1.9944	1.6055
69-4	.1771	.1367
69-5	.1771	.1367
69-6	-	.1367
69-7	.5232	.3305
69-8	.1966	.1300
69-9	.0416	.0364
71-1	.0209	.0174
71-2	5.30*	17.31*
71-3	.0866	.0644
71-4	.0148	.0130
71-5	.1155	.1004
71-6	.1910	.1660
71-7	.2780	.2417
71-8	.6444	.4949
71-9	1.7734	1.3436
72-1	.0866	.0644
72-2	.0241	.0192
72-3	-	.0363
72-4	-	-
73-1	.1640	.1744
73-2	.1640	.1744
73-7	.1640	.1744

*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

✓
WSR 83-20-020
ADOPTED RULES
HIGHER EDUCATION
PERSONNEL BOARD

[Order 108—Filed September 23, 1983—Eff. October 24, 1983]

Be it resolved by the Higher Education Personnel Board, acting at Eastern Washington University, Cheney, Washington, that it does adopt the annexed rules relating to:

Amd	WAC 251-22-080	Vacation leave—Accumulation—Excess.
Amd	WAC 251-10-060	Layoff lists—State-wide.
Amd	WAC 251-10-140	Immediate dismissal.
Amd	WAC 251-12-260	Restoration of rights.
Amd	WAC 251-18-381	Appointment—Cyclic year position.
Amd	WAC 251-18-420	Appointment—Conversion of exempt position.
Amd	WAC 251-22-040	Holidays.
Amd	WAC 251-22-045	Personal holiday.
Amd	WAC 251-22-056	Leave—Alternate work schedule employees.
Amd	WAC 251-22-059	Leave—Change of employment.
Amd	WAC 251-22-060	Vacation leave—Accrual.
Amd	WAC 251-22-070	Vacation leave—Use.
Amd	WAC 251-22-090	Vacation leave—Cash payment.
Amd	WAC 251-22-091	Vacation leave—Separation.
Amd	WAC 251-22-165	Workmen's compensation—Leave.
Amd	WAC 251-22-170	Military training leave.
Amd	WAC 251-22-200	Leave of absence without pay.
Amd	WAC 251-22-240	Suspended operations.
Amd	WAC 251-22-245	Employee absence—Inclement weather.
Amd	WAC 251-09-020	Work period designations.
Amd	WAC 251-09-090	Special pay.

This action is taken pursuant to Notice No. WSR 83-16-077 filed with the code reviser on August 3, 1983. These rules shall take effect at a later date, such date being October 24, 1983.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 16, 1983.

By John A. Spitz
Director

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-080 ((ANNUAL)) VACATION LEAVE—ACCUMULATION—EXCESS. ~~((Unused annual))~~ Vacation leave credits may be accumulated to a maximum of thirty working days(, except that if an employee's request for leave is denied by the employing official or designee, then the maximum of thirty working days accrual shall be extended for each month that the leave is deferred. Such deferral must be reported to and approved by the personnel officer)) (240 hours). However, there are two methods which allow vacation leave to be accumulated above the maximum:

(1) If an employee's request for vacation leave is denied by the employing official, then the maximum of

thirty working days' accrual shall be extended for each month that the leave is deferred, provided a statement of necessity justifying the denial is approved by the personnel officer.

(2) As an alternative to subsection (1) of this section, employees may also accumulate vacation leave in excess of thirty days as follows:

(a) An employee may accumulate the vacation leave days between the time thirty days is accrued and his/her anniversary date of state employment.

(b) Such accumulated leave shall be used by the anniversary date and at a time convenient to the employing institution/agency. If such leave is not used prior to the employee's anniversary date, such leave shall be automatically extinguished and considered to have never existed.

(c) Such leave credit acquired and accumulated shall never, regardless of circumstances, be deferred by the employing institution/agency by filing a statement of necessity as described in subsection (1) of this section.

AMENDATORY SECTION (Amending Order 98, filed 7/22/82, effective 9/1/82)

WAC 251-10-060 LAYOFF LISTS—STATE-WIDE. (1) A permanent employee of any institution of higher education, related board, or state agency who is on layoff status or is scheduled for layoff shall, upon his/her request, be placed on the state-wide layoff list(s) at any higher education institutions or related boards: **PROVIDED, That:**

(a) The employee must demonstrate the ability to meet the minimum qualifications and pass the qualifying examination; and

(b) The list must be for:

(i) Class(es) in which he/she has held permanent status; or

(ii) Lower class(es) in the same class series; or for

(iii) Equivalent classes under the jurisdiction of the state department of personnel; and

(c) The option must be exercised by the affected employee within thirty calendar days of the effective date of layoff.

(2) Employees shall be ranked by their total layoff seniority as measured by their last period of unbroken service in the classified service of the state. The list shall consist of two categories and certification within each category shall be in order of:

(a) Employees of higher education institutions/related boards;

(b) Employees of other state agencies.

(3) The duration of eligibility on this list shall be one year from the date of placement on the list.

(4) Referral from this list shall be on a rule of five.

(5) Employees appointed from this list shall be required to serve a probationary period of six months. Termination during the probationary period shall not affect the employees' status on state-wide layoff lists upon which they previously have been placed.

(6) Employees appointed from this list shall be credited with unused sick leave accrued at the time of layoff. ~~((Annual))~~ Vacation leave shall be computed as provided in WAC 251-22-060.

(7) The institution will provide each employee scheduled for layoff with a copy of this rule and the comparable state department of personnel rule and a listing of institutions, related boards, or offices of the state department of personnel which they may contact. It shall be the responsibility of the employee to contact the institution/related board, or the state department of personnel if he/she has an interest in being placed on the respective state-wide layoff list(s).

(8) Certification from the state-wide layoff list shall be as provided in WAC 251-18-240.

AMENDATORY SECTION (Amending Order 98, filed 7/22/82, effective 9/1/82)

WAC 251-10-140 IMMEDIATE DISMISSAL. When the appointing authority determines that a permanent employee is to be dismissed for cause as provided in WAC 251-10-110 and the circumstances are such that retention of the employee in an active duty status may result in damage to state property or may be injurious to the employee, fellow workers, or the client public, the employee may be dismissed immediately. The employee must be notified in writing as provided in WAC 251-10-120, but the fifteen calendar days notice requirement does not apply. The notification must state the cause for the dismissal and in addition the necessity for the immediacy of the action. Provisions must be made to permit affected employees to use all accumulated ~~((annual))~~ vacation leave as provided in WAC 251-22-091.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-12-260 RESTORATION OF RIGHTS. (1) Any employee, when fully reinstated after appeal, shall be guaranteed all employee rights and benefits including back pay, sick leave, ~~((annual))~~ vacation leave accrual, retirement and OASDI credits.

(2) In instances of immediate dismissal as provided in WAC 251-10-140 where the institution is unable to justify under appeal the immediacy of the dismissal but the dismissal action itself is upheld, the employee's entitlement to recovery shall not exceed the fifteen calendar day period which would have served as the notice period had the dismissal been processed as provided in WAC 251-10-120. In instances where the board does not uphold the dismissal action but deems a suspension to have been warranted, the employee may be reinstated and a suspension ordered of up to fifteen calendar days.

AMENDATORY SECTION (Amending Order 105, filed 4/29/83, effective 6/1/83)

WAC 251-18-381 APPOINTMENT—CYCLIC YEAR POSITION. (1) Cyclic year positions are to be filled in accord with chapter 251-18 WAC.

(2) At least fifteen calendar days before the start of each annual cycle, incumbents of cyclic year positions will be informed in writing of their scheduled periods of leave without pay in the ensuing annual cycle. Such leave without pay shall not constitute a break in service

and shall not be deducted from the employees' length of service in granting periodic increments except as provided in WAC 251-08-100(3)(f), nor in computing the employees' ~~((annual))~~ vacation leave accrual rate.

(3) When additional work is required of a cyclic year position during a period for which the position was scheduled for leave without pay, the temporary work will be offered to the incumbent. The incumbent will be allowed at least three working days in which to accept or decline the offer.

AMENDATORY SECTION (Amending Order 71, filed 2/27/79)

WAC 251-18-420 APPOINTMENT—CONVERSION OF EXEMPT POSITION. (1) Incumbents of positions which are converted from exempt to classified service for the following reasons may be placed within the classified service as provided in subsections (2) through (9) of this section:

(a) When it has been determined that the exempt position does not meet the criteria for exemption per WAC 251-04-040(1), (3), (4) or (5) and thus is inappropriately exempt;

(b) When an organizational realignment has caused the exempt position to become inappropriately exempt by no longer meeting the criteria for exemption per WAC 251-04-040(1), (3), (4) or (5); or

(c) When an institution elects to convert a position which has been exempt per the provisions of WAC 251-04-040(5).

(2) An incumbent whose position is converted as indicated in subsection (1)(c) of this section must have served a minimum of one year in the position being converted in order to be subject to the provisions of this section.

(3) The incumbent shall not be required to pass a qualifying examination or meet the minimum qualifications for entry into the class.

(4) The incumbent shall enter the classified position with permanent status unless he/she has been employed less than six months in the exempt position being converted, in which case he/she shall hold probationary status until a total of six months has been served.

(5) The incumbent shall be placed at the first step within the salary range or range extension which is not less than the current exempt salary.

(6) The periodic increment date shall be established based on the date of conversion to the classified service or the date of last salary increase, whichever is sooner. Those employees at or above the top step of the new range shall not be assigned a P.I.D.

(7) The incumbent shall be credited with unused accrued sick leave on the books at the time of conversion and shall continue to accrue at the rate of one day per month as provided in WAC 251-22-100.

(8) The incumbent shall be credited with unused accrued ~~((annual))~~ vacation leave on the books at the time of conversion and shall accrue at the same rate as for classified employees as provided in WAC 251-22-060.

(9) Layoff seniority for the incumbent shall be established based upon unbroken service at the institution.

AMENDATORY SECTION (Amending Order 105, filed 4/29/83, effective 6/1/83)

WAC 251-22-040 HOLIDAYS. (1) Legal holidays are designated by statute. The following holidays are identified per RCW 1.16.050:

- (a) The first day of January (New Year's Day);
- (b) The twelfth day of February (Abraham Lincoln's birthday);
- (c) The third Monday of February (George Washington's birthday);
- (d) The last Monday of May (Memorial Day);
- (e) The fourth day of July (Independence Day);
- (f) The first Monday in September (Labor Day);
- (g) The eleventh day of November, (Veteran's Day);
- (h) The fourth Thursday of November (Thanksgiving Day);
- (i) The day immediately following Thanksgiving Day; and
- (j) The twenty-fifth day of December (Christmas Day).

Each higher education institution will provide qualifying employees in pay status with a paid holiday on the above days. However, the governing board of each institution, and in the case of the community college system through the state board for community college education, may designate other days to be observed in lieu of the above holidays. Holiday schedules must be filed annually with the director for approval prior to implementation and may not be modified without prior approval by the director. Schedules may be submitted on a calendar or fiscal year basis. When an institution establishes an in lieu of schedule, paid holidays shall be granted based on the approved in lieu of schedule.

(2) Classified employees working twelve-month schedules or cyclic year position employees who work full monthly schedules throughout their work year shall receive the number of holidays for which they qualify during their scheduled work year as set forth in this section. Qualification is determined by being in pay status on the work day preceding the holiday(s).

(3) Cyclic year position employees scheduled to work less than full monthly schedules throughout their work year qualify for holiday compensation if they work or are in pay status on their last regularly scheduled working day preceding the holiday(s) in that month.

(4) Part time classified employees shall be entitled to the number of paid hours on a holiday that their monthly schedule bears to a full time schedule.

(5) Full time alternate work schedule employees shall receive eight hours of regular holiday pay per holiday. Any differences between the scheduled shift for the day and eight hours may be adjusted by use of ~~((annual))~~ vacation leave, use or accumulation of compensatory time as appropriate, or leave without pay.

(6) When a holiday falls on an employee's regularly scheduled day off, he/she shall receive a day of compensatory time off.

(7) Holiday time worked shall be compensated as provided in WAC 251-09-035.

(8) Whenever a holiday falls on Sunday, the following Monday shall be considered a nonworking or legal holiday. When a holiday falls on Saturday, the preceding Friday shall be considered a nonworking or legal holiday.

(9) Employees terminating immediately prior to a holiday do not qualify for holidays occurring after termination.

(10) Employees shall be entitled to one paid personal holiday per calendar year in addition to those specified in this section as provided in WAC 251-22-045.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-045 PERSONAL HOLIDAY. (1) Each employee may select one personal holiday each calendar year, as indicated in WAC 251-22-040(10) and the institution/related board must grant the day, provided:

(a) The employee has been continuously employed by the institution for more than four months.

(b) The employee has given not less than fourteen calendar days written notice to the supervisor; provided, however, the employee and the supervisor may agree upon an earlier date; and

(c) The number of employees selecting a particular day off does not prevent providing continued public service.

(2) Entitlement to the holiday will not lapse when denied under (1)(c) above.

(3) Full time alternate work schedule employees shall receive eight hours of regular holiday pay for the personal holiday. Any differences between the scheduled shift for the day and eight hours may be adjusted by use of ~~((annual))~~ vacation leave, use or accumulation of compensatory time as appropriate, or leave without pay.

(4) Part time classified employees shall be entitled to the number of paid hours on a personal holiday that their monthly schedule bears to a full time schedule.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-056 LEAVE—ALTERNATE WORK SCHEDULE EMPLOYEES. (1) Full time alternate work schedule employees shall accrue ~~((annual))~~ vacation and sick leave on the same schedule as provided in WAC 251-22-060; i.e., during the first year of employment a full time employee assigned to an alternate work schedule accrues eight hours of ~~((annual))~~ vacation leave and eight hours of sick leave for each month of qualifying service, etc.

(2) Part time alternate work schedule employees shall accrue leave on the same pro rata basis that their monthly work schedule bears to a full time work schedule.

(3) Leave use shall be charged on an hour for hour basis; i.e., an alternate work schedule employee on a ten hour per day work schedule would be charged ten hours of ~~((annual))~~ vacation or sick leave for each such day taken.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-059 LEAVE—CHANGE OF EMPLOYMENT. Unused sick and ((annual)) vacation leave credits of permanent status employees changing employment between higher education institutions, related boards or other state agencies shall move with the employee.

AMENDATORY SECTION (Amending Order 105, filed 4/29/83, effective 6/1/83)

WAC 251-22-060 ((ANNUAL)) VACATION LEAVE—ACCRUAL. (1) Full-time employees eligible for ((annual)) vacation leave shall accrue ((annual)) vacation leave, to be credited monthly, at the following rates:

- (a) During the first year of continuous state employment - 12 days (8.0 hours per month);
- (b) During the 2nd year of continuous state employment - 13 days (8 hours, 40 minutes per month);
- (c) During the 3rd and 4th years of continuous state employment - 14 days (9 hours, 20 minutes per month);
- (d) During the 5th through the 9th years of total state employment - 15 days (10 hours per month);
- (e) During the 10th year of total state employment - 16 days (10 hours, 40 minutes per month);
- (f) During the 11th year of total state employment - 17 days (11 hours, 20 minutes per month);
- (g) During the 12th year of total state employment - 18 days (12 hours per month);
- (h) During the 13th year of total state employment - 19 days (12 hours, 40 minutes per month);
- (i) During the 14th year of total state employment - 20 days (13 hours, 20 minutes per month);
- (j) During the 15th year of total state employment - 21 days (14 hours per month);
- (k) During the 16th and succeeding years of total state employment - 22 days (14 hours, 40 minutes per month).

(2) Employees working less than full time schedules shall accrue ((annual)) vacation leave credit on the same prorata basis that their appointment bears to a full time appointment.

(3) Per the provisions of WAC 251-18-381(2), the scheduled period of cyclic year position leave of absence without pay shall not be deducted for purposes of computing the rate of ((annual)) vacation leave accrual for cyclic year position employees.

(4) The following shall apply for purposes of computing years of qualifying state employment:

(a) Employment in the legislative and/or the judicial branch shall not be credited;

(b) Employment exempt by the provisions of WAC 251-04-040(2) or employment under the state personnel board jurisdiction which is analogous to the conditions specified in WAC 251-04-040(2) shall not be credited;

(c) Each contract year of full time faculty and/or administrative exempt employment within the higher education institutions shall be credited as a year of qualifying service;

(d) Employment in part time classified positions shall be credited as full time service.

(5) ((Annual)) Vacation leave credits shall not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, nor shall credit be given toward the rate of ((annual)) vacation leave accrual.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-070 ((ANNUAL)) VACATION LEAVE—USE. (1) ((Annual)) Vacation leave may not be taken until an employee has completed six months of continuous employment. An employee bringing an accrued balance from another state agency may use the previously accrued ((annual)) vacation leave during the institutional probationary period.

(2) All requests for ((annual)) vacation leave must be approved by the employing official or designee in advance of the effective date.

(3) ((Annual)) Vacation leave shall be scheduled by the employing department at a time most convenient to the work of the department, the determination of which shall rest with the employing official. As far as possible, leave will be scheduled in accordance with the wishes of the employee in any amount up to the total of his/her earned leave credits.

(4) Paid ((annual)) vacation leave may not be used in advance of its accrual.

AMENDATORY SECTION (Amending Order 102, filed 9/20/82, effective 10/25/82)

WAC 251-22-090 ((ANNUAL)) VACATION LEAVE—CASH PAYMENT. Classified employees who are members of public employees retirement system Plan I are entitled to a lump sum cash payment for all unused ((annual)) vacation leave when they separate from service by resignation, layoff, dismissal, retirement or death. Compensation for unused ((annual)) vacation leave shall be computed and paid as prescribed by the office of financial management.

AMENDATORY SECTION (Amending Order 102, filed 9/20/82, effective 10/25/82)

WAC 251-22-091 ((ANNUAL)) VACATION LEAVE—SEPARATION. Classified employees who have completed six continuous months of employment who are not members of public employees retirement system Plan I must be permitted to use all accumulated ((annual)) vacation leave as vacation leave prior to their separation from service by resignation, layoff, dismissal or retirement. In case of death, compensation for unused ((annual)) vacation leave shall be computed and paid in a lump sum as prescribed by the office of financial management. Lump sum cash payment for unused vacation leave may be made upon termination of employment for vacation leave earned prior to July 1, 1982.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-165 WORKMEN'S COMPENSATION—LEAVE. (1) Employees who suffer a work related injury or illness that is compensable under the state workmen's compensation law may select time loss compensation exclusively, leave payment exclusively or a combination of time loss compensation and accrued paid leave.

(2) Employees taking sick leave during a period in which they receive workmen's compensation under the industrial insurance provisions for a work related illness or injury shall receive full sick leave pay, less any industrial insurance payments for time loss during the sick leave period.

(a) Until eligibility for workmen's compensation is determined by the department of labor and industries, the institution may pay full sick leave, provided that the employee shall return any overpayment to the institution when the salary adjustment is determined.

(b) Sick leave hours charged to an employee who receives workmen's compensation, as a result of the time loss shall be proportionate to that portion of the employee's salary paid by the institution during the claim period.

(3) During a period when an employee receives pay for ~~((annual))~~ vacation leave, compensatory time off or holidays and also receives workmen's compensation for time loss, he/she is entitled to both payments without any deduction for the industrial insurance payment.

(4) When an employee receives workmen's compensation payment for time loss and is on leave without pay, no deductions will be made for the industrial insurance payment.

(5) An employee who sustains an industrial injury, accident or illness, arising from employment by an institution under the jurisdiction of the higher education personnel board shall, upon written request and proof of continuing disability, be granted leave of absence without pay for up to six months without loss of layoff seniority or change in annual increment date. Leave without pay exceeding six months without loss of layoff seniority or change in annual increment date may be granted at the option of the employing institution.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-170 MILITARY TRAINING LEAVE. (1) Employees shall be entitled to leave with pay not to exceed fifteen calendar days in any one calendar year for active duty in the national guard; army, air, marine, or naval reserve forces of the United States for annual field training or otherwise discharging reserve obligations.

(2) Such leave shall be in addition to any ~~((annual))~~ vacation leave to which an employee is entitled and shall not result in any loss of benefits, privileges or pay.

(3) During military training leave, the employee shall receive the normal base pay.

(4) Employees required to appear during working hours for a physical examination to determine physical

fitness for military service shall receive full pay for the time required to complete the examination.

AMENDATORY SECTION (Amending Order 105, filed 4/29/83, effective 6/1/83)

WAC 251-22-200 LEAVE OF ABSENCE WITHOUT PAY. (1) Leave of absence without pay may be allowed for any of the following reasons:

(a) Conditions applicable for leave with pay;

(b) Maternity leave;

(c) Educational leave;

(d) Leave for government service in the public interest;

(e) To accommodate annual work schedules of employees occupying cyclic year positions as specified in WAC 251-22-381.

(2) Requests for leave of absence without pay must be submitted in writing to the employing official or designee and must receive the approval of both the employing official and the personnel officer.

(3) Leave of absence without pay extends from the time an employee's leave commences until he/she is scheduled to return to continuous service, unless at the employee's request the employing official and the personnel officer agree to an earlier date.

(4) ~~((Annual))~~ Vacation leave and sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, except as provided in WAC 251-18-380(2).

(5) A classified employee taking an appointment to an exempt position shall be granted a leave of absence without pay, with the right to return to his/her regular position, or to a like position at the conclusion of the exempt appointment; provided application for return to classified status must be made not more than thirty calendar days following the conclusion of the exempt appointment.

AMENDATORY SECTION (Amending Order 87, filed 3/6/81, effective 4/6/81)

WAC 251-22-240 SUSPENDED OPERATION. (1) Notwithstanding the provisions of WAC 251-10-030, if the chief executive officer of the institution determines that the public health or property or safety is jeopardized and it is advisable due to emergency conditions to suspend the operation of all or any portion of the institution, the following will govern classified employees:

(a) When prior notification has not been given, employees released until further notice after reporting to work, shall receive a minimum of four hours pay for the first day. The following options shall be made available to affected employees not required to work for the balance of the closure:

(i) ~~((Annual))~~ Vacation leave, personal holiday; or

(ii) Accrued compensatory time (where applicable); or

(iii) Leave without pay; or

(iv) Reasonable opportunity to make up work time lost as a result of the suspended operation as provided in subsection (1)(c).

(b) Employees required to work shall receive their regular rate of pay for work performed during the period of suspended operation. Overtime worked during the closure will be compensated as provided in chapter 251-09 WAC. The personnel officer may petition the director for approval of a special premium pay allowance due to hazardous working conditions encountered by employees required to work during the period of suspended operation.

(c) Employees who lose regular work time as a result of suspended operation may request to work additional hours during the ninety-day period immediately following the suspended operation. Compensation for such additional work shall be granted on a compensatory time basis at not less than straight time nor more than time and one-half, and shall be part of the institution's suspended operations procedures. The amount of compensation earned under this section should not exceed the amount of salary lost by the employee due to suspended operation. Management directed overtime shall be compensated as provided in chapter 251-09 WAC.

(2) Each institution/related board, together with the appropriate exclusive representative(s), shall develop and file with the director, subject to approval, a procedure to provide for staffing during periods of suspended operation. The procedure shall include identification of the manner in which employees will be notified of suspended operation by the chief executive officer.

(3) The provisions of this rule may be utilized only when an institutional procedure has been approved by the director and an official declaration of suspended operation has been made by the chief executive officer of the institution.

(4) The provisions of this section and institutional procedures adopted hereunder may not be in effect in excess of fifteen calendar days unless within the fifteen days the personnel officer requests the director's or designee's approval of an extension. Such approval is subject to confirmation by the board.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77, effective 10/1/77)

WAC 251-22-245 EMPLOYEE ABSENCE—INCLEMENT WEATHER. (1) When an employee is absent from work due to inclement weather, the employee shall have the option of charging the absence to accrued compensatory time (where applicable), ~~((annual))~~ vacation leave or leave without pay.

(2) Compensation for lost work time due to inclement weather is subject to the approval of the chief executive officer of the institution.

AMENDATORY SECTION (Amending Order 81, filed 12/3/79)

WAC 251-09-020 WORK PERIOD DESIGNATIONS. Each position will be assigned by the personnel officer to one of the work period designations identified below, and employees will be informed of their eligibility for overtime compensation.

(1) Scheduled work periods, within which there are ~~((two))~~ three work schedules:

(a) Regular work schedule. The regular work schedule for full time classified employees shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. Uniformly scheduled means a daily repetition of the same working hours and a weekly repetition of the same working days.

(b) Alternate work schedule. Operational necessity or employee convenience may require positions that are normally designated regular work schedule to work an alternate forty hour work schedule (other than five uniform and consecutive eight hour days in a seven day period), or as provided by the Washington State Minimum Wage Law in conjunction with the federal law which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate work schedules shall be made available upon request of the director.

(c) Emergency response fire officer work schedule. Institutions which operate an emergency response fire department may establish work week schedules for emergency response personnel which provide for a daily work shift of twenty-four hours. The weekly schedule shall provide for at least forty-eight hours, but not more than fifty-six hours, as required to meet operational requirements. Emergency response personnel assigned to twenty-four hour schedules shall be subject to the following conditions:

(i) All rules in chapter 251-22 WAC shall apply.

(ii) Changes to the established work schedule shall be made as provided in WAC 251-09-025.

(iii) Shift differential shall not be paid.

(iv) Overtime shall be paid for work performed in excess of the scheduled daily work shift or the scheduled work week. The overtime compensation shall be as provided in WAC 251-09-030 (2) and (3).

(v) Holidays shall be as provided in WAC 251-22-040 and 251-22-045. When assigned to work on a designated holiday, emergency response personnel shall receive their regular daily pay plus eight hours of holiday pay. Compensation for the eight hours of holiday time shall be at the rate of time and one-half.

(2) Nonscheduled work period. The nonscheduled work period designation applies to those positions for which the hours cannot be scheduled but which work a forty hour week and do not meet any of the other work period designations. The personnel officer shall designate positions as nonscheduled in accordance with the institution's procedure approved by the director.

(3) Excepted work period. The excepted work period designation applies to classes and positions which meet the HEPB definitions of executive, administrative, or professional employees and are assigned to salary ranges twenty-three and above. Qualifying classes will be approved by the director. Each personnel officer will be responsible for determining the positions designated "excepted" at his/her institution. The personnel officer will develop a procedure for verifying "excepted" positions which will be available for review by the director.

AMENDATORY SECTION (Amending Order 83, filed 1/28/80)

WAC 251-09-090 SPECIAL ~~((PREMIUM))~~ PAY. The board or the director may approve special

~~((premium)) pay ((required by the employer)) due to unique working conditions, employment problems such as recruitment and/or retention, or when special use requirements are necessary to maintain effective operation of the institution(~~(, as may be requested by the personnel officer of an institution)~~). Actions approved by the director are subject to confirmation by the board.~~

WSR 83-20-021
EMERGENCY RULES
HIGHER EDUCATION
PERSONNEL BOARD
 [Order 109—Filed September 23, 1983]

Be it resolved by the Higher Education Personnel Board, acting at Eastern Washington University, Cheney, Washington, that it does adopt the annexed rules relating to work period designations, amending WAC 251-09-020.

We, the Higher Education Personnel Board, find that an emergency exists and that this 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 the emergency is these modifications were adopted on an emergency basis in June 1983 to provide for implementation at the beginning of the new biennium. Because of scheduled meetings, it was not possible for the board to consider the rules for permanent adoption until its September 16, 1983, meeting. To provide continued effectiveness of the rule, the board took action then to readopt the modifications on an emergency basis and to adopt them on a permanent basis effective October 24, 1983.

These 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 Higher Education Personnel Board as authorized in RCW 28B.16.100.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 16, 1983.

By John A. Spitz
 Director

AMENDATORY SECTION (Amending Order 81, filed 12/3/79)

WAC 251-09-020 WORK PERIOD DESIGNATIONS. Each position will be assigned by the personnel officer to one of the work period designations identified below, and employees will be informed of their eligibility for overtime compensation.

(1) Scheduled work periods, within which there are ~~((two))~~ three work schedules:

(a) Regular work schedule. The regular work schedule for full time classified employees shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. Uniformly scheduled means a daily repetition of the same working hours and a weekly repetition of the same working days.

(b) Alternate work schedule. Operational necessity or employee convenience may require positions that are normally designated regular work schedule to work an alternate forty hour work schedule (other than five uniform and consecutive eight hour days in a seven day period), or as provided by the Washington State Minimum Wage Law in conjunction with the federal law which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate work schedules shall be made available upon request of the director.

(c) Emergency response fire officer work schedule. Institutions which operate an emergency response fire department may establish work week schedules for emergency response personnel which provide for a daily work shift of twenty-four hours. The weekly schedule shall provide for at least forty-eight hours, but not more than fifty-six hours, as required to meet operational requirements. Emergency response personnel assigned to twenty-four hour schedules shall be subject to the following conditions:

(i) All rules in chapter 251-22 WAC shall apply.

(ii) Changes to the established work schedule shall be made as provided in WAC 251-09-025.

(iii) Shift differential shall not be paid.

(iv) Overtime shall be paid for work performed in excess of the scheduled daily work shift or the scheduled work week. The overtime compensation shall be as provided in WAC 251-09-030 (2) and (3).

(v) Holidays shall be as provided in WAC 251-22-040 and 251-22-045. When assigned to work on a designated holiday, emergency response personnel shall receive their regular daily pay plus eight hours of holiday pay. Compensation for the eight hours of holiday time shall be at the rate of time and one-half.

(2) Nonscheduled work period. The nonscheduled work period designation applies to those positions for which the hours cannot be scheduled but which work a forty hour week and do not meet any of the other work period designations. The personnel officer shall designate positions as nonscheduled in accordance with the institution's procedure approved by the director.

(3) Excepted work period. The excepted work period designation applies to classes and positions which meet the HEPB definitions of executive, administrative, or professional employees and are assigned to salary ranges twenty-three and above. Qualifying classes will be approved by the director. Each personnel officer will be responsible for determining the positions designated "excepted" at his/her institution. The personnel officer will develop a procedure for verifying "excepted" positions which will be available for review by the director.

WSR 83-20-022
ADDENDUM TO
AGO 1983 No. 14
 [September 22, 1983]

Reviser's note: The Attorney General issued an addendum to AGO 1983 No. 14 containing further discussion of the issue in the earlier opinion. Copies may be obtained from the Office of the Attorney General, Temple of Justice, Olympia, WA 98504.

WSR 83-20-023
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 83-30—Filed September 23, 1983]

I, Sam Kinville, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to reduction in benefits for injured workers who fail or refuse to participate in vocational rehabilitation.

I, Sam Kinville, director, find that an emergency exists and that this 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 the emergency is to bring this administrative code into alignment with existing statute.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 51.41.050 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.

By Sam Kinville
 Director

AMENDATORY SECTION (Amending Order 82-40, filed 11/30/82)

WAC 296-18-200 FAILURE TO MEET RESPONSIBILITIES. The individual injured worker is expected to carry out his or her responsibilities as provided in WAC 296-18-190. Failure, without showing good cause, to carry out the responsibilities shall result in a reduction of benefits. As provided in section 8, chapter 63, Laws of 1982 (RCW 51.41.050), ~~((benefits will be reduced by one-half on order of the supervisor. For each successive week, benefits may be reduced by an additional one-half.))~~ for each week that a qualified injured worker does not participate without a showing of good cause, benefits shall be reduced by one-half on the order of the supervisor. Upon application by the injured worker, benefits may be restored on order of the supervisor.

WSR 83-20-024
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-133—Filed September 23, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5, 6C provide protection for weak Canadian origin chinook and coho stocks. Restrictions in Areas 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye and pink fisheries under the direction of IPSFC. Openings in Areas 10, 11 and 12 provide opportunity to harvest non-Indian coho allocations. Extended opening of Areas 6D and 7B necessary to harvest coho allocation. Areas 8 and 8A are closed to protect pink salmon. All other areas are closed to prevent overharvest.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.

By Russell W. Cahill
 for William R. Wilkerson
 Director

NEW SECTION

WAC 220-47-813 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas in accordance with the following restrictions:

Areas 4B, 5, 6C - Closed.

Areas 6, 6A, 7, and 7A - Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Gill net gear is restricted to 5-7/8-inch maximum mesh, when open.

Area 6D - Closed except gill nets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish 24 hours/day. That portion of Area 6D within a 1,000-foot radius of the mouth of the Dungeness River remains closed to all commercial fishing.

*Area 7B – Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly. Purse seines may fish from 5:00 AM to 9:00 PM daily. That portion north of a line from Post Point to the northern tip of Eliza Island then true west to Lummi Island is open to gill nets using 5-inch minimum mesh and purse seines 24 hours/day.

*Areas 10 and 11 – Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM September 26 through the morning of September 27, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM September 27.

*Area 12 – Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly September 25 through the morning of September 28; and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM on September 26, 27, and 28.

Partial area exclusions applicable to the above openings are described in WAC 220-47-307.

Areas 6B, 7C, 7D, 8, 8A, 9, 9A, 10A, 10B, 10C, 10D, 10E, 11A, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-812 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-127)

WSR 83-20-025

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-134—Filed September 23, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5 and 6C allow the least restrictive regulations that allow protection of adult Canadian chinook salmon while providing opportunity for limited harvest, limited impact, limited effort, immobile treaty Indian coho fisheries. Restrictions in Areas 6, 6A, 7 and 7A provide protection for Canadian summer/fall chinook during IPSFC sockeye and pink management. Restrictions in Area 7C and the Samish River protect milling chinook destined for

the Samish Hatchery. Restrictions in Area 6D and the Dungeness River provide protection for local chinook and pink stocks. Restrictions in other Strait of Juan de Fuca tributaries provide protection for local chinook salmon and subsequent protection for local coho stocks. Restrictions in Area 12C provide protection for summer/fall chinook and pink salmon returning to Hoodport Hatchery. Restrictions in Areas 10B, 10C, 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest chinook and protect Lake Washington sockeye. Restrictions in Area 13 and the Nooksack and Nisqually rivers provide protection for local pink stocks. Restrictions in Areas 6B and 9 protect the integrity of the South Sound, Stillaguamish, Snohomish and Hood Canal run size updates. Restrictions in Area 8 and the Skagit River protect local pink stocks. Restrictions in Area 13B provide protection for local early chum stocks. Restrictions in Elwha River are no longer necessary as test fisheries indicate chinook and pink salmon have cleared the lower river.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-322 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. Effective immediately 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:

Areas 4B, 5, and 6C – Gill net gear restricted to 6-1/2-inch maximum mesh, when open.

Areas 6 and 6A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Area 6B – Effective until further notice, closed to all net gear.

*Area 6D in that portion within a 1,000-foot radius of the mouth of the Dungeness River and the Dungeness River – Effective until further notice, closed to all commercial fishing.

Areas 7 and 7A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Area 7C – Closed to all commercial fishing.

Area 8 – Effective until further notice, closed to all commercial fishing.

Area 9 – Effective until further notice, closed to all commercial fishing.

Area 10B – Effective through September 24, gill nets restricted to 6-1/2-inch minimum mesh and all other gear must release sockeye, when open.

Area 10C – Effective until further notice, closed to all commercial fishing.

Area 10D – Effective through October 8, gill net gear restricted to 6-1/2-inch minimum mesh and all other gear must release sockeye, when open. That portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek is closed to all commercial fishing until further notice.

Area 12C – Effective through September 30, closed to all commercial fishing within 1,000 feet of the western shore between Hoodspout Marina Dock and Glen Ayr Trailer Park.

Area 13 – Effective through October 1, excluding (1) that portion of Chambers Bay east of the railroad trestle, and (2) that portion north of a line from Green Point on the eastern shoreline of Carr Inlet to the flashing signal beacon #4 on the west shoreline, gill net gear is restricted to 7-inch minimum mesh, and all other gear must immediately release pink salmon, when open. Purse seine gear is prohibited.

*Area 13B – Effective September 25: (1) that portion westerly of a line from the flashing light at Arcadia to Hungerford Point (Hammersley Inlet) is closed to gill nets, and other gear must release female chum salmon; (2) that portion north of a true east-west line projected through the southernmost point on Stretch Island and intersecting with the eastern and western shores of Case Inlet is closed to gill nets, and other gear must release all chum salmon.

Cedar River – Effective until further notice, closed to all commercial fishing.

Nooksack River – Upstream of the confluence of north and south forks – closed to all net gear.

Nisqually River – Effective through September 24, gill net gear restricted to 7-1/2" minimum mesh, when open.

Skagit River including all tributaries – Effective until further notice, closed to all commercial fishing.

Samish River – Closed to all commercial fishing.

*Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks – Effective until further notice, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-321 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-132)

WSR 83-20-026

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-135—Filed September 23, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is this regulation is necessary to provide chinook escapement for hatchery needs.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100D WILLAPA HARBOR—GILL NET SEASONS. Notwithstanding the provisions of WAC 220-40-021 and WAC 220-40-022 it is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor fishing areas, except during the seasons provided for hereinafter in each respective fishing area:

Area 2G — 6:00 p.m. September 26 to 6:00 p.m. September 27

Area 2H — 6:00 p.m. September 26 to 6:00 p.m. September 27

Area 2J and 2K — 6:00 p.m. September 26 to 6:00 p.m. September 27

Area 2M — 6:00 p.m. September 26 to 6:00 p.m. September 27

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100C WILLAPA HARBOR—
GILL NET SEASONS. (83-131)


WSR 83-20-027
ADOPTED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Savings and Loan Associations)
 [Order 83-4—Filed September 26, 1983]

I, R. H. "Bob" Lewis, Supervisor of the Division of Savings and Loan Associations, do promulgate and adopt at Olympia, Washington, the annexed rules relating to examination and supervision of fees for credit unions, amending WAC 419-18-020, 419-18-040, adding new sections WAC 419-18-050, 419-18-060 and 419-18-070.

This action is taken pursuant to Notice No. WSR 83-16-068 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 31.12.320 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.
By R. H. "Bob" Lewis
Supervisor

AMENDATORY SECTION (Amending Order 82-5, filed 6/7/82)

WAC 419-18-020 COLLECTION OF EXAMINATION AND SUPERVISION COSTS—COLLECTION METHOD. The requirement of RCW 31.12.320 that the supervisor collect from each credit union the actual costs of examinations and supervision shall be met in accordance with the procedures established in this chapter. The fee shall consist of ~~((two))~~ three elements: (1) An hourly charge for the number of hours spent by division personnel in conducting an examination of the credit union, ~~((and))~~ (2) a semiannual asset charge~~((:))~~, and (3) an hourly charge for the number of hours of extraordinary or special services.

AMENDATORY SECTION (Amending Order 82-5, filed 6/7/82)

WAC 419-18-040 SEMIANNUAL ASSET CHARGE. The semiannual asset charge will be assessed at a rate of three and ~~((one-quarter))~~ one-half cents per thousand dollars of total assets, computed on assets as of June 30 and December 31 of each calendar year, and payable no later than July 15 and January 15 next following the respective assessment dates. Those credit unions the total assets of which are less than two hundred thousand dollars as of a particular assessment date shall

not be required to pay an asset charge for the semiannual period immediately preceding such assessment date.

NEW SECTION

WAC 419-18-050 HOURLY CHARGE FOR EXTRAORDINARY LEGAL ASSISTANCE. The hourly charge for consultation involving an assistant attorney general shall be assessed at the rate of \$40.00 per hour. Extraordinary legal assistance shall include, but not be limited to, auditing committee meetings and board meetings requiring legal assistance, and to supervisory hearings and preparation of memorandum opinions which relate to a specific credit union.

NEW SECTION

WAC 419-18-060 SUPERVISORY REVIEW OF EXAMINATIONS. Upon completion of each examination the examiner's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of \$30.00 per hour.

NEW SECTION

WAC 419-18-070 SPECIAL EXAMINATIONS. Special examinations shall be assessed at the rate of \$30.00 per hour, per examiner. Special examinations shall include, but not be limited to electronic data processing examinations, special investigations, special examinations involving the division's staff supervisory personnel, and other special examinations and reviews the supervisor deems necessary.


WSR 83-20-028
ADOPTED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Savings and Loan Associations)
 [Order 83-5—Filed September 26, 1983]

I, R. H. "Bob" Lewis, Supervisor of the Division of Savings and Loan Associations, do promulgate and adopt at Olympia, Washington, the annexed rules relating to examination and supervision fees for savings and loan associations, amending WAC 419-14-020, adding new sections WAC 419-14-100 and 419-14-110.

This action is taken pursuant to Notice No. WSR 83-16-067 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 33.28.020 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 23, 1983.
By R. H. "Bob" Lewis
Supervisor

AMENDATORY SECTION (Amending Order 82-4,
filed 7/7/82)

WAC 419-14-020 COLLECTION OF EXAMINATION AND SUPERVISION COSTS—COLLECTION METHOD. The requirement of RCW 33.28.020 that the supervisor collect from each savings and loan association the actual costs of examinations and supervision shall be met in accordance with the procedures established in this chapter. The fee shall consist of ~~((two))~~ three elements: (1) an hourly charge for the number of hours spent by division personnel in conducting an examination of the association, ~~((and))~~ (2) a semiannual asset charge~~((:))~~; and (3) an hourly charge for the number of hours of extraordinary or special services.

NEW SECTION

WAC 419-14-090 HOURLY CHARGE FOR LEGAL ASSISTANCE. The hourly charge for consultation involving an assistant attorney general shall be assessed at a rate of \$40.00 per hour. Extraordinary legal assistance shall include, but not be limited to, legal research and advice pertaining to granting new charters, acquisition of savings and loan association, conversions, board meetings requiring legal assistance, and to supervisory hearings and preparation of memorandum opinions which relate to a specific savings and loan association.

NEW SECTION

WAC 419-14-100 SUPERVISORY REVIEW OF EXAMINATION. Upon completion of each examination the examiner's report shall be reviewed and an examination letter prepared by administrative personnel. The hourly charge for the review and preparation of the examination letter shall be assessed at the rate of \$30.00 per hour.

NEW SECTION

WAC 419-14-110 SPECIAL EXAMINATIONS. Special examination shall be assessed at the rate of \$30.00 per hour per examiner. Special examinations shall include, but not be limited to electronic data processing examinations, special investigations, special examinations involving the division's staff supervisory personnel, and other special examinations and reviews the supervisor deems necessary.

WSR 83-20-029
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed September 26, 1983]

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 Transportation—Authority and state reimbursement, chapter 392-141 WAC;

that the agency will at 9:00 a.m., Tuesday, November 8, 1983, in the Old Capitol Building, Washington and Legion, Legal Services Conference Room, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 9, 1983.

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 before November 8, 1983.

Dated: September 23, 1983

By: Frank B. Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-141 WAC, Transportation—Authority and state reimbursement.

Rule Section(s): WAC 392-141-045, Purchase of school buses—State allowance for depreciation; 392-141-054, Transportation equipment reserve, 392-141-055, Depreciation schedule—School buses; and 392-141-061, Additional depreciation for rebuilt district-owned buses.

Statutory Authority: RCW 28A.41.170.

Purpose of the Rule(s): Reimburse school districts for transportation equipment.

Summary of the New Rule(s) and/or Amendments: Repeals regulations which will be replaced by new chapter 392-142 WAC.

Reasons Which Support the Proposed Action(s): Agency has re-organized regulations.

Person or Organization Proposing the Rule(s): SPI, government.

Agency Personnel Responsible for Drafting: Ralph E. Julnes, SPI, 753-2298; Enforcement: Perry Keithley, SPI, 753-6742; and Implementation: Don Carnahan, SPI, 753-0235.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: No.

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): Are no longer needed.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 392-141-045 PURCHASE OF SCHOOL BUSES—STATE ALLOWANCE FOR DEPRECIATION.

(2) WAC 392-141-054 TRANSPORTATION EQUIPMENT RESERVE.

(3) WAC 392-141-055 DEPRECIATION SCHEDULE—SCHOOL BUSES.

(4) WAC 392-141-061 ADDITIONAL DEPRECIATION FOR REBUILT DISTRICT-OWNED BUSES.

WSR 83-20-030
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-136—Filed September 26, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is to provide for an orderly sport fishery.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 26, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-56-12800A PERSONAL USE—CLOSED AREA NASELLE RIVER (1) *Notwithstanding WAC 220-56-128(1), it is lawful to fish for salmon in the Naselle River to within 100 yards downstream of the entrance to the Naselle Hatchery Fishway.*

(2) *It is unlawful to fish for salmon in or to possess salmon taken from those waters of the Naselle River lying between a point 100 yards downstream of the entrance to the Naselle Hatchery fishway and a point 100 yards upstream of the concrete spillway at the hatchery.*

WSR 83-20-031
WITHDRAWAL OF PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed September 27, 1983]

The board's notice of intention to adopt, amend, or repeal rules dated September 7, 1983, and bearing Notice No. WSR 83-18-069, is hereby withdrawn.

It is the board's intention to file a new notice of intention to adopt, amend, or repeal WAC 314-37-010.

Robert D. Hannah
Chairman

WSR 83-20-032
NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE
 [Memorandum—September 27, 1983]

The regular meeting of the board of trustees, scheduled for October 17, 1983, has been cancelled. A special meeting will be held on October 24, 1983, at 4:30 p.m., in the bookstore conference room.

WSR 83-20-033
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-137—Filed September 27, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is to provide an opportunity to harvest coho salmon in Grays Harbor and lower tributary reaches.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 27, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-36-02500D CLOSED AREAS—GRAYS HARBOR AND TRIBUTARIES. (1) *Effective 6:00 p.m. August 15 through 11:59 p.m. September 30, 1983, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon taken for commercial purposes from the waters of Grays Harbor or from the waters of any tributary of Grays Harbor except those waters of the Chehalis River upstream of the Porter Bridge.*

(2) *Effective 12:01 a.m. September 1 through 11:59 p.m. October 10, 1983, it is unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess foodfish taken from the waters of the Chehalis River upstream of the Porter Bridge.*

REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-36-02500C CLOSES AREAS—
GRAYS HARBOR AND TRIBUTARIES (83-92)**

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

**WSR 83-20-034
PROPOSED RULES
COUNCIL FOR
POSTSECONDARY EDUCATION
[Filed September 27, 1983]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Council for Postsecondary Education intends to adopt, amend, or repeal rules concerning teacher incentive loan program for mathematics and science;

that the agency will at 9:00 a.m., Tuesday, November 22, 1983, in the Griffin College, Bellevue Campus, 10833 N.E. 8th, Bellevue, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 22, 1983.

The authority under which these rules are proposed is chapter 74, Laws of 1983 1st ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 16, 1983.

Dated: September 27, 1983

By: Carl A. Trendler
Executive Coordinator

STATEMENT OF PURPOSE

Re: Teacher incentive loan program for mathematics and science.

This statement of purpose is written in compliance with section 23, chapter 186, Laws of 1980, and to accompany the Notice of Intention to Adopt, Amend, or Repeal Rules by the Council for Postsecondary Education.

Title: Adoption of rules concerning the teacher incentive loan program for mathematics and science.

Summary: Loan program for teachers of mathematics and science to provide financial support in the form of long term educational loans to applicants with demonstrated academic competency and financial need who intend to pursue a teaching career in mathematics or science in Washington public schools.

Institutional Person Responsible for Drafting, Implementation and Enforcement of Rules: Denis Curry, Council for Postsecondary Education, 908 East Fifth, Olympia, WA 98504.

Governmental Organization Proposing the Rule: Council for Postsecondary Education.

Institutional Comments Regarding Statutory Matters: Not applicable.

Rule is not necessary as the result of federal law or court action.

Chapter 250-60 WAC
**STATE OF WASHINGTON TEACHER INCENTIVE LOAN
PROGRAM FOR TEACHERS OF MATHEMATICS AND SCI-
ENCE CHAPTER 28B.15 RCW**

RULES AND REGULATIONS

NEW SECTION

WAC 250-60-010 PURPOSE. The purpose of the teacher incentive loan program for teachers of mathematics and science is to provide financial support in the form of long-term educational loans to applicants with demonstrated academic competency and financial need who intend to pursue a teaching career in mathematics or science in Washington public schools. The program is also intended to offer a financial incentive to those individuals by providing for the forgiveness of loan repayments in recognition of teaching service.

NEW SECTION

WAC 250-60-020 ADMINISTRATION OF PROGRAM. The council for postsecondary education (CPE) is charged with the administration of the teacher incentive loan program for teachers of mathematics and science. When a responsibility of the CPE or council is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive coordinator or his or her designee.

NEW SECTION

WAC 250-60-030 STUDENT ELIGIBILITY. (1) Initial eligibility. For a student to receive a mathematics/science loan, he or she must:

- (a) Be a "needy student" as defined by the council for postsecondary education;
- (b) Be a resident of Washington;
- (c) Be enrolled or accepted for enrollment as a student at a participating institution;
- (d) Be registered for at least 10 credit hours or the equivalent for each term in which a loan is received;
- (e) Have satisfied the institution's requirements for formal acceptance as a declared major in a program of teacher education in a field of mathematics or science leading to a degree, certificate, or primary endorsement;
- (f) Demonstrate the capability of maintaining a 3.0 grade point average (on a 4.0 scale);
- (g) Certify that he or she does not owe a refund on a State Need Grant, a Pell grant or a Supplemental Opportunity Grant, and is not in default on a loan made, insured, or guaranteed under the National Direct Student Loan, Guaranteed Student Loan program, or Mathematics/Science Loan program; or
- (h) Be a certificated teacher who satisfies (a), (c), (d) and (g) of this subsection and have been formally accepted into a program in teacher education leading to a degree, certificate or primary endorsement in a field of science or mathematics.

(2) Continuing eligibility. For a student to maintain continuing eligibility for additional mathematics/science loans, he or she must:

- (a) Continue to meet the basic eligibility requirements listed under subsection (1) of this section;
- (b) Not have reached the ten thousand dollar cumulative borrowing limit of the program; and
- (c) Satisfy academic progress requirements of the program by maintaining a 3.0 grade point average (on a 4.0 scale) for the time period the loan was received and successfully complete the required number of credit hours.

NEW SECTION

WAC 250-60-040 INSTITUTIONAL ELIGIBILITY. For an institution of higher education to be eligible to participate in the mathematics/science loan program, the institution must:

- (1) Be a college or university in the state of Washington which is a member institution of an accrediting association recognized as such by rule of the council for postsecondary education; and
- (2) Be approved by the state board of education for offering an academic program leading to a teacher's certificate with an endorsement

in a field of science or mathematics or be participating in a cooperative or joint teacher education program with another accredited institution that meets the requirements of this section.

NEW SECTION

WAC 250-60-050 AGREEMENT TO PARTICIPATE. In order to participate in the program a postsecondary institution must annually file an "agreement to participate" supplying the following information: Name and address of school (including central office and all campus sites), the date on which the school officially began instruction if in the last five years, type and date of last accreditation, enrollment information (unless reported to the state of Washington or in the higher education general information survey) and such other information as may be required to assure proper administration of the program. In addition the "agreement to participate" will also indicate the institution's agreement to abide by all program rules, regulations, and guidelines, to maintain and provide all pertinent information, records, and reports requested by the council, and to notify the council within thirty days of any change (other than student enrollment) to information reported on the agreement form.

NEW SECTION

WAC 250-60-060 PROGRAM DEFINITIONS. (1) Financial aid terms:

(a) "Needy student" shall mean a post-high school student of an institution of postsecondary education who demonstrates to the council the financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.

(b) "Financial need" shall be the difference between the budgetary cost to the student attending an institution of postsecondary education and the total applicant resources which the institutional financial aid officer determines can reasonably be expected to be available to the student for meeting such costs.

(c) "Budgetary cost" of attending an institution shall consist of that amount required to support the individual and his or her dependents during the period in which that individual is enrolled as a student. Budgets will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses, and other cost factors deemed necessary for consideration, consistent with WAC 250-40-040 (2)(a).

(d) "Total applicant resources" for the dependent student shall mean the sum of the amounts which reasonably may be expected from the student and his or her parents inclusive of expected summer savings to meet the student's cost of education, and the amount which reasonably may be expected to be made available to the student by his or her parents for such purpose. For the self-supporting student total applicant resources shall mean the amount which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education.

(e) "Washington resident" shall be defined as an individual who satisfies the requirements of WAC 250-18-010 through 250-18-060 pertaining to the determination of residency.

(f) "Dependent student" shall mean any posthigh school student attending an eligible institution of postsecondary education who does not qualify as a self-supporting student in accordance with (g) of this subsection.

(g) "Self-supporting student" shall be one who has established a bona fide independent relationship and who demonstrates compliance with criteria for determining self-supporting status as contained in the program guidelines for the state work study program.

(2) Academic and program requirements:

(a) Minimum credit hour requirement:

(i) Normal progress. Students receiving mathematics/science loans must be registered for a minimum of 10 credit hours (per term) or the equivalent for each academic year for which a loan is received except as specified in (a)(iii) of this subsection.

(ii) Calculation of equivalency. In recognition of the fact that participating institutions have different academic calendars and apply different full-time enrollment definitions to graduate and undergraduate students, the 10 credit hour equivalent standard is defined as follows: As 10 credit hours is 5/6ths (10/12) of the minimum 12 credit hours required for full-time undergraduate enrollment, a course load that by institutional standard is the equivalent of 5/6ths of a minimum full-time graduate course load satisfies the threshold course load requirement of the mathematics/science loan program.

(iii) Exceptions:

Institutions may grant a one-year exception to the requirement for successful completion of 10 credit hours or equivalent per term of mathematics/science loan recipients when, in the institution's evaluation, special circumstances prevented the student from completing the required number of courses.

Each institution must send the council a copy of its policy for reawarding aid to mathematics/science loan recipients who have not satisfactorily completed the required number of credit hours the prior payment period. Each institution's policy must be approved by council staff before warrants will be sent to the institution.

If a student is reawarded a mathematics/science loan after having not completed a full-time course load the prior term, documentation must be maintained by the institution indicating that its CPE-approved policy has been followed.

(b) Grade point average requirement:

(i) Initial loans:

(A) General. First-time borrowers must demonstrate the capacity for academic achievement at a 3.0 or better grade point average in the qualifying program.

(B) Prior achievement of a 3.0 cumulative grade point average is considered to be a demonstration of capacity.

(C) Absence of a 3.0 grade point average. Institutions may certify applicants as meeting the demonstrated academic achievement criteria if, in the institution's judgment, additional factors, e.g., current academic average, faculty evaluation, test scores, job related success, etc., indicate the probability of a student meeting the 3.0 standard. Institutions must place a statement in the loan applicant's file specifying the basis for their judgment.

(D) Subsections (A) through (C) above do not apply to first-time borrowers who are currently certificated to teach in Washington state.

(ii) Subsequent loans. All borrowers are expected to earn a 3.0 or equivalent grade point average for those academic years for which they have received a mathematics/science loan. A one-year exception may be granted to an otherwise eligible borrower when, in the evaluation of the institution, the grade point average earned was due to special circumstances and is not indicative of the borrower's academic capability. Such an exception must be based on criteria no less stringent than the institution would apply to institutionally controlled aid awards with similar academic standards. A borrower must maintain an on-going 3.0 average for all terms completed during the exception year. Successful maintenance of the 3.0 average must be demonstrated for each term before funds for the following term can be released.

(c) Approved academic program:

Approved mathematics and science programs for the sole purpose of loan eligibility will be established by the council for postsecondary education with the advice of the mathematics/science loan advisory committee, and in accordance with the state board of education regulations and guidelines concerning subject field teacher endorsements.

(3) Technical provisions:

General. In the drafting of specific loan definitions reference has been made to the Federal Guaranteed Student Loan Program (20 USC Sec. 1701 et. seq.) in order to establish consistency between programs and follow accepted loan program standards.

(a) In-school period. The period of time during which a student continues enrollment on at least a half-time basis at a school satisfying guaranteed student loan school eligibility requirements. Where a break in such enrollment is shorter than the length of the grace period stipulated in a student's promissory note, the student remains in the in-school period upon return to half-time status at a school participating in the guaranteed student loan program.

(b) Grace period. The nine-month period of time between the end of the in-school period and the beginning of the repayment period. The grace period begins on the first day of the month following the month in which the borrower leaves school or drops below half-time status. The grace period ends on the last day of the ninth month as written on the promissory note.

(c) Default. The failure of a borrower to make an installment payment when due, or to meet other terms of the promissory note under circumstances where the council finds it reasonable to conclude that the borrower no longer intends to honor the obligation to repay, provided that this failure persists for one hundred eighty days.

(d) Capitalization of interest. Capitalization means increasing the principal of a loan through the addition of accrued interest to the unpaid principal balance. Only interest which accrued during a period of time between the date the first repayment installment was due and the date it was made, when the borrower was late in beginning to repay

the loan, may be capitalized on mathematics/science loans. The council may add the interest which accrued during a period of forbearance to the principal no earlier than the date repayment of principal is required to resume, and may add the interest which accrued due to late commencement of repayment to the principal no earlier than the date repayment of principal actually begins.

(e) Totally and permanently disabled. Inability to engage in any substantial gainful activity because of a medically determinable impairment that is expected to continue for a long and indefinite period of time or to result in death.

(f) "Public school" means a middle school, junior high school, or high school within the public school system referred to in Article IX of the state Constitution.

(g) "Forgiven" or "to forgive" means to collect service as a teacher in a field of science or mathematics at a public school in the state of Washington in lieu of monetary payment.

(h) "Satisfied" means paid-in-full.

(i) Borrowing limits:

(i) Annual. The amount of any mathematics/science loan shall not exceed the demonstrated financial need of the student or two thousand five hundred dollars for each academic year, whichever is less. Cost-effective annual minimum loan limits may be set by the council for postsecondary education.

(ii) Summer session eligibility. The two thousand five hundred dollars annual loan limit applies to a normal nine-month academic year. An otherwise eligible borrower may also receive a mathematics/science loan for summer term attendance provided that the borrower will be registered for sufficient credit hours during the summer session to at least equal the 5/6ths of a full-time course load requirement for a regular academic term.

The council for postsecondary education will determine the availability of summer session loans and the maximum and minimum amount of said loans based upon available appropriations.

(iii) Cumulative. The total amount of such loans to an eligible student shall not exceed ten thousand dollars.

(j) Interest rate. The interest rate for the mathematics/science loan program shall be nine percent per annum on the unpaid balance of the loan.

(k) Repayment period. The period for repaying the loan principal and interest shall be ten years with payments accruing quarterly nine months from the date the borrower graduated or failed to re-enroll as at least a half-time student in accordance with the provisions established for the guaranteed student loan program. However, where the borrower has received an authorized deferment or has been granted forbearance, the periods of deferment and/or forbearance are excluded from determination of the ten-year repayment period.

(l) Forgiveness. Payments of loan principal and interest will be forgiven for any repayment period in which the borrower documents qualifying service as a teacher in a field of science or mathematics at a public school in the state of Washington in accordance with WAC 250-60-010.

(m) Loan cancellation. Where the borrower has died or become totally and permanently disabled, the loan is canceled and the council for postsecondary education terminates all collection activity against the borrower or his estate.

(n) Prepayment. A borrower may prepay the whole or any part of a loan at any time without penalty.

(o) Late charges. The council for postsecondary education may require that the borrower pay a late charge if the borrower fails to pay any or all of a required installment payment within thirty days after its due date or fails to provide written evidence that verifies eligibility for authorized deferment of the payment. A late charge may not exceed five cents for each dollar or each installment due or five dollars for each installment, whichever is less.

(p) Collection charges:

Permissible charges. The council may also require that the borrower pay for certain reasonable costs incurred by the council or its agent in collecting any installment not paid when due. These costs may include attorney's fees, court costs, and long distance phone calls.

(q) Deferments. For reasons of public policy and congruence with federal student aid program provisions, a borrower is entitled to have scheduled payments of principal deferred when engaged in certain activities during the repayment period. Interest shall not accrue during periods of deferment officially granted by the council or its agent. Should a borrower enter a status which normally entitles him/her to a deferment of repayment, prior to the expiration of the grace period (e.g., he/she serves in the armed forces or an action program, or is

unemployed), the deferment period will not commence until the expiration of the grace period. Repayment of the loan resumes immediately after the deferment period is over without any additional grace period.

Deferment is authorized during periods when a borrower is engaged in at least one of the following activities:

(i) Full-time study at a school participating in the federal guaranteed student loan program.

(ii) Full-time study at a school which meets the definition of an institution of higher education or a vocational school and is operated by an agency of the federal government (e.g., the service academies).

(iii) Study under an eligible graduate fellowship program approved by the United States secretary of education.

(iv) Study under a rehabilitation training program approved by the secretary for disabled individuals.

(v) For a period not in excess of three years during which the borrower is a member of the armed forces of the United States, or is an officer in the commissioned corps of the United States public health service.

(vi) For a period not in excess of three years during which the borrower serves as a volunteer under the Peace Corps Act.

(vii) For a period not in excess of three years during which the borrower serves as a full-time volunteer under Title I of the Domestic Volunteer Service Act of 1973 (ACTION Programs).

(viii) For a period not in excess of three years during which the borrower is in service comparable to the service referred to in (q) (vi) and (vii) of this subsection as a full-time volunteer for an organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1954.

(ix) For a period not in excess of three years during which the borrower is temporarily totally disabled, or during which the borrower is unable to secure employment because he or she is caring for a spouse who is temporarily totally disabled.

(x) For a period not in excess of two years during which the borrower is serving an internship, the successful completion of which is required in order to receive recognition required to begin professional practice or service.

(xi) For a period not in excess of twelve months during which the borrower is conscientiously seeking and is unable to find full-time employment.

(r) Forbearance. A forbearance is a flexible, limited type of deferment or postponement granted by the council for the benefit of a borrower in order to prevent a default on a loan when the borrower is willing but temporarily unable to make scheduled payments or where the forgiveness provisions of the mathematics/science loan program would be ill served by requiring scheduled repayments. A forbearance postpones principal payments but does not stop the accruing of interest. The council may require the borrower to pay the interest which will accrue on the loan during a period of forbearance prior to approving the forbearance; or the council may add the interest which accrued during the period of forbearance to the principal amount of the loan on the date that repayment is required to resume.

A forbearance may, at the council's discretion, be granted when the borrower's economic circumstances demonstrate a current inability to make scheduled repayments if the council believes that the borrower is willing to and will be more able to resume repayment in the future. Forbearances may also be granted to those borrowers who though teaching in eligible Washington public schools, are temporarily unable to meet the course load or subject matter criteria for loan forgiveness.

A cumulative maximum for all forbearances is set at two years or eight quarterly repayments.

(s) Repayment of loans. Commencement of the repayment period:

(i) The repayment period begins on the day following the day the grace period ends. Interest accrues from the first day of the first scheduled repayment period.

(ii) Scheduling of repayments. In order to implement the forgiveness provisions of the mathematics/science loan program, standardized loan repayment quarterly schedules are established for all borrowers as follows:

January 1	—	March 31
April 1	—	June 30
July 1	—	September 30
October 1	—	December 30

The borrower will be placed in the repayment cycle starting with the first day of the first full repayment quarter following the commencement of his/her repayment period. Borrowers who have been granted

deferments or forbearances will also reenter the repayment cycle on the same basis.

NEW SECTION

WAC 250-60-070 APPLICATION PROCEDURE AND SELECTION. (1) Student. In order to be eligible for a mathematics/science loan, a student must:

(a) Meet all program eligibility requirements as established by program regulations and guidelines.

(b) Submit annually, in accordance with institutional and council deadlines, a completed mathematics/science loan application form.

(c) Meet institutional requirements for the submission of a financial aid form or comparable financial aid status documents.

(2) Academic certification:

(a) The designated academic official must certify that the applicant satisfies the grade point average and approved academic program requirements of the mathematics/science loan program.

(b) The institution may prioritize eligible applicants in terms of academic success, degree of financial need, appropriateness of educational program, and/or promise of teaching success as demonstrated by successful completion of objective institutional teacher education requirements.

(c) Notwithstanding financial need ranking criteria, otherwise eligible renewal loan applicants may be awarded subsequent mathematics/science loans up to their demonstrated financial need (within program limits).

(3) Criteria for institutional determination of financial need and the making of awards:

(a) Budgetary costs will be determined by the institution subject to approval by the council for postsecondary education. In view of the self-help nature of this program, the state work study advisory committee will review each budget for reasonableness and make recommendations to the council for approval or disapproval.

(b) Total applicant resources shall be determined according to the uniform methodology system of need analysis. Institutional financial aid officers may make reasonable adjustments to the computed total applicant resources if individual circumstances warrant such adjustments. In addition, nonliquid assets in the form of equity in the primary residence and net worth of business or farm may be disregarded in the computation of total applicant resources.

Any adjustments must be documented and placed in the student's financial aid file.

(c) The mathematics/science loan award shall be designed in such a manner that the sum total of financial aid awarded any one student will not exceed the difference between the total applicant's resources and the budgetary cost of education.

(d) In the case of students attending private institutions, all state funds, when combined, may not exceed the nontuition and required fees portion of the student's budgetary cost.

(4) Impact of student withdrawal:

(a) Should a student recipient leave school by reason of failure or withdrawal at the end of the grading period, the unused portion of the loan will remain with the state.

(b) Should a student totally withdraw from school during a term in which a mathematics/science loan had been disbursed, the following rules shall prevail:

(i) The student's eligibility for the mathematics/science loan program is terminated and no further disbursements under the program may be made without written approval of the council for postsecondary education.

(ii) If the student is entitled to a refund from the institution, that portion of the refund attributable (on a proportionate basis) to the mathematics/science loan program will be refunded to the council for postsecondary education where it will be credited to the borrower's loan account as an early repayment.

(iii) A student may regain eligibility by repaying the loan amount owed for the academic term (of withdrawal) or by special appeal for reinstatement to the postsecondary institution with the concurrence of the council.

NEW SECTION

WAC 250-60-080 CONTROL OF FUNDS. (1) General. The council for postsecondary education is responsible for the disbursement of loan funds to individual students under the mathematics/science loan program. As warrants will be made payable to the individual students, no transfer of funds to participating postsecondary institutions

will be made. However, institutions will be allocated a commitment funding level that establishes the annual aggregate loan dollars available for award to their students.

(2) Institutional funding request. Each eligible institution desiring to participate in the mathematics/science loan program must apply annually to the council for postsecondary education's financial aid section for an allocation of funds. The institutional request must be submitted by the appropriate deadline and contain any information requested by the council.

(3) If an institution can utilize more funds than were allocated for the fiscal year, it should apply for supplemental funds. A request for supplemental funds should be filed as soon as the need is known and may be filed at any time throughout the fiscal year. Such requests must be in writing and must include justification regarding the need for additional funds. Supplemental awards may be made periodically throughout the year on a funds available basis.

(4) If an institution is unable to expend its full allocation, it must deobligate that portion of funds which will be unutilized. Written notification of deobligation must be submitted to the council as soon as the institution has determined its inability to fully expend its mathematics/science loan program funds.

NEW SECTION

WAC 250-60-090 LOAN COLLECTION. The council is responsible for collection of loans made and shall exercise due diligence in such collection to ensure that maximum repayments are made. The council is responsible to forgive all or parts of such loans under the criteria established in these rules and regulations.

Receipts from the payment of principal or interest or any other subsidies to which the council as lender is entitled, which are paid by or on behalf of borrowers, shall be deposited with the council for postsecondary education and shall be used to cover the costs of making the loans, maintaining necessary records and making collections. All receipts beyond those necessary to pay such costs shall be used to make loans to eligible students.

NEW SECTION

WAC 250-60-100 CRITERIA FOR OBTAINING FORGIVENESS BASED ON QUALIFYING TEACHER SERVICE. (1) General. In order to be granted loan forgiveness in lieu of repayment, a borrower, for each repayment period for which forgiveness is sought, must:

(a) Be teaching in an eligible Washington public school.

(b) Be teaching qualifying mathematics/science courses equal to at least one-half of a full-time teaching assignment as defined by the employing school district.

(c) Complete and submit, in a timely manner, the documentation necessary to support the forgiveness request.

(2) Identification of qualifying mathematics and science courses: Subordinate to specific regulations, determination of qualifying courses is the responsibility of the employing school district.

The superintendent of schools of the employing district or his/her designee(s) is responsible for certifying qualifying courses.

(a) Supplementary criteria for qualifying courses will be issued as necessary by the council for postsecondary education after consultation with the mathematics/science loan advisory committee.

(b) At the secondary school level, courses which satisfy state graduation requirements in mathematics or science are eligible courses.

(c) At the middle school and junior high level, courses which have been traditionally viewed as science or mathematics foundation courses are eligible.

(3) Calculating qualifying teacher service under the mathematics/science loan program:

The superintendent of schools of the employing district or his/her designee(s) is responsible for calculating qualifying teacher service.

(a) General. In order to obtain forgiveness of scheduled repayments, a borrower must, for the repayment period, be employed at least half-time as a teacher of qualifying mathematics or science courses.

A borrower may be employed in any status half-time or greater so long as the number of qualifying mathematics or science courses taught are themselves equal to a half-time assignment.

In calculating teaching days, paid sick leave covered under a teacher's contract are considered as teaching days.

(b) Calculation of eligibility. The following formula shall be used to determine teacher eligibility for forgiveness:

✓
WSR 83-20-035
ADOPTED RULES
DEPARTMENT OF CORRECTIONS
 [Order 83-08—Filed September 27, 1983]

- (i) Calculate the number of teaching days in the repayment quarter (x).
- (ii) Determine the average number of hours per day required for full-time teaching status (y).
- (iii) Multiply (x) times (y) to establish a full teaching load for the repayment period; fifty percent of that total establishes the qualifying teaching load.
- (iv) Calculate the number of class hours taught in the repayment period in qualifying mathematics or science courses. If it equals or exceeds the qualifying teaching load ((b)(iii) of this subsection), the borrower can be certified for forgiveness.
- (c) Exceptions. In the case of schools that because of size or geography are restricted to limited course offerings that make it a practical impossibility for a borrower to obtain a teaching assignment that qualifies for forgiveness, an appeal process is available. The council for postsecondary education may grant forgiveness in those individual cases where the borrower is teaching a fair share of the available qualifying courses even if the total qualifying hours fall below the half-time standard.

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to inmate personal property, adopting chapter 137-36 WAC and repealing chapter 275-87 WAC.

All correspondence regarding this rule should be addressed to:

Contracts Administrator
 Office of Contracts and Regulations
 Division of Management and Budget
 Mailstop FN-61
 Scan 234-5770

NEW SECTION

WAC 250-60-110 PROGRAM ADMINISTRATION AND AUDITS. (1) The staff of the council for postsecondary education, under the direction of the executive coordinator, will manage the administrative functions relative to this program.

(2) The council shall appoint an advisory committee comprised of representatives of eligible institutions and of other professionals in the field of education with the interest and expertise to assist council staff:

- (a) In the drafting of program rules and guidelines;
- (b) In the establishment of student award priorities;
- (c) In setting criteria for the allotment of funds to participating institutions; and
- (d) In general program oversight and administration.

(3) The council for postsecondary education will review institutional administrative practices to determine institutional compliance with rules and regulations and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations or guidelines, the council may suspend, terminate, or place conditions upon the institution's participation in the program and/or require reimbursement to the program for any funds lost or improperly expended.

(4) Any student who has obtained a mathematics/science loan through means of a wilfully false statement or failure to reveal any material fact, condition, or circumstance affecting eligibility will be subject to applicable civil or criminal penalties.

This action is taken pursuant to Notice No. WSR 83-17-136 filed with the code reviser on August 24, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Corrections as authorized in RCW 72.09.050, 72.08.103, 72.13.080 and 72.15.040.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 27, 1983.

By Robert E. Trimble
 Deputy Secretary
 for Amos E. Reed
 Secretary

Chapter 137-36 WAC
ADULT CORRECTIONAL INSTITUTIONS—INMATE PERSONAL PROPERTY

NEW SECTION

WAC 137-36-010 PURPOSE. The purpose of these rules is to maintain the safety, security, and discipline of adult correctional facilities operated under the jurisdiction of the department of corrections in accordance with Title 72 RCW et al., by establishing guidelines for the development of department and institution level policies and rules governing the retention of personal property by inmates to prevent the possession of illegal items and contraband within the institution.

NEW SECTION

WAC 137-36-020 DEFINITIONS. (1) "Contraband" consists of all illegal items, alcoholic beverages, and other items which a resident of a correctional institution may not have in his possession, as defined in regulations adopted by the superintendent of an institution and approved by the secretary.

(2) "Illegal items" are controlled substances as defined and listed in chapter 69.50 RCW or any weapon,

firearm, or any instrument which, if used, could produce serious bodily injury to the person of another.

(3) "Inmate" shall refer to those persons committed to the custody of the department of corrections and inmates transferred from other states or the federal government.

(4) "Secretary" is the secretary of the department of corrections or his/her designee(s).

(5) "Superintendent" means the superintendent of a correctional facility or his/her designee(s).

(6) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

NEW SECTION

WAC 137-36-030 AUTHORIZED ITEMS. (1) Only authorized items may be retained by an inmate in the custody of the department. All authorized items shall be retained at the owner's risk. The state of Washington shall not be liable for any loss or damage.

(2) Authorized items may be limited in quantity and value when necessary to provide accountability, contraband control, safety or sanitary conditions, storage space, inmate morale or to meet the unique needs of each institution.

(3) Each superintendent shall establish regulations setting forth specific authorized items and levels of personal property for those inmates confined to that institution. Specific personal property authorizations may be suspended to ensure the safety, medical or mental health treatment objectives of any inmate or the general population and to ensure proper maintenance of order and security of the institution.

(4) All authorized items in excess or in noncompliance with the levels established by the superintendent of each institution shall be considered contraband and shall be disposed of as provided in WAC 137-36-040.

NEW SECTION

WAC 137-36-040 DISPOSITION OF PERSONAL PROPERTY. (1) Contraband items will be confiscated by the superintendent and disposed of in the following manner:

(a) Items which are determined to be owned by an inmate will be mailed or transferred to a person designated by the inmate at the inmate's expense. If the inmate is without funds, refuses to pay the required postage or refuses to designate an individual to receive the property, such items shall be donated to a charitable organization.

(b) Items for which ownership cannot be determined shall be held by the superintendent for six months and then donated to a charitable organization or destroyed.

(c) Money such as currency, personal checks, and money orders, is contraband within adult correctional institutions. If money or other negotiable instrument is found in the unauthorized possession of an inmate and he/she claims or disclaims ownership or, if ownership is unknown, the money or negotiable instrument shall be

confiscated immediately and shall be deposited in the inmate welfare fund at the expiration of any appeal or hearing.

The inmate shall be advised in writing of his/her right to seek review of the decision to place the money in the inmate welfare fund. The review shall be sought by writing directly to the director of the division of prisons or his/her designee(s) within ten calendar days.

(2) All illegal items owned by and/or found in the possession of an inmate shall be confiscated. Such items shall be held for evidence for law enforcement authorities. Such illegal items that do not need to be retained as evidence shall be destroyed.

(3) Abandoned personal property shall be disposed of in the following manner:

(a) All personal property, and any income or increment which is accrued thereon, held for the owner by an institution that has remained unclaimed for more than six months from the date the owner was terminated from work release, transferred to a different institution, or when the owner is unknown or deceased, from the date the property was placed in the custody of the institution, is presumed abandoned. When an inmate who has no recorded next of kin or person to whom unclaimed property can be sent, is transferred to another institution, the property shall not be presumed abandoned for a period of twelve months.

(b) All personal property, and any income or increment which has accrued thereon, shall be presumed abandoned whenever the inmate owner has been placed on escape status. Such property shall be held for three months from the date of the escape. If during that period the inmate remains on escape status and/or no other person claims ownership of the property, the property shall be deemed abandoned and may be donated to charity or destroyed in accordance with the provisions of this regulation.

(c) All personal property, other than money, which is unclaimed for the time periods set out in this regulation, shall be presumed abandoned and may be destroyed. Where a superintendent feels the property may be used or has value to a charitable nonprofit organization, the property may be donated to such an organization.

(d) Any money unclaimed for the time limits set out in this regulation shall be presumed abandoned and paid into the revolving fund established pursuant to RCW 9.95.360.

(e) At least thirty days prior to personal property being donated or destroyed, written notice shall be given to the owner at the owner's residence or place of business or to some person of suitable age or discretion residing or employed therein. Such notice may be hand delivered or sent by certified mail. If the owner is deceased, such notice shall be sent to at least one of the owner's heirs, if known. In all other circumstances, notice shall be sent to the person previously designated by the owner as authorized to receive property.

(f) If none of the above alternatives is available, notice of the proposed donation or destruction of the property shall be published at least once in an official newspaper in the county in which the institution is located at least thirty days prior to the date fixed for the

Scan 234-5770

action. The notice shall be signed by the secretary and shall contain a general description of the unclaimed personal property, specifying the institution at which the property is held.

NEW SECTION

WAC 137-36-050 INVENTORY OF PERSONAL PROPERTY. All personal property, whether confiscated, in the possession of the inmates or maintained by the institution shall be inventoried on forms established and approved by the secretary.

A continuous log will be maintained at each holding area designated for inmate personal property. The log shall identify the property contained therein as well as the custodial personnel who have access to the personal property area.

NEW SECTION

WAC 137-36-060 RETURN OF PERSONAL PROPERTY. Upon formal release from the institution, all personal property in the custody of the superintendent shall be returned to the inmate. If the inmate believes that property of value belonging to him/her has been lost or damaged due to staff negligence, he/she may file a claim pursuant to RCW 4.92.100.

NEW SECTION

WAC 137-36-070 IMPLEMENTATION. The secretary may adopt rules and regulations implementing this chapter.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 275-87-005 CONTRABAND—DEFINITIONS.
- (2) WAC 275-87-010 CONFISCATION.
- (3) WAC 275-87-015 DISPOSITION OF ILLEGAL ITEMS.
- (4) WAC 275-87-020 DISPOSITION OF OTHER ITEMS.
- (5) WAC 275-87-025 RECORDS.

This action is taken pursuant to Notice No. WSR 83-17-135 filed with the code reviser on August 24, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Corrections as authorized in RCW 72.09.050, 72.08.380 and 72.12.140.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 27, 1983.
By Robert E. Trimble
Deputy Secretary
for Amos E. Reed
Secretary

Chapter 137-48 WAC
INMATE MAIL AND COMMUNICATIONS

NEW SECTION

WAC 137-48-010 PURPOSE. The purpose of these rules is to maintain the safety, security, and discipline of adult correctional facilities operated under the jurisdiction of the department of corrections in accordance with Title 72 RCW et al., by establishing guidelines for the development of department and institution level policies and rules governing the receipt and sending of mail by inmates to prevent the transmission of illegal items or contraband into or out of an institution.

NEW SECTION

WAC 137-48-020 DEFINITIONS. (1) "Contraband" consists of all illegal items, alcoholic beverages, and other items which a resident of a correctional institution may not have in his/her possession, as defined in regulations adopted by the superintendent of an institution and approved by the secretary.

(2) "Emergency situations" are critical illnesses, deaths, emotional crises, or similar situations experienced by members of the inmate's family or the inmate.

(3) "Illegal items" are controlled substances as defined and listed in chapter 69.50 RCW or any weapon, firearm, or any instrument which, if used, could produce serious bodily injury to the person of another.

(4) "Indigent inmate" means an inmate who has not been credited with more than ten dollars total from any source(s) for deposit to the inmate's trust fund during the thirty days preceding a mail request of postage to be paid by the institution or has less than a ten dollar balance in his/her trust fund account.

(5) "Inspection of mail" means the physical act of opening, touching, smelling, and/or reading of mail, the use of mechanical or chemical systems and/or the use of animals to determine the presence of contraband or illegal items.

(6) "Legal mail" is correspondence to or from courts and court staff (judges, clerks of the court, judicial law

✓
WSR 83-20-036
ADOPTED RULES
DEPARTMENT OF CORRECTIONS
[Order 83-09—Filed September 27, 1983]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Adult correctional institutions—Inmate mail, adopting chapter 137-48 WAC and repealing chapter 275-96 WAC.

All correspondence regarding this rule should be addressed to:

Contracts Administrator
Office of Contracts and Regulations
Division of Management and Budget
Mailstop FN-61

clerks, etc.), attorneys and persons working for attorneys and to established groups involved in the representation of inmates in judicial proceedings (ACLU, legal services groups, etc.), and government officials or agencies. To be considered "legal mail" the correspondence must clearly be marked "legal mail" on the outside of the envelope.

(7) "Letters" consists of personal communications and enclosures to and from inmates including, but not limited to, handwritten or typed communications.

(8) "Mail" consists of letters, publications, or packages delivered by the United States Post Office or by other means.

(9) "Packages" means the immediate container or wrapping and the contents therein in which any item is contained for consumption, use or storage by inmates, and for purposes of this chapter, also means any shipping container or outer wrapping and the contents therein used by retailers to ship or deliver any item to inmates where it is the only such container or wrapping.

(10) "Publications" consists of reproduced handwritten or pictorial materials including books, periodicals, newspapers, and pamphlets.

(11) "Secretary" is the secretary of the department of corrections or his/her designee(s).

(12) "Superintendent" means the superintendent of a correctional facility or his/her designee(s).

NEW SECTION

WAC 137-48-030 INSPECTION OF MAIL. (1) All mail received by or to be sent by an inmate, excluding legal mail discussed in subsection (2) of this section, may be inspected at any time by the superintendent or his/her designee(s). Mail may be disapproved for receipt or transmittal in accordance with WAC 137-48-040. No person who inspects, or participates in the inspection, of an inmates mail, shall disclose the contents except in the cause of his/her official duties.

(2) Mail which is clearly identified on the outside of the envelope as legal mail, as defined in WAC 137-48-020(13), shall be inspected only in the presence of the inmate. Legal mail shall not be read without a search warrant.

(3) Mail containing illegal items or contraband shall be held and disposed of in accordance with the procedures set forth in chapter 137-36 WAC or as otherwise stated in this chapter.

NEW SECTION

WAC 137-48-040 RESTRICTION OF INCOMING AND/OR OUTGOING MAIL. (1) Incoming mail to inmates may be disapproved for receipt for any one of the following reasons:

(a) The mail contains threats of physical harm against any person or threats of criminal activity.

(b) The mail threatens blackmail or extortion.

(c) The mail concerns sending contraband in or out of the institution.

(d) The mail contains plans to escape.

(e) The mail contains plans for activities in violation of institutional rules, such as riots.

(f) The mail concerns plans for criminal activity.

(g) The mail is in code or in a foreign language and its contents are not understood by the reader.

(h) The mail contains information which, if communicated, would create a risk of violence and/or physical harm.

(i) The mail contains contraband.

(j) The mail contains obscene material as defined in department policy directives.

(2) Outgoing mail from inmates of institutions may be disapproved for mailing for any one of the following reasons:

(a) For any one of the reasons set forth in WAC 137-48-040(1).

(b) The mail is addressed to a minor whose parents or guardian have objected in writing to such correspondence; an individual previously has been sent obscene or threatening mail by the inmate and has complained or has asked that such mail not be received; the mail solicits money or goods from persons other than the immediate family of the inmate without the permission of the superintendent. This provision may not be construed to preclude the purchase of noncontraband goods or payment for such goods which have been approved by the superintendent or his designee.

(3) No letter is to be restricted for the reason that it contains critical opinions of departmental policy or departmental employees.

(4) In addition to those reasons cited in this section, publications received by inmates may be restricted if:

(a) It advocates that any ethnic, racial, or religious group is inferior for any reason and makes such group an object of ridicule and scorn; or

(b) It may reasonably be thought to precipitate a violent confrontation between the recipient(s) and a member(s) of the target group. No publications will be withheld solely on the basis of their appeal to a particular ethnic, racial, or religious group.

(5) In addition to those reasons cited in this section, packages sent either to or from an inmate are subject to the following restrictions:

(a) An inmate may receive one gift package not to exceed fifteen pounds in weight on a quarterly basis. Quarterly periods shall consist of December through February, March through May, June through August, and September through November. Rules governing the contents of quarterly packages shall be developed specifically by each institutional superintendent and approved by the secretary. The superintendent may allow exceptions from the one gift package limitation and weight limitation provided that appropriate contraband controls are maintained.

(b) The contents of the quarterly package shall be restricted to those items that are otherwise not available to the inmate through the institutional store. A replacement package may be sent during the same quarter for damaged packages that are returned to the sender by the inmate. Packages containing contraband shall be refused delivery to the inmate and will be counted as the package for that quarter.

(c) Prepaid merchandise approved by the superintendent and ordered by the inmate from any wholesaler

or retailer shall not be considered one of the quarterly packages.

(d) Inmates may mail packages containing materials which have been sent to him or her in the institution or gifts consisting of his or her own hobby craft or curio work. Packages must be made and mailed at the inmate's expense.

(e) Newly admitted inmates at the Washington Corrections Center will not receive packages while assigned to the reception center.

NEW SECTION

WAC 137-48-050 PROCEDURES FOR RESTRICTIONS OF INCOMING AND/OR OUTGOING MAIL. (1) If an inmate's incoming or outgoing mail is restricted, notification shall be provided to the inmate and the author of the mail in writing of the specific publication, letter, or package which has been censored and the reason for this action.

(2) The inmate and author shall be advised in writing of his/her right to seek review of the decision to restrict his/her mail. The review shall be sought by writing directly to the director of the division of prisons or his/her designee(s) within ten calendar days.

(3) Upon receipt of an inmate's and/or author's appeal, the director of prisons or his/her designee shall affirm or reverse the action taken at the institution level and shall advise the inmate and/or author in writing of this action within ten working days from the receipt of the inmate's or author's written request.

(4) When a decision is rendered regarding a particular issue of a publication, that decision shall be binding for all facilities in the division of prisons.

(5) If a package contains contraband and is subject to criminal prosecution, the entire package will be turned over to the appropriate law enforcement agency. Items of contraband not subject to criminal prosecution will be disposed of in accordance with those procedures set forth in chapter 137-36 WAC.

NEW SECTION

WAC 137-48-060 MAIL COSTS. (1) Except as otherwise stated in this section, mail costs shall be the responsibility of the inmate.

(2) Mail which arrives at the institution with postage due may, at the option of the superintendent, be delivered to the inmate. The institution may pay the postage due in accordance with subsection (3) of this section, or hold the mail for a reasonable period of time so as to allow the inmate to arrange for payment of the postage due. If such arrangements are not made within the time provided, the package may be donated to charity or discarded.

(3) Indigent inmates shall be authorized to receive postage for a maximum of five letters per week. This postage shall cover both legal and regular correspondence irrespective of the number of letters identified as legal mail. This shall also include costs advanced by the institution for postage due mail.

NEW SECTION

WAC 137-48-070 MAIL RECORDS. The institution superintendent or his/her designee(s) shall be responsible for the maintenance of a continuous record showing the source and destination of legal and official correspondence to and from government officials, packages and items of monetary value mailed by or mailed to an inmate. The secretary shall establish procedures for each institution governing the written mail record.

NEW SECTION

WAC 137-48-080 TELEPHONE USAGE. (1) Telephone facilities shall be provided in appropriate numbers and locations to permit reasonable and equitable access to all inmates, except inmates of the reception center and those inmates in disciplinary segregation.

(2) The superintendent shall promulgate written regulations providing for access of inmates to additional telephone facilities in emergency situations.

(3) The superintendent shall promulgate written regulations outlining the hours of telephone availability, maximum length of calls (not less than five minutes) and any limitations on telephone use, subject to approval by the secretary.

NEW SECTION

WAC 137-48-090 IMPLEMENTATION. The secretary may adopt rules and regulations implementing this chapter.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 275-96-005 DEFINITIONS.
- (2) WAC 275-96-010 COMMUNICATION—PURPOSE.
- (3) WAC 275-96-015 COMMUNICATION—GENERAL LIMITATIONS.
- (4) WAC 275-96-021 OUTGOING MAIL.
- (5) WAC 275-96-022 INCOMING MAIL.
- (6) WAC 275-96-025 SPECIAL RULES—INCOMING PUBLICATION LIMITATIONS AND CONTROLS.
- (7) WAC 275-96-030 SPECIAL RULES REGARDING PACKAGES—LIMITATIONS AND CONTROLS.
- (8) WAC 275-96-045 HANDLING OF MAIL.
- (9) WAC 275-96-050 TREATMENT OF CASH AND CHECKS.
- (10) WAC 275-96-055 LEGAL MAIL.
- (11) WAC 275-96-060 STATIONERY AND POSTAGE.
- (12) WAC 275-96-065 USE OF TELEPHONE.
- (13) WAC 275-96-070 PROCEDURE FOR DISAPPROVAL OF RESIDENT MAIL.

WSR 83-20-037
EMERGENCY RULES
DEPARTMENT OF CORRECTIONS
 [Order 83-10—Filed September 27, 1983]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Adult correctional institutions—Inmate mail, adopting chapter 137-48 WAC and repealing chapter 275-96 WAC.

All correspondence regarding this rule should be addressed to:

Contracts Administrator
 Office of Contracts and Regulations
 Division of Management and Budget
 Mailstop FN-61
 Scan 234-5770

I, Amos E. Reed, find that an emergency exists and that this 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 the emergency is previous emergency adoption will expire prior to the effective date of the permanent adoption of these rules. Therefore, these rules have been continued on an emergency basis to provide continuous rules regarding inmate mail and communication.

These 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 Corrections as authorized in RCW 72.09.050, 72.08.380 and 72.12.140.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 27, 1983.

By Robert E. Trimble
 Deputy Secretary
 for Amos E. Reed
 Secretary

Chapter 137-48 WAC
INMATE MAIL AND COMMUNICATIONS

NEW SECTION

WAC 137-48-010 PURPOSE. *The purpose of these rules is to maintain the safety, security, and discipline of adult correctional facilities operated under the jurisdiction of the department of corrections in accordance with Title 72 RCW et al., by establishing guidelines for the development of department and institution level policies and rules governing the receipt and sending of mail by inmates to prevent the transmission of illegal items or contraband into or out of an institution.*

NEW SECTION

WAC 137-48-020 DEFINITIONS. (1) "Contraband" consists of all illegal items, alcoholic beverages,

and other items which a resident of a correctional institution may not have in his/her possession, as defined in regulations adopted by the superintendent of an institution and approved by the secretary.

(2) "Emergency situations" are critical illnesses, deaths, emotional crises, or similar situations experienced by members of the inmate's family or the inmate.

(3) "Illegal items" are controlled substances as defined and listed in chapter 69.50 RCW or any weapon, firearm, or any instrument which, if used, could produce serious bodily injury to the person of another.

(4) "Indigent inmate" means an inmate who has not been credited with more than ten dollars total from any source(s) for deposit to the inmate's trust fund during the thirty days preceding a mail request of postage to be paid by the institution or has less than a ten dollar balance in his/her trust fund account.

(5) "Inspection of mail" means the physical act of opening, touching, smelling, and/or reading of mail, the use of mechanical or chemical systems and/or the use of animals to determine the presence of contraband or illegal items.

(6) "Legal mail" is correspondence to or from courts and court staff (judges, clerks of the court, judicial law clerks, etc.), attorneys and persons working for attorneys and to established groups involved in the representation of inmates in judicial proceedings (ACLU, legal services groups, etc.), and government officials or agencies. To be considered "legal mail" the correspondence must clearly be marked "legal mail" on the outside of the envelope.

(7) "Letters" consists of personal communications and enclosures to and from inmates including, but not limited to, handwritten or typed communications.

(8) "Mail" consists of letters, publications, or packages delivered by the United States Post Office or by other means.

(9) "Packages" means the immediate container or wrapping and the contents therein in which any item is contained for consumption, use or storage by inmates, and for purposes of this chapter, also means any shipping container or outer wrapping and the contents therein used by retailers to ship or deliver any item to inmates where it is the only such container or wrapping.

(10) "Publications" consists of reproduced handwritten or pictorial materials including books, periodicals, newspapers, and pamphlets.

(11) "Secretary" is the secretary of the department of corrections or his/her designee(s).

(12) "Superintendent" means the superintendent of a correctional facility or his/her designee(s).

NEW SECTION

WAC 137-48-030 INSPECTION OF MAIL. (1) All mail received by or to be sent by an inmate, excluding legal mail discussed in subsection (2) of this section, may be inspected at any time by the superintendent or his/her designee(s). Mail may be disapproved for receipt or transmittal in accordance with WAC 137-48-040. No person who inspects, or participates in the inspection, of an inmates mail, shall disclose the contents except in the cause of his/her official duties.

(2) Mail which is clearly identified on the outside of the envelope as legal mail, as defined in WAC 137-48-020(13), shall be inspected only in the presence of the inmate. Legal mail shall not be read without a search warrant.

(3) Mail containing illegal items or contraband shall be held and disposed of in accordance with the procedures set forth in chapter 137-36 WAC or as otherwise stated in this chapter.

NEW SECTION

WAC 137-48-040 RESTRICTION OF INCOMING AND/OR OUTGOING MAIL. (1) Incoming mail to inmates may be disapproved for receipt for any one of the following reasons:

(a) The mail contains threats of physical harm against any person or threats of criminal activity.

(b) The mail threatens blackmail or extortion.

(c) The mail concerns sending contraband in or out of the institution.

(d) The mail contains plans to escape.

(e) The mail contains plans for activities in violation of institutional rules, such as riots.

(f) The mail concerns plans for criminal activity.

(g) The mail is in code or in a foreign language and its contents are not understood by the reader.

(h) The mail contains information which, if communicated, would create a risk of violence and/or physical harm.

(i) The mail contains contraband.

(j) The mail contains obscene material as defined in department policy directives.

(2) Outgoing mail from inmates of institutions may be disapproved for mailing for any one of the following reasons:

(a) For any one of the reasons set forth in WAC 137-48-040(1).

(b) The mail is addressed to a minor whose parents or guardian have objected in writing to such correspondence, an individual previously has been sent obscene or threatening mail by the inmate and has complained or has asked that such mail not be received, the mail solicits money or goods from persons other than the immediate family of the inmate without the permission of the superintendent. This provision may not be construed to preclude the purchase of noncontraband goods or payment for such goods which have been approved by the superintendent or his designee.

(3) No letter is to be restricted for the reason that it contains critical opinions of departmental policy or departmental employees.

(4) In addition to those reasons cited in this section, publications received by inmates may be restricted if:

(a) It advocates that any ethnic, racial, or religious group is inferior for any reason and makes such group an object of ridicule and scorn; or

(b) It may reasonably be thought to precipitate a violent confrontation between the recipient(s) and a member(s) of the target group. No publications will be withheld solely on the basis of their appeal to a particular ethnic, racial, or religious group.

(5) In addition to those reasons cited in this section, packages sent either to or from an inmate are subject to the following restrictions:

(a) An inmate may receive one gift package not to exceed fifteen pounds in weight on a quarterly basis. Quarterly periods shall consist of December through February, March through May, June through August, and September through November. Rules governing the contents of quarterly packages shall be developed specifically by each institutional superintendent and approved by the secretary. The superintendent may allow exceptions from the one gift package limitation and weight limitation provided that appropriate contraband controls are maintained.

(b) The contents of the quarterly package shall be restricted to those items that are otherwise not available to the inmate through the institutional store. A replacement package may be sent during the same quarter for damaged packages that are returned to the sender by the inmate. Packages containing contraband shall be refused delivery to the inmate and will be counted as the package for that quarter.

(c) Prepaid merchandise approved by the superintendent and ordered by the inmate from any wholesaler or retailer shall not be considered one of the quarterly packages.

(d) Inmates may mail packages containing materials which have been sent to him or her in the institution or gifts consisting of his or her own hobby craft or curio work. Packages must be made and mailed at the inmate's expense.

(e) Newly admitted inmates at the Washington Corrections Center will not receive packages while assigned to the reception center.

NEW SECTION

WAC 137-48-050 PROCEDURES FOR RESTRICTIONS OF INCOMING AND/OR OUTGOING MAIL. (1) If an inmate's incoming or outgoing mail is restricted, notification shall be provided to the inmate and the author of the mail in writing of the specific publication, letter, or package which has been censored and the reason for this action.

(2) The inmate and author shall be advised in writing of his/her right to seek review of the decision to restrict his/her mail. The review shall be sought by writing directly to the director of the division of prisons or his/her designee(s) within ten calendar days.

(3) Upon receipt of an inmate's and/or author's appeal, the director of prisons or his/her designee shall affirm or reverse the action taken at the institution level and shall advise the inmate and/or author in writing of this action within ten working days from the receipt of the inmate's or author's written request.

(4) When a decision is rendered regarding a particular issue of a publication, that decision shall be binding for all facilities in the division of prisons.

(5) If a package contains contraband and is subject to criminal prosecution, the entire package will be turned over to the appropriate law enforcement agency. Items of contraband not subject to criminal prosecution will be

disposed of in accordance with those procedures set forth in chapter 137-36 WAC.

NEW SECTION

WAC 137-48-060 MAIL COSTS. (1) Except as otherwise stated in this section, mail costs shall be the responsibility of the inmate.

(2) Mail which arrives at the institution with postage due may, at the option of the superintendent, be delivered to the inmate. The institution may pay the postage due in accordance with subsection (3) of this section, or hold the mail for a reasonable period of time so as to allow the inmate to arrange for payment of the postage due. If such arrangements are not made within the time provided, the package may be donated to charity or discarded.

(3) Inigent inmates shall be authorized to receive postage for a maximum of five letters per week. This postage shall cover both legal and regular correspondence irrespective of the number of letters identified as legal mail. This shall also include costs advanced by the institution for postage due mail.

NEW SECTION

WAC 137-48-070 MAIL RECORDS. The institution superintendent or his/her designee(s) shall be responsible for the maintenance of a continuous record showing the source and destination of legal and official correspondence to and from government officials, packages and items of monetary value mailed by or mailed to an inmate. The secretary shall establish procedures for each institution governing the written mail record.

NEW SECTION

WAC 137-48-080 TELEPHONE USAGE. (1) Telephone facilities shall be provided in appropriate numbers and locations to permit reasonable and equitable access to all inmates, except inmates of the reception center and those inmates in disciplinary segregation.

(2) The superintendent shall promulgate written regulations providing for access of inmates to additional telephone facilities in emergency situations.

(3) The superintendent shall promulgate written regulations outlining the hours of telephone availability, maximum length of calls (not less than five minutes) and any limitations on telephone use, subject to approval by the secretary.

NEW SECTION

WAC 137-48-090 IMPLEMENTATION. The secretary may adopt rules and regulations implementing this chapter.

NEW SECTION

WAC 137-48-100 EFFECTIVE PERIOD. These rules shall remain in effect through October 31, 1983, and supersede WSR 83-15-004.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 275-96-005 DEFINITIONS.
- (2) WAC 275-96-010 COMMUNICATION—PURPOSE.
- (3) WAC 275-96-015 COMMUNICATION—GENERAL LIMITATIONS.
- (4) WAC 275-96-021 OUTGOING MAIL.
- (5) WAC 275-96-022 INCOMING MAIL.
- (6) WAC 275-96-025 SPECIAL RULES—INCOMING PUBLICATION LIMITATIONS AND CONTROLS.
- (7) WAC 275-96-030 SPECIAL RULES REGARDING PACKAGES—LIMITATIONS AND CONTROLS.
- (8) WAC 275-96-045 HANDLING OF MAIL.
- (9) WAC 275-96-050 TREATMENT OF CASH AND CHECKS.
- (10) WAC 275-96-055 LEGAL MAIL.
- (11) WAC 275-96-060 STATIONERY AND POSTAGE.
- (12) WAC 275-96-065 USE OF TELEPHONE.
- (13) WAC 275-96-070 PROCEDURE FOR DISAPPROVAL OF RESIDENT MAIL.

WSR 83-20-038

EMERGENCY RULES

DEPARTMENT OF CORRECTIONS

[Order 83-11—Filed September 27, 1983]

I, Amos E. Reed, director of the Department of Corrections, do promulgate and adopt at Olympia, Washington, the annexed rules relating to inmate personal property, adopting chapter 137-36 WAC and repealing chapter 275-87 WAC.

All correspondence regarding this rule should be addressed to:

Contracts Administrator
Office of Contracts and Regulations
Division of Management and Budget
Mailstop FN-61
Scan 234-5770

I, Amos E. Reed, find that an emergency exists and that this 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 the emergency is previous emergency adoption will expire prior to the effective date of the permanent adoption of these rules. Therefore, these rules have been continued on an emergency basis to provide continuous rules regarding inmate personal property.

These 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 Corrections as authorized in RCW 72.09.050, 72.08.103, 72.13.080 and 72.15.040.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 27, 1983.

By Robert E. Trimble
Deputy Secretary
for Amos E. Reed
Secretary

Chapter 137-36 WAC
ADULT CORRECTIONAL INSTITUTIONS—IN-
MATE PERSONAL PROPERTY

NEW SECTION

WAC 137-36-010 PURPOSE. The purpose of these rules is to maintain the safety, security, and discipline of adult correctional facilities operated under the jurisdiction of the department of corrections in accordance with Title 72 RCW et al., by establishing guidelines for the development of department and institution level policies and rules governing the retention of personal property by inmates to prevent the possession of illegal items and contraband within the institution.

NEW SECTION

WAC 137-36-020 DEFINITIONS. (1) "Contraband" consists of all illegal items, alcoholic beverages, and other items which a resident of a correctional institution may not have in his possession, as defined in regulations adopted by the superintendent of an institution and approved by the secretary.

(2) "Illegal items" are controlled substances as defined and listed in chapter 69.50 RCW or any weapon, firearm, or any instrument which, if used, could produce serious bodily injury to the person of another.

(3) "Inmate" shall refer to those persons committed to the custody of the department of corrections and inmates transferred from other states or the federal government.

(4) "Secretary" is the secretary of the department of corrections or his/her designee(s).

(5) "Superintendent" means the superintendent of a correctional facility or his/her designee(s).

(6) "Unclaimed" means that no owner of the property has been identified or has requested, in writing, the release of the property to themselves nor has the owner of the property designated an individual to receive the property or paid the required postage to effect delivery of the property.

NEW SECTION

WAC 137-36-030 AUTHORIZED ITEMS. (1) Only authorized items may be retained by an inmate in the custody of the department. All authorized items shall be retained at the owner's risk. The state of Washington shall not be liable for any loss or damage.

(2) Authorized items may be limited in quantity and value when necessary to provide accountability, contraband control, safety or sanitary conditions, storage

space, inmate morale or to meet the unique needs of each institution.

(3) Each superintendent shall establish regulations setting forth specific authorized items and levels of personal property for those inmates confined to that institution. Specific personal property authorizations may be suspended to ensure the safety, medical or mental health treatment objectives of any inmate or the general population and to ensure proper maintenance of order and security of the institution.

(4) All authorized items in excess or in noncompliance with the levels established by the superintendent of each institution shall be considered contraband and shall be disposed of as provided in WAC 137-36-040.

NEW SECTION

WAC 137-36-040 DISPOSITION OF PERSONAL PROPERTY. (1) Contraband items will be confiscated by the superintendent and disposed of in the following manner:

(a) Items which are determined to be owned by an inmate will be mailed or transferred to a person designated by the inmate at the inmate's expense. If the inmate is without funds, refuses to pay the required postage or refuses to designate an individual to receive the property, such items shall be donated to a charitable organization.

(b) Items for which ownership cannot be determined shall be held by the superintendent for six months and then donated to a charitable organization or destroyed.

(c) Money such as currency, personal checks, and money orders, is contraband within adult correctional institutions. If money or other negotiable instrument is found in the unauthorized possession of an inmate and he/she claims or disclaims ownership or, if ownership is unknown, the money or negotiable instrument shall be confiscated immediately and shall be deposited in the inmate welfare fund at the expiration of any appeal or hearing.

The inmate shall be advised in writing of his/her right to seek review of the decision to place the money in the inmate welfare fund. The review shall be sought by writing directly to the director of the division of prisons or his/her designee(s) within ten calendar days.

(2) All illegal items owned by and/or found in the possession of an inmate shall be confiscated. Such items shall be held for evidence for law enforcement authorities. Such illegal items that do not need to be retained as evidence shall be destroyed.

(3) Abandoned personal property shall be disposed of in the following manner:

(a) All personal property, and any income or increment which is accrued thereon, held for the owner by an institution that has remained unclaimed for more than six months from the date the owner was terminated from work release, transferred to a different institution, or when the owner is unknown or deceased, from the date the property was placed in the custody of the institution, is presumed abandoned. When an inmate who has no recorded next of kin or person to whom unclaimed property can be sent, is transferred to another institution, the

property shall not be presumed abandoned for a period of twelve months.

(b) All personal property, and any income or increment which has accrued thereon, shall be presumed abandoned whenever the inmate owner has been placed on escape status. Such property shall be held for three months from the date of the escape. If during that period the inmate remains on escape status and/or no other person claims ownership of the property, the property shall be deemed abandoned and may be donated to charity or destroyed in accordance with the provisions of this regulation.

(c) All personal property, other than money, which is unclaimed for the time periods set out in this regulation, shall be presumed abandoned and may be destroyed. Where a superintendent feels the property may be used or has value to a charitable nonprofit organization, the property may be donated to such an organization.

(d) Any money unclaimed for the time limits set out in this regulation shall be presumed abandoned and paid into the revolving fund established pursuant to RCW 9.95.360.

(e) At least thirty days prior to personal property being donated or destroyed, written notice shall be given to the owner at the owner's residence or place of business or to some person of suitable age or discretion residing or employed therein. Such notice may be hand delivered or sent by certified mail. If the owner is deceased, such notice shall be sent to at least one of the owner's heirs, if known. In all other circumstances, notice shall be sent to the person previously designated by the owner as authorized to receive property.

(f) If none of the above alternatives is available, notice of the proposed donation or destruction of the property shall be published at least once in an official newspaper in the county in which the institution is located at least thirty days prior to the date fixed for the action. The notice shall be signed by the secretary and shall contain a general description of the unclaimed personal property, specifying the institution at which the property is held.

NEW SECTION

WAC 137-36-050 INVENTORY OF PERSONAL PROPERTY. All personal property, whether confiscated, in the possession of the inmates or maintained by the institution shall be inventoried on forms established and approved by the secretary.

A continuous log will be maintained at each holding area designated for inmate personal property. The log shall identify the property contained therein as well as the custodial personnel who have access to the personal property area.

NEW SECTION

WAC 137-36-060 RETURN OF PERSONAL PROPERTY. Upon formal release from the institution, all personal property in the custody of the superintendent shall be returned to the inmate. If the inmate believes that property of value belonging to him/her has

been lost or damaged due to staff negligence, he/she may file a claim pursuant to RCW 4.92.100.

NEW SECTION

WAC 137-36-070 IMPLEMENTATION. The secretary may adopt rules and regulations implementing this chapter.

NEW SECTION

WAC 137-36-080 EFFECTIVE PERIOD. These rules shall remain in effect through October 31, 1983, and supersede WSR 83-15-004.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

(1) WAC 275-87-005 **CONTRABAND—DEFINITIONS.**

(2) WAC 275-87-010 **CONFISCATION.**

(3) WAC 275-87-015 **DISPOSITION OF ILLEGAL ITEMS.**

(4) WAC 275-87-020 **DISPOSITION OF OTHER ITEMS.**

(5) WAC 275-87-025 **RECORDS.**

WSR 83-20-039

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-138—Filed September 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5, 6C provide protection for weak Canadian origin chinook and coho stocks. Restrictions in Areas 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye and pink fisheries under the direction of IPSFC. Openings in Areas 8A and 12 provide opportunity to harvest non-Indian coho allocations. Extended opening of Areas 6D and 7B necessary to harvest coho allocation. All other areas are closed to prevent overharvest.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED September 28, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-47-814 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas in accordance with the following restrictions:

Areas 4B, 5, 6C - Closed.

Areas 6, 6A, 7, and 7A - Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Gill net gear is restricted to 5-7/8-inch maximum mesh, when open.

Area 6D - Closed except gill nets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish 24 hours/day. That portion of Area 6D within a 1,000-foot radius of the mouth of the Dungeness River remains closed to all commercial fishing.

Area 7B - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly. Purse seines may fish from 5:00 AM to 9:00 PM daily. That portion north of a line from Post Point to the northern tip of Eliza Island then true west to Lummi Island is open to gill nets using 5-inch minimum mesh and purse seines 24 hours/day.

*Area 8A - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM September 28 through the morning of September 29, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM September 29.

*Area 12 - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly through the morning of September 30, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM through September 29, and from 5:00 AM to 4:00 PM on September 30.

Partial area exclusions applicable to the above openings are described in WAC 220-47-307.

Area 6B, 7C, 7D, 8, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12A, 12B, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-813 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-133)

WSR 83-20-040

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-139—Filed September 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5 and 6C allow the least restrictive regulations that allow protection of adult Canadian chinook salmon while providing opportunity for limited harvest, limited impact, limited effort, immobile treaty Indian coho fisheries. Restrictions in Areas 6, 6A, 7 and 7A provide protection for Canadian summer/fall chinook during IPSFC sockeye and pink management. Restrictions in Area 7C and the Samish River protect milling chinook destined for the Samish Hatchery. Restrictions in Area 6D and the Dungeness River provide protection for local chinook and pink stocks. Restrictions in other Strait of Juan de Fuca tributaries provide protection for local coho stocks. Restrictions in Area 12C provide protection for summer/fall chinook and pink salmon returning to Hoodsport Hatchery. Restrictions in Areas 10C, 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest chinook and protect Lake Washington sockeye. Restrictions in the Nooksack River provide protection for local pink stocks. Restrictions in Areas 6B and 9 protect the integrity of the South Sound, Stillaguamish, Snohomish and Hood Canal run size updates. Restrictions in Area 8 and the Skagit River protect local pink stocks. Restrictions in Area 13B provide protection for local early chum stocks. Restrictions in Area 13 are no longer necessary as test fisheries indicate pink salmon have cleared the area.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 28, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-323 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. Effective immediately 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:

Areas 4B, 5, and 6C – Gill net gear restricted to 6-1/2-inch maximum mesh, when open.

Area 6 and 6A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Area 6B – Effective until further notice, closed to all net gear.

Area 6D in that portion within a 1,000-foot radius of the mouth of the Dungeness River and the Dungeness River – Effective until further notice, closed to all commercial fishing.

Areas 7 and 7A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open.

Area 7C – Closed to all commercial fishing.

Area 8 – Effective until further notice, closed to all commercial fishing.

Area 9 – Effective until further notice, closed to all commercial fishing.

Area 10C – Effective until further notice, closed to all commercial fishing.

Area 10D – Effective through October 8, gill net gear restricted to 6-1/2-inch minimum mesh and all other gear must release sockeye, when open. That portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek is closed to all commercial fishing until further notice.

Area 12C – Effective through September 30, closed to all commercial fishing within 1,000 feet of the western shore between Hoodspout Marina Dock and Glen Ayr Trailer Park.

Area 13B – Effective September 25: (1) that portion westerly of a line from the flashing light at Arcadia to Hungerford Point (Hammersley Inlet) is closed to gill nets, and other gear must release female chum salmon; (2) that portion north of a true east-west line projected through the southernmost point on Stretch Island and intersecting with the eastern and western shores of Case Inlet is closed to gill nets, and other gear must release all chum salmon.

Cedar River – Effective until further notice, closed to all commercial fishing.

Nooksack River – Upstream of the confluence of north and south forks – closed to all net gear.

Skagit River including all tributaries – Effective until further notice, closed to all commercial fishing.

Samish River – Closed to all commercial fishing.

Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks – Effective until further notice, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-322 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-134)

WSR 83-20-041

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-140—Filed September 28, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable coho and chum salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 28, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-40-02100E WILLAPA HARBOR—GILL NET SEASONS. Notwithstanding the provisions of WAC 220-40-021 and WAC 220-40-022, it is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in the following Willapa Harbor fishing areas, except during the seasons provided for hereinafter in each respective fishing area:

Areas 2G, 2H and 2M

6:00 p.m. September 29 to 6:00 p.m. September 30

6:00 p.m. October 3 to 6:00 p.m. October 8

Areas 2J and 2K

6:00 p.m. September 29 to 6:00 p.m. September 30

6:00 p.m. October 3 to 6:00 p.m. October 4

6:00 p.m. October 6 to 6:00 p.m. October 7

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-40-02100D WILLAPA HARBOR—
GILL NET SEASONS. (83-135)



WSR 83-20-042
ADOPTED RULES
BOARD FOR

COMMUNITY COLLEGE EDUCATION

[Order 95, Resolution No. 83-25—Filed September 28, 1983]

Be it resolved by the State Board for Community College Education, acting at Olympia Technical Community College, 2011 Mottman Road, Olympia, WA 98502, that it does adopt the annexed rules relating to operations of the annuity retirement system for community college faculty and exempt administrators.

This action is taken pursuant to Notice No. WSR 83-16-057 filed with the code reviser on August 2, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28B.10.400 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 15, 1983.

By Gilbert J. Carbone
Assistant Director

AMENDATORY SECTION (Amending Order 91, Resolution No. 82-6, filed 5/10/82)

WAC 131-16-011 DEFINITIONS. For the purpose of WAC 131-16-005 through 131-16-069, the following definitions shall apply:

(1) "Participant" shall be defined as any individual who is eligible to purchase retirement annuities through the TIAA/CREF plan and whose basic contribution to such plan is matched by the employing college district or the state board for community college education pursuant to the provisions of WAC 131-16-050.

(2) "Supplemental retirement benefit" shall be defined as payments, as calculated in accordance with WAC 131-16-061 and 131-16-062, made by the community college district or the state board to an eligible retired participant or designated beneficiary whose retirement

benefits provided by the TIAA/CREF plan do not attain the level of the retirement benefit goal established by WAC 131-16-015.

(3) "Year of full-time service" shall be defined as retirement credit based on full-time employment or the equivalent thereof based on part-time employment in an eligible position for a period of not less than five months in any fiscal year during which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution or any year or fractional year of prior service in a Washington public retirement system while employed at a Washington public higher education institution; provided, the participant will receive a pension benefit from such other retirement system; and provided further, that not more than one year of full-time service will be credited for service in any one fiscal year.

(4) "Fiscal year" shall be defined as the period beginning on July 1 of any calendar year and ending on June 30 of the succeeding calendar year.

(5) "Average annual salary" shall be defined as the amount derived when the salary received during any two consecutive fiscal years of full-time service for which TIAA/CREF contributions were made by both the participant and a Washington public higher education institution is divided by two.

(6) "TIAA/CREF retirement benefit" shall be defined as the amount of annual retirement income derived from a participant's accumulated annuities including dividends at the time of retirement; provided that, solely for the purpose of calculating a potential supplemental retirement benefit, such amount shall be adjusted to meet the assumptions set forth in WAC 131-16-061, subsection (2).

(7) "Salary" shall be defined as all remuneration received by the participant from the employing community college district or the state board including summer quarter compensation, extra duty pay, leave stipends, and grants made by or through the college district or state board.

(8) "Designated beneficiary" shall be defined as the surviving spouse of the retiree or, with the consent of such spouse, if any, such other person or persons as shall have an insurable interest in the retiree's life and shall have been nominated by written designation duly executed and filed with the retiree's institution of higher education.

AMENDATORY SECTION (Amending Order 55, filed 4/2/76)

WAC 131-16-020 EMPLOYEES ELIGIBLE TO PARTICIPATE IN RETIREMENT ANNUITY PURCHASE PLAN. (1) Classes of employees eligible to participate in the TIAA/CREF plan are:

(a) All employees of community college districts holding probationary or tenured faculty appointments as defined by RCW 28B.50.851.

(b) All employees of community college districts holding administrative appointments as defined by RCW 28B.50.851.

(c) The president of any community college or community college district.

(d) The state director for community college education and any member of his staff that he may designate.

(e) Other such full-time employees as may be designated by the district boards of trustees so long as they are in positions exempt under the provisions of chapter 28B.16 RCW, the state higher education personnel law, provided, that any full-time employee of a community college district, who has been granted leave of absence without pay for reason of extended illness or disability and who is receiving salary continuation insurance benefits through a plan made available by such community college district, shall be eligible to participate in the TIAA/CREF plan on the basis of premium contributions paid as a part of such salary continuation insurance benefit in lieu of the normal employer's premium contribution; provided further, that such non-contributory participation shall not be creditable toward the number of years of full-time service utilized in calculating eligibility for supplemental retirement benefits pursuant to WAC 131-16-061.

(2) A full-time employee shall be defined as one who is employed for at least 80 percent of the normal work period for his class of employee; however, any such employee who is employed for less than 90 days during the fiscal year or who is designated as a temporary employee shall not be eligible for participation in this plan.

(3) An employee reclassified to an eligible position may become a participant if he so elects in writing within six months after being reclassified. If he does not so elect, he hereby permanently waives his right to become a participant. A participant who is reclassified to a classified position covered by chapter 28B.16 RCW may continue to be a participant if he so elects in writing within six months after being reclassified. Such election shall be irrevocable.

(4) Any participant who has not retired and whose employment is reduced to less than the amount specified for eligibility to participate in the TIAA/CREF plan shall continue to be a participant and shall earn fractional years of service credit as long as he continues to be employed as a teacher, counselor, librarian, administrator, or other similar exempt position as provided in chapter 28B.16 RCW (~~(The State Higher Education Personnel Law)~~).

(5) Any eligible employee may become a participant immediately upon employment but must become a participant within two years following initial appointment.

AMENDATORY SECTION (Amending Order 80, Resolution 79-44, filed 11/30/79)

WAC 131-16-040 SPECIAL RETIREMENT PROVISIONS FOR TIAA/CREF PARTICIPANTS.

(1) The normal retirement age shall be defined as the end of the academic year in which the participant attains age sixty-five: PROVIDED, That any participant may elect to retire at the earliest age specified for retirement by federal social security law.

(2) ~~((There shall be no prior service benefits associated with participation in the TIAA/CREF plan.~~

~~(3))~~ The board of trustees of any college district may approve the retirement of any employee under the age of

seventy for reasons of health or permanent disability either upon the request of the individual employee or the district president; provided that the board of trustees shall first give reasonable consideration to the written recommendations regarding such requested retirement from the employee's personal physician and, if requested by either the employee or the district president, a review of such recommendations by another physician appointed by the board of trustees.

AMENDATORY SECTION (Amending Order 91, Resolution No. 82-6, filed 5/10/82)

WAC 131-16-061 SUPPLEMENTAL RETIREMENT BENEFITS. (1) A participant is eligible to receive supplemental retirement benefit payments if at the time of retirement the participant is age sixty-two or over and has ~~((participated))~~ at least ten years of full-time service in the TIAA/CREF plan at a Washington public institution of higher education ~~((for at least ten years))~~; provided that the amount of the supplemental retirement benefit, as calculated in accordance with the provisions of this section, is a positive amount.

(2) Subject to the provisions of WAC 131-16-062 and subdivisions (c), (d), and (e) of this subsection, the annual amount of supplemental retirement benefit payable to a participant upon retirement is the excess, if any, when the value determined in subdivision (b) is subtracted from the value determined in subdivision (a), as follows:

(a) The lesser of fifty percent of the participant's average annual salary or two percent of the average annual salary multiplied by the number of years of full-time service; provided that if the participant did not elect to contribute ten percent of salary beginning July 1, 1974, or if later, after the first day of the calendar year following attainment of age fifty, service for such periods shall be calculated at the rate of one and one-half percent instead of two percent.

(b) The ~~((TIAA/CREF))~~ combined retirement benefit from the TIAA/CREF annuity and any other Washington state public retirement system as a result of service while employed by a Washington public higher education institution that the participant would receive in the first month of retirement multiplied by twelve; provided that ~~((such))~~ the TIAA/CREF benefit shall be calculated on the following assumptions:

(i) After July 1, 1974, fifty percent of the combined contributions were made to TIAA and fifty percent to CREF during each year of full-time service; provided that benefit calculations related to contributions made prior to July 1, 1974, shall be computed on the basis of actual allocations between TIAA and CREF; and

(ii) The full TIAA/CREF annuity accumulations, including all dividends payable by TIAA and further including the amounts, if any, paid in a single sum under the retirement transition benefit option, were fully settled on a joint and two-thirds survivorship option with a ten-year guarantee, using actual ages of retiree and spouse, but not exceeding a five-year difference; except that for unmarried participants the TIAA accumulations, including dividends, were settled on an installment refund option and the CREF accumulations were settled

on a life annuity with ten-year guarantee option, all to be based on TIAA/CREF estimates at the time of retirement; and

(iii) Annuity benefits purchased by premiums paid other than as a participant in a Washington public institution of higher education TIAA/CREF retirement plan shall be excluded.

(iv) For the purposes of this calculation, the assumptions applied to the TIAA/CREF accumulation settlement shall also apply to settlement of the benefit from any other retirement plan.

(c) The amount of supplemental retirement benefit for a participant who has not attained age sixty-five at retirement is the amount calculated in subsection (2) of this section reduced by one-half of one percent for each calendar month remaining until age sixty-five; provided that the supplemental retirement benefit for a participant retired for reason of health or permanent disability shall not be so reduced.

(d) Any portion of participant's TIAA and/or CREF annuity accumulation paid to a participant's spouse upon dissolution of a marriage shall be included in any subsequent calculation of supplemental retirement benefits just as if these funds had remained in the participant's TIAA and/or CREF annuity.

(e) The selection of a TIAA/CREF retirement option other than the joint and two-thirds survivorship with ten-year guarantee shall not alter the method of calculating the supplemental retirement benefit; however, if the participant's combined TIAA/CREF retirement benefit and calculated supplemental retirement benefit exceeds fifty percent of the participant's average annual salary, the supplemental retirement benefit shall be reduced so that the total combined benefits do not exceed fifty percent of average annual salary.

(3) The payment of supplemental retirement benefits shall be consistent with the following provisions:

(a) Supplemental retirement benefits shall be paid in equal monthly installments, except that if such monthly installments should be less than ten dollars, such benefit payments may be paid at longer intervals as determined by the employer.

(b) Supplemental retirement benefit payments will continue for the lifetime of the retired participant; however, prior to retirement, a participant may choose to provide for the continuation of supplemental retirement benefit payments, on an actuarially equivalent reduced basis, to his or her spouse or designated beneficiary after the retiree's death. Notification of such choice shall be filed in writing with the appropriate college district or state board officer and shall be irrevocable after retirement. If such option is chosen, the supplemental retirement benefit payments shall be in the same proportion as the TIAA/CREF survivor annuity option elected by the participant. If a designation of a survivor's option is not made and the participant dies after attaining age sixty-two but prior to retirement, any supplemental benefit payable shall be based on the two-thirds benefit to survivor option.

(c) Prior to making any supplemental benefit payments, the employing college district or state board shall obtain a document signed by the participant and spouse,

if any, or designated beneficiary acknowledging the supplemental retirement benefit option chosen by the participant.

(4) A retired participant who is reemployed shall continue to be eligible to receive retirement income benefits, except that the supplemental retirement benefit shall not continue during periods of employment for more than forty percent of full-time or seventy hours per month or five months duration in any fiscal year. Retirement contributions shall not be made from the salary for such employment, unless the individual once again becomes eligible to participate under the provisions of WAC 131-16-020.

WSR 83-20-043

NOTICE OF PUBLIC MEETINGS INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

[Memorandum—September 28, 1983]

The November 10-11, 1983, special meeting of the Interagency Committee for Outdoor Recreation will be held in the Washington Room, Governor House Motor Hotel, 521 South Capitol Way, Olympia, beginning at 9:00 a.m. Thursday, November 10. (Note that the Friday, November 11 date is held in reserve should it be necessary to extend discussion of agenda items. For public convenience, the IAC attempts to keep its meeting to one day.)

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided at this special IAC meeting if necessary. A request for this type of service, however, must be received by the IAC ten days before the meeting (October 31, 1983). Please contact: Robert L. Wilder, Director, 4800 Capitol Blvd., KP-11, Olympia, Washington 98504, (206) 753-3610. The meeting site is barrier free.

WSR 83-20-044

PROPOSED RULES EDMONDS COMMUNITY COLLEGE

[Filed September 29, 1983]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that Edmonds Community College District 23 intends to adopt, amend, or repeal rules concerning traffic rules, chapter 132Y-100 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 20, 1983.

The authority under which these rules are proposed is RCW 28B.50.140(10).

This notice is connected to and continues the matter in Notice No. WSR 83-16-056 filed with the code reviser's office on August 2, 1983.

Dated: September 28, 1983

By: Jennis J. Bapst

Vice President for
Planning and Development

WSR 83-20-045
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY
COLLEGE DISTRICT
[Memorandum—September 28, 1983]

The regular meeting of the board of trustees, scheduled for October 3, 1983, has been cancelled. The next special meeting of the board has been scheduled for Monday, October 31, 1983. This meeting will replace the regular meeting which was to be held on Monday, November 7, 1983.

The October 31 meeting will be held at 6:30 p.m., at Seattle Central Community College in the Broadway Performance Hall, BA 306, 1701 Broadway, Seattle, WA 98122.

WSR 83-20-046
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY
[Memorandum—September 29, 1983]

The regular meeting of the board of trustees of Western Washington University scheduled for Thursday, October 6, 1983, at 1:30 p.m. in Old Main 340 of the Western Washington University Campus, Bellingham, Washington, has been cancelled.

WSR 83-20-047
EMERGENCY RULES
HOUSING FINANCE COMMISSION
[Resolution No. 83-10—Filed September 29, 1983]

Be it resolved by the Washington State Housing Finance Commission, acting at Seattle, Washington, that it does adopt the emergency rules relating to the organization and procedures of the Washington State Housing Finance Commission.

We, the Washington State Housing Finance Commission, find that an emergency exists and that this 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 the emergency is the commission must extend and amend its emergency rules governing its initial meetings to allow it to promulgate permanent rules and carry out the purposes of the commission's enabling statute, chapter 161, Laws of 1983, pending the effective date of permanent rules.

These 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 Washington State Housing Finance Commission as authorized in section 4(3), chapter 161, Laws of 1983.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 27, 1983.

By James L. Kirschbaum
Chairman

Title 262 WAC
WASHINGTON STATE HOUSING FINANCE COMMISSION
Chapter
262-01 Organization and procedures.

Chapter 262-01 WAC
ORGANIZATION AND PROCEDURES

NEW SECTION

WAC 262-01-010 PURPOSE. This rule is promulgated pursuant to (section 4(3), chapter 161, Laws of 1983) which directs that the Washington state housing finance commission has authority to implement the provisions of chapter 161, Laws of 1983. The purpose of these rules is to insure compliance by the Washington state housing finance commission with the provisions of chapters 34.04 and 42.17 RCW.

NEW SECTION

WAC 262-01-020 DEFINITIONS. (1) "Act" means chapter 161, Laws of 1983.

(2) "Commission" means the Washington housing finance commission.

(3) The terms defined in the act shall have the same meaning when used in these rules.

NEW SECTION

WAC 262-01-030 DESCRIPTION OF ORGANIZATION. (1) The commission is a public body, corporate and politic, with perpetual corporate succession. The commission is an instrumentality of the state of Washington, exercising essential government functions and, for the purposes of the United States Internal Revenue Code, acts as a constituted authority on behalf of the state of Washington when it issues bonds pursuant to chapter 161, Laws of 1983.

(2) Members. The commission shall consist of the members provided for and appointed in accordance with section 4(2), chapter 161, Laws of 1983.

(3) Officers. The officers of the commission shall be:

(a) A chair of the commission, who shall be appointed by the governor as chair and who shall serve on the commission and as chair of the commission at the pleasure of the governor,

(b) A vice-chair, who shall be selected by the commission from among its membership and shall serve as chair in the absence of the appointed chair,

(c) A secretary, who shall be the state treasurer, who is a member of the commission ex officio, and who shall serve as secretary of the commission by virtue of his or her office;

(d) A treasurer, who shall be selected by the commission from its membership. The treasurer shall have custody of and be responsible for all moneys and obligations of the commission and shall deposit such moneys in such banks or other financial institutions as the commission may designate from time to time; or shall invest such moneys not required for immediate disbursement, as the commission may direct from time to time.

(4) Staff services. The commission may employ such staff or temporary staff as it may from time to time direct by motion or by resolution. The commission may from time to time, by motion or by resolution, employ, contract with, or engage engineers, architects, attorneys, financial advisors, bond underwriters, mortgage lenders, mortgage administrators, housing construction or financing experts, other technical or professional assistants, and such other personnel as are necessary. The commission may delegate to the appropriate persons the power to execute legal instruments on its behalf.

(5) Powers. Except as provided in subsection (6) of this section, the commission may by motion or by resolution exercise any or all of the powers specified in chapter 161, Laws of 1983.

(6) The commission may exercise its powers under section 5, chapter 161, Laws of 1983, only by resolution. In order to be effective, each resolution must be adopted by a majority of the commission present and voting at a duly constituted meeting in accordance with WAC 262-01-040, and must be signed by the chair and attested to by the secretary of the commission.

(7) Minutes. In order to be effective, the minutes of any meeting of the commission must be adopted by a majority of the members of the commission present and voting at a duly constituted meeting of the commission in accordance with WAC 262-01-040, and signed and attested to by the secretary of the commission.

(8) Designees. An ex officio member of the commission may appoint a designee to act on his or her behalf with full authority to vote or carry out the duties of his or her office.

NEW SECTION

WAC 262-01-040 MEETINGS. (1) The meetings of the commission shall be "special meetings" as that designation is applied in chapter 42.30 RCW. They may be called at any time and place by the chair or by a majority of the members of the commission. At least seven days' notice of all special meetings shall be given by delivering personally or by mail to each member a written notice specifying the time and place of the meeting, and by giving such notice to the public as may be required by law. If the chair deems that an emergency exists, the chair may shorten the notice to not less than twenty-four hours. An executive session may be called by the chair or by a majority of the members of the commission for such purposes as are permitted under chapter 4.30 RCW.

(2) Quorum. A majority of the commission constitutes a quorum.

(3) Meeting procedures. Meetings of the commission shall be held in accordance with Roberts' Rules of Order, current revised edition, whenever requested by any member of the commission. Any contested case before the commission shall be governed by the Uniform Procedural Rules codified in WAC 1-08-005 through 1-08-590, as now or hereafter amended, subject to any additional or revised rules the commission may add from time to time. The commission reserves the right to make whatever determination is fair and equitable should any question not covered by its rules come before the commission, so long as such determination is in accordance with the spirit and intent of the act and conforms to applicable law.

(4) Public participation. Any person or organization may be granted permission by the chair to make a presentation at any public meeting of the commission. The chair may limit remarks by any individual speaking to the commission.

NEW SECTION

WAC 262-01-050 PUBLIC RECORDS. (1) Public records available. All public records of the commission shall be available for public inspection and copying unless exempt from disclosure under chapter 42.17 or 42.30 RCW.

(2) Public records officer. The commission's public records shall be under the charge of a public records officer designated by the chair. The public records officer shall be responsible for implementing the commission's rules and regulations regarding release of public records.

(3) Request for public records. Any member of the public may examine public records of the commission by directing a request to the public records officer. The public records officer shall comply with such request, unless he or she finds that the requested public records should not be disclosed for a reason permissible under chapter 42.17 RCW.

(4) Office hours. Public records shall be available for inspection and copying from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays, at the office of the commission, or, if no such office exists, at the office of the secretary.

(5) Copying. No fee shall be charged for the inspection of public records. The commission shall charge a fee of twenty-five cents per page of copy for providing copies of public records and for the use of the commission's copying equipment. This charge is the amount necessary to reimburse the commission for its actual costs incident to such copying.

(6) Access to public records. The commission reserves the right to determine that a requested public record is exempt from disclosure under the provisions of chapter 42.17 RCW. In addition, the commission reserves the right to delete identifying details when it makes available or publishes any record in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. All denials of public records shall be accompanied by a written statement specifying the

reason for withholding the record and a brief explanation of how the exemption applies to the record withheld.

(7) Records index. The secretary, or such staff of the commission designated by the chair, shall make available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated by the commission. The index shall contain such information as is required by RCW 42.17.260.

NEW SECTION

WAC 262-01-060 INTERIM RULES AND POLICIES. To the extent not in conflict with applicable law, the commission may, prior to its adoption of any additional emergency rules or interim rules or policies, exercise all the powers granted to the commission under chapter 161, Laws of 1983, including but not limited to: (1) The exercise of any or all of its housing financing powers under section 5, chapter 161, Laws of 1983; and (2) the power to enter into contracts with engineers, architects, attorneys, financial advisors, bond underwriters, mortgage lenders, mortgage administrators, housing construction, or financial experts, other technical or professional assistants and such other personnel as are necessary for the exercise of the commission's powers.

WSR 83-20-048
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-141—Filed September 29, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 29, 1983.
By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-32-05100Z SEASONS—SALMON. Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Columbia River Management and Catch Reporting Areas 1F, 1G or 1H, except that those individuals possessing treaty rights pursuant to the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish from noon September 29 until noon, October 2, 1983.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100Y SEASONS—SALMON.
(83-130)

WSR 83-20-049
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-142—Filed September 29, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of salmon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 29, 1983.

By Russell W. Cahill
for William R. Wilkerson
Director

NEW SECTION

WAC 220-57-16000C COLUMBIA RIVER. Notwithstanding the provisions of WAC 220-57-160, it is unlawful to take, fish for or possess salmon taken for personal use from the waters of the Columbia River downstream from the Highway 12 Bridge at Pasco except effective 12:01 a.m. October 1, 1983, until further notice, those waters are open to salmon angling under bag limit A.

REPEALER

The following section of the Washington Administrative Code is repealed effective October 1, 1983:

WAC 220-47-16000B COLUMBIA RIVER (83-129)

WSR 83-20-050
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-143—Filed September 29, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of salmon are available, and these rules are adopted pursuant to the Columbia River compact.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 29, 1983.

By Russell W. Cahill
 for William R. Wilkerson
 Director

NEW SECTION

WAC 220-32-03000I GILL NET SEASON. Notwithstanding the provisions of WAC 220-32-030, 220-32-031, and 220-32-032, it is unlawful to take, fish for, or possess salmon taken for commercial purposes with gill net gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, or 1E, except in those areas and at those times designated below:

Areas 1A, 1B, 1C, 1D, and 1E - 6:00 p.m.
 October 4 to 6:00 p.m. October 6 and 6:00
 p.m. October 11 to 6:00 p.m. October 13,
 1983.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-03000H GILL NET SEASON. (83-106)

WSR 83-20-051
PROPOSED RULES
PUBLIC DISCLOSURE COMMISSION
 [Filed September 29, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Disclosure Commission intends to adopt, amend, or repeal rules concerning:

Amd WAC 390-24-010 Forms for statements of financial affairs.
 Amd WAC 390-24-020 Forms for amending financial affairs statement.
 Amd WAC 390-24-025 Time for filing financial affairs statement;

that the agency will at 9:00 a.m., Tuesday, November 15, 1983, in the 2nd Floor Conference Room, Evergreen Plaza Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 15, 1983.

The authority under which these rules are proposed is RCW 42.17.370(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: September 29, 1983

By: Graham E. Johnson
 Administrator

STATEMENT OF PURPOSE

Title: Statement of financial affairs, changing title of form to conflict of interest statement.

Description of Purpose: To adopt the reporting form, and identify the time for filing it.

Statutory Authority: RCW 42.17.240.

Summary of Rule: Adopt the statement of financial affairs and indicate the time for filing it.

Reasons Supporting Proposed Action: To more clearly identify the purpose of the report.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Administrator.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: PDC staff and commissioners.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: [No information supplied by agency]

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: N/A.

AMENDATORY SECTION (Amending Order 80-07, filed 12/1/80)

WAC 390-24-010 FORMS FOR ((STATEMENTS OF FINANCIAL AFFAIRS)) CONFLICT OF INTEREST STATEMENT. Pursuant to the statutory authority of RCW 42.17.360(1), the official form for ((statements of financial affairs)) conflict of interest statements as required by RCW 42.17.240 is hereby adopted for use in reporting to the Public Disclosure Commission, provided that the form

adopted by WAC 390-24-020 may be used by those persons filing after their first filing of this form. This form, revised ~~((1/81))~~ 11/83, shall be designated as "F-1." Copies of this form may be obtained at

the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.



PDC FORM
F-1
 REV (1 81)

**CONFLICT OF INTEREST STATEMENT
 ((STATEMENT OF FINANCIAL AFFAIRS))
 ELECTED OFFICIALS, CANDIDATES
 AND STATE-LEVEL APPOINTED OFFICIALS**

INSTRUCTIONS
 Please refer to the instruction book when completing this report

WHO MUST REPORT: All elected officials, persons appointed to elective office, candidates, designated state appointed officials. (Federal officials and candidates and precinct committeemen are exempt from reporting)

WHEN TO REPORT: By April 15, each year you hold office. Officials whose terms expire December 31, or in January are still obligated to report the following year. Candidates or persons appointed to office report within two weeks of becoming a candidate or being appointed.

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION

DOLLAR CODE		THIS SPACE FOR OFFICE USE	
CODE	AMOUNT	DATE MAILED	DATE RECEIVED
A	Less than \$1,000		
B	\$1,000 but less than \$5,000		
C	\$5,000 but less than \$10,000		
D	\$10,000 but less than \$25,000		
E	\$25,000 or more		

Last name	First name	Middle initial	NAMES OF SPOUSE AND DEPENDENTS	POLITICAL PARTY If partisan office or pertinent to appointment
Address				
City	County	Zip		
OFFICE HELD (for elected or appointed officials)	DISTRICT _____	OFFICE SOUGHT (for candidates)	DISTRICT _____	
Current term - began:	ends: POSITION NO. _____	If elected, term will begin:	ends: POSITION NO. _____	

Elected official report covers previous calendar year; candidate report preceding 12 months
 COMPLETE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

EMPLOYMENT, INCOME AND COMPENSATION
 LIST PRINCIPAL EMPLOYMENT FIRST, SHOW SOURCE OF ALL OTHER COMPENSATION OVER \$500

Name and Address of Source	Occupation or How Earned

Check here if continued on attached sheet

REAL ESTATE LOCATED IN WASHINGTON
 LIST EACH PARCEL WITH ASSESSED VALUE OVER \$2500.
 SHOW PARTNERSHIP, COMPANY, ETC. PROPERTY ON F-1 SUPPLEMENT ONLY.

Description of Property PURCHASED OR ACQUIRED	Nature of Ownership or Financial Interest	Payment or Other Consideration Given

SOLD OR DIVESTED	Name and Address of Purchaser	Payment or Other Consideration Received

OTHER PROPERTY OWNED OR IN WHICH YOU HAVE A FINANCIAL INTEREST. DO NOT INCLUDE PROPERTY SHOWN ABOVE.

Check here if continued on attached sheet

3 Show: CA (S) Spouse (SP) Other (OI) (ID)

OTHER ASSETS AND FINANCIAL HOLDINGS
(DO NOT INCLUDE REAL ESTATE HERE. LIST IT IN ITEM 2.)

Value: Use Code

Name and Address of Bank, Company or Identification of Asset	Type of Account, Description of Asset
EACH BANK OR SAVINGS ACCOUNT OVER \$5000	
EACH INSURANCE POLICY OVER \$5000 (CASH OR LOAN VALUE)	
STOCKS, BONDS, OWNERSHIP INTEREST IN BUSINESS, RETIREMENT PLANS, AND OTHER INTANGIBLE PROPERTY OVER \$500	

Check here if continued on attached sheet

4

LIABILITIES AND CREDITORS
LIST CREDITORS OWED \$500 OR MORE AT ANY TIME COVERED BY THIS REPORT
DO NOT INCLUDE RETAIL INSTALLMENT TRANSACTIONS.

Amount: Use Code

Creditor's Name and Address	Terms of Payment	Security Given	Amount	
			Original	Present

Check here if continued on attached sheet

5

OFFICES HELD AND OTHER BUSINESS INTERESTS
ANSWER EACH QUESTION BY CHECKING APPROPRIATE BOX. IF ANSWER TO ANY QUESTION IS "YES" YOU MUST ALSO COMPLETE THE F-1 SUPPLEMENT REPORT

	YES	NO
HAVE YOU, YOUR SPOUSE OR YOUR DEPENDENTS:		
A. HELD ANY PUBLIC OR PRIVATE OFFICE, DIRECTORSHIP OR POSITION AS TRUSTEE OTHER THAN THE PUBLIC OFFICE SHOWN IN THE HEADING OF THIS REPORT?		
B. HELD ANY OFFICE, DIRECTORSHIP, GENERAL PARTNERSHIP OR OWNERSHIP INTEREST OF 10% OR MORE IN ANY CORPORATION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION, UNION OR OTHER ENTITY?		
C. OWNED A SOLE PROPRIETOR BUSINESS?		
D. PREPARED, PROMOTED OR OPPOSED STATE LEGISLATION OR STATE GOVERNMENT RULES, REGULATIONS OR STANDARDS FOR CURRENT OR DEFERRED COMPENSATION? THIS DOES NOT INCLUDE SERVICE OR DUTIES IN YOUR ELECTIVE OFFICE.		
E. HELD A PARTNERSHIP OR SIMILAR BUSINESS INTEREST OF 10% OR MORE IN ANY WASHINGTON REAL ESTATE?		

DOLLAR CODE	
CODE	AMOUNT
A	Less than \$1,000
B	\$1,000 but less than \$5,000
C	\$5,000 but less than \$10,000
D	\$10,000 but less than \$25,000
E	\$25,000 or more

Please answer each item. Identify attached pages with your name, date and item number to which they apply.

SIGN YOUR REPORT.

CERTIFICATION: I hereby certify that the above is true, complete and correct statement in accordance with RCW 42.17.240 of this Law.

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

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 79-07, filed 11/6/79)

WAC 390-24-020 FORMS FOR AMENDING ((~~FINANCIAL AFFAIRS~~)) CONFLICT OF INTEREST STATEMENT. (1) The official form for amending ((~~statements of financial affairs~~)) conflict of interest statements as required by RCW 42.17.240 for all persons who have previously filed the form F-1, is hereby adopted for use. This form shall be designated as form "F-1A."

(2) No more than three F-1A forms may be filed to amend a previously submitted ((~~Statement of Financial Affairs~~)) conflict of interest

statement (Form F-1). The form can be used only to update information required on an F-1.

(3) The commission reserves the right to reject amendatory forms and require a new ((~~Statement of Financial Affairs~~)) conflict of interest statement (Form F-1) at any time if the amendments shown on an F-1A are of such length or detail so as to be confusing or to create misunderstandings. Authority is delegated to the commission's administrator to make this determination.

(4) Copies of form F-1A may be obtained at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.

PUBLIC DISCLOSURE COMMISSION
 403 EVERGREEN PLAZA, FJ-42
 OLYMPIA, WASHINGTON
 98504 206-753-1111

PDC FORM **F-1A** REV. 10-79
CONFLICT OF INTEREST STATEMENT
~~STATEMENT OF FINANCIAL AFFAIRS~~
ELECTED OFFICIALS, CANDIDATES
AND STATE-LEVEL APPOINTED OFFICIALS

INSTRUCTIONS			THIS SPACE FOR OFFICE USE																						
<p><i>Please refer to the instruction book when completing this report</i></p> <p>WHO MUST REPORT: All elected officials, persons appointed to elective office, candidates, designated state appointed officials. (Federal officials and candidates and precinct committeemen are exempt from reporting)</p> <p>WHEN TO REPORT: By April 15, each year you hold office. Officials whose terms expire December 31, or in January are still obligated to report the following year. Candidates or persons appointed to office report within two weeks of becoming a candidate or being appointed.</p> <p>SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION</p>			<table border="1"> <thead> <tr> <th>FINANCIAL CODE</th> <th>P. M. DATE</th> <th>DATE RECEIVED</th> </tr> </thead> <tbody> <tr> <td>CODE AMOUNT</td> <td></td> <td></td> </tr> <tr> <td>A - Less than \$1,000</td> <td></td> <td></td> </tr> <tr> <td>B - \$1,000 but less than \$5,000</td> <td></td> <td></td> </tr> <tr> <td>C - \$5,000 but less than \$10,000</td> <td></td> <td></td> </tr> <tr> <td>D - \$10,000 but less than \$25,000</td> <td></td> <td></td> </tr> <tr> <td>E - \$25,000 or more</td> <td></td> <td></td> </tr> </tbody> </table>		FINANCIAL CODE	P. M. DATE	DATE RECEIVED	CODE AMOUNT			A - Less than \$1,000			B - \$1,000 but less than \$5,000			C - \$5,000 but less than \$10,000			D - \$10,000 but less than \$25,000			E - \$25,000 or more		
FINANCIAL CODE	P. M. DATE	DATE RECEIVED																							
CODE AMOUNT																									
A - Less than \$1,000																									
B - \$1,000 but less than \$5,000																									
C - \$5,000 but less than \$10,000																									
D - \$10,000 but less than \$25,000																									
E - \$25,000 or more																									
<p>Name (Last name) (First name) (Middle Initial)</p> <p>Home Address</p> <p>City County Zip</p>			<p>NAMES OF SPOUSE AND DEPENDENTS</p> <p>POLITICAL PARTY If partisan office or pertinent to appointment</p>																						
<p>OFFICE HELD (for elected or appointed officials) DISTRICT _____ POSITION NO. _____</p> <p>Current term - began: _____ ends: _____</p>			<p>OFFICE SOUGHT (for candidates) DISTRICT _____ POSITION NO. _____</p> <p>If elected, term will begin: _____ ends: _____</p>																						
<p>COMPLETE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD</p>																									

The F-1A report is designed primarily to simplify reporting by persons who have no changes or only minor changes to an F-1 report previously filed.

After filing a complete F-1 report, you may use the F-1A for no more than the next three reports. A complete F-1 must be filed at least every four years.

The Commission reserves the right to require that a complete F-1 report be filed if it believes amendments shown on one or more F-1A reports could cause confusion or misunderstanding to persons reviewing the reports.

Complete the statements below, sign your report and file it with the Public Disclosure Commission.

No change report. I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____, (2) _____. There have been no changes to that information during the preceding calendar year.

Minor change report. I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the preceding calendar year.

F-1 Item No. ____ Add ____ Delete ____ Change ____ (Report all information required by F-1 report.)

REPORT OF "PUBLIC OFFICE FUND" (if any). LIST CONTRIBUTIONS RECEIVED TO AND EXPENDITURES MADE FROM "PUBLIC OFFICE FUND" DURING THE PRECEDING CALENDAR YEAR FOR YOUR USE IN DEFRAYING NONREIMBURSED PUBLIC OFFICE RELATED EXPENSES. (See key reference in instruction booklet). (Does NOT apply to public revenues or other public funds)

Check here if entry for this item is NONE - Otherwise ATTACH LIST showing such contributions, expenditures and other details, as set forth in ITEM 12 KEY REFERENCE in instruction booklet.

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

AMENDATORY SECTION (Amending Order 80-03, filed 3/4/80)

WAC 390-24-025 TIME FOR FILING ((~~FINANCIAL AFFAIRS~~)) CONFLICT OF INTEREST STATEMENT. It shall be the policy of the Public Disclosure Commission to construe the filing requirements of RCW 42.17.240(;) for elected officials in the following manner: It is the interpretation of the commission that:

(1) Any person holding elected public office, except as exempted by the terms of RCW 42.17.240, and any appointed official and professional staff member listed or referenced in RCW 42.17.240, and any appointed official required to comply with the reporting requirements of RCW 42.17.240 by any other statute is required to file the ((~~Statement of Financial Affairs~~)) conflict of interest statement if such person holds such public office in the month of January of any year. Such report shall be for the twelve months preceding that month.

(2) Any local elected official whose term of office expires immediately after December 31 shall file a ((~~Statement of Financial Affairs~~)) conflict of interest statement for the calendar year which ended on that date.

(3) Any local elected official who resigns his public office prior to the completion of his current term of office shall file a ((~~Statement of Financial Affairs~~)) conflict of interest statement covering that portion of the year that he was in office.

WSR 83-20-052**PROPOSED RULES****DEPARTMENT OF LICENSING****(Board of Podiatry)**

(Filed September 29, 1983)

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Podiatry intends to adopt, amend, or repeal rules concerning the amending of WAC 308-31-020, and adding new sections WAC 308-31-015, 308-31-100, 308-31-110, 308-31-120, 308-31-500, 308-31-510, 308-31-520, 308-31-530, 308-31-540, 308-31-550, 308-31-560, 308-31-570 and 308-31-580;

that the agency will at 9:00 a.m., Friday, December 2, 1983, in the Sea-Tac Travelodge, Room 110, 2824 South 188th, Seattle, WA 98188, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.22.015.

The specific statute these rules are intended to implement is RCW 18.22.015.

Dated: September 28, 1983

By: Stanley R. Haskins
Executive Secretary.**STATEMENT OF PURPOSE**

Title: Washington State Board of Podiatry.

Purpose: The purpose of the rules is to specify the examination required by the board for licensure; to outline the duties that a podiatrist may delegate to a person not licensed to practice podiatry; and to establish the professional and ethical standards for the practice of podiatry.

Statutory Authority: RCW 18.22.015.

Summary of the Rules: WAC 308-31-015 establishes the required examination an individual must pass in order to be licensed to practice podiatry; WAC 308-31-020 contains the definition of terms used in chapter 308-31 WAC; WAC 308-31-100 states the purpose of the

rules dealing with the delegation of duties to unlicensed individuals; WAC 308-31-110 contains acts that a podiatrist may allow an unlicensed person to perform under his or her supervision; WAC 308-31-120 contains acts that may not be performed by or delegated to an unlicensed person; WAC 308-31-500 describes the specialty of podiatry and outlines some basic responsibilities of a podiatrist; WAC 308-31-510 outlines a podiatrist's responsibility not to neglect a patient once care has been undertaken; WAC 308-31-520 requires a podiatrist to exercise his or her professional judgment and skills without interference; WAC 308-31-530 prohibits the giving of things of value in an attempt to obtain favorable publicity; WAC 308-31-540 prohibits testimonials as a means of soliciting patients; WAC 308-31-550 prohibits solicitation of patients by means of fee splitting or utilization of employees to solicit patients; WAC 308-31-560 describes factors that will be considered when the board evaluates whether fees charged by a podiatrist are excessive; WAC 308-31-570 establishes a requirement that podiatrists maintain and make available patient records for five years; and WAC 308-31-580 establishes a requirement for podiatrists to maintain certain records regarding legend drugs and controlled substances.

Reason Proposed: These rules are proposed to implement the requirements of RCW 18.22.015(8) and to clarify the examinations for licensure required by the board. In addition, they outline the duties that can be delegated to persons not licensed as podiatrists.

Responsible Personnel: In addition to the members of the board, the following personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Stanley Haskins, Executive Secretary, Third Floor, Highways-Licenses Building, Olympia, WA 98504, 234-0774 scan, 753-0774 comm.

Proponents: These rules are proposed by the Washington State Board of Podiatry.

Agency Comments: These rules are promulgated pursuant to the authority granted to the board in RCW 18.22.015.

Small Business Economic Impact Statement: A small business economic impact statement has not been filed since these rules do not impact any small businesses as that term is defined in RCW 43.31.920.

NEW SECTION

WAC 308-31-015 EXAMINATIONS REQUIRED FOR LICENSURE. In order to be licensed to practice podiatry in the state of Washington, all applicants must pass Part I and Part II of the national examination prepared by the National Board of Podiatric Examiners in addition to the state podiatry examination prepared and administered by the Washington Podiatry Board.

AMENDATORY SECTION (Amending Order PL 128, filed 7/7/72)

WAC 308-31-020 ((~~TERMS~~)) DEFINITIONS. ((~~For the purpose of chapter 18.22 RCW the term~~)) (1) ((~~c~~)) Chiropractic and podiatry shall be synonymous.

(2) "Board" shall mean the Washington State Podiatry Board.

(3) "Director" shall mean the director of the Department of Licensing.

(4) "Supervision" shall mean that a licensed podiatrist whose patient is being treated has personally diagnosed the condition to be treated

and has personally authorized and directed the procedures to be performed. A podiatrist shall be physically present in the treatment facility while the procedures are performed. Supervision does not require a podiatrist to be physically present in the operator; however, an attending podiatrist must be in the treatment facility and be capable of responding immediately in the event of an emergency.

(5) "Treatment Facility" means a podiatric office or connecting suite of offices, podiatric clinic, room or area with equipment to provide podiatric 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) "Unlicensed Person" means a person who is not a podiatrist duly licensed pursuant to the provisions of chapter 18.22 RCW.

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 308-31-100 PURPOSE. The purpose of the rules that follow is to establish guidelines on delegation of duties to persons who are not licensed to practice podiatry. The podiatry laws of Washington state authorize the delegation of certain duties to nonpodiatric personnel and prohibit the delegation of certain other duties. The licensed podiatrist is ultimately responsible for all treatments performed at his direction. Duties that may be delegated to a person not licensed to practice podiatry may be performed only under the supervision of a licensed podiatrist. The degree of supervision required to assure that treatment is appropriate and does not jeopardize the systemic or pedal 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 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 308-31-110 ACTS THAT MAY BE DELEGATED TO AN UNLICENSED PERSON. A podiatrist may allow an unlicensed person to perform the following acts under the podiatrist's supervision:

- (1) Patient education in foot hygiene.
- (2) Deliver a sedative drug in an oral dosage form to patient.
- (3) Give preoperative and postoperative instructions.
- (4) Assist in administration of nitrous oxide, analgesia or sedation, but the unlicensed person shall not start the administration of the gases and shall not adjust the flow of the gases unless instructed to do so by the podiatrist. Patients must never be left unattended while nitrous oxide analgesia or sedation is administered to them. This regulation shall not be construed to prevent any person from taking appropriate action in the event of a medical emergency.
- (5) Take health histories.
- (6) Determine rate and quality of patient's radial pulses.
- (7) Measure the patient's blood pressure.
- (8) Perform a plethysmographic or doppler study.
- (9) Observe the nature of the patient's shoes and hose.
- (10) Observe and report wearing patterns on the patient's shoes.
- (11) Assist in obtaining material for a culture-sensitivity test.
- (12) Take scrapings from the skin or nails of the feet, prepare them for a microscope and culture examination.
- (13) Perform weightbearing and non-weightbearing x-rays.
- (14) Photograph patient's foot disorder.
- (15) Debride hyperkeratotic lesions of the foot.
- (16) Remove and apply dressing and/or padding.
- (17) Make necessary adjustments to the biomechanical device.
- (18) Produce impression casting of the foot.
- (19) Produce the following:
 - (a) Removable impression insoles and modifications.
 - (b) Protective devices for alleviating or dispersing pressure on certain deformities or skin lesions such as ulcers, corns, calluses, digital amputation stumps (e.g., latex shields).
- (20) Apply strap and/or pad to the foot and/or leg.
- (21) Prepare the foot for anesthesia as needed.
- (22) Know the indications for and application of cardiopulmonary resuscitation (CPR).
- (23) Prepare and maintain a surgically sterile field.
- (24) Apply flexible cast (e.g., Unna Boot).

- (25) Apply cast material for immobilization of the foot and leg.
- (26) Remove sutures.
- (27) Debride nails.
- (28) Administer physical therapy as directed by the podiatrist.
- (29) Counsel and instruct patients in the basics of:

- (a) Their examination, treatment regimen and prophylaxis for a problem.
- (b) Patient and family foot health promotion practices.
- (c) Patient and family care of specific diseases affecting the foot (e.g., diabetes, cerebrovascular accident, arthritis).
- (d) Performing certain exercises and their importance.
- (30) Give patient or family supplementary health education materials.

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 308-31-120 ACTS THAT MAY NOT BE PERFORMED BY UNLICENSED PERSONS. No podiatrist 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 diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human feet or adjacent structures.
- (2) Any administration of general or injected local anesthetic of any nature in connection with a podiatric operation.
- (3) Suture.
- (4) Determine the rate and quality of patient's pedal pulses.
- (5) Perform and quantitate a neurological, musculoskeletal, or dermatological examination.
- (6) Palpation of the feet or lower extremities.
- (7) Any inter-professional communication.
- (8) Dispense any biomechanical device.
- (9) Perform a biomechanical examination.
- (10) Assume responsibility for the observation of a patient during the administration of nitrous oxide analgesia or sedation if any central nervous system depressant has been given to the patient.

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 308-31-500 PROFESSIONAL AND ETHICAL STANDARDS. In addition to those standards specifically expressed in chapter 18.22 RCW, the board adopts the standards that follow in governing or regulating the practice of podiatrists within the state of Washington.

Podiatry is that specialty of medicine and research that seeks to diagnose, treat, correct and prevent diseases and disorders of the human foot. The podiatrist's scope of practice may include a combination of routine care, surgery, sports medicine and treatment of chronic foot disorders. A podiatrist shall hold foremost the principal objectives to render appropriate podiatric services to the society and to assist individuals in the relief of pain or correction of abnormalities, and shall always endeavor to conduct himself or herself in such a manner to further these objectives.

The podiatrist owes to his or her patients a reasonable degree of skill and quality of care. To this end, the podiatrist shall endeavor to keep abreast of new developments in podiatric medicine and surgery and shall pursue means that will lead to improvement of his or her knowledge and skill in the practice of podiatry. ("Quality of care" consists of the following elements:

- (a) Necessity of care.
- (b) Appropriateness of service rendered in view of the diagnosis.
- (c) Utilization of services (over or under).
- (d) Quality of service(s) rendered.
- (e) Whether the service(s) reported had been actually rendered.)

NEW SECTION

WAC 308-31-510 PATIENT ABANDONMENT. The podiatrist shall always be free to accept or reject a particular patient, but once care is undertaken, the podiatrist shall not neglect the patient as long

as that patient cooperates with, requests, and authorizes the podiatric services for the particular problem.

NEW SECTION

WAC 308-31-520 EXERCISE OF PROFESSIONAL JUDGMENT AND SKILLS. A podiatrist shall not accept patients under terms or conditions that interfere with the free exercise of the podiatrist's professional judgment or infringe upon the utilization of his or her professional skills.

NEW SECTION

WAC 308-31-530 PROHIBITED TRANSACTIONS. A podiatrist shall not compensate or give anything of value to a representative of the press, radio, television or other communication media in anticipation of or in return for professional publicity of any individual podiatrist in a news item.

NEW SECTION

WAC 308-31-540 TESTIMONIALS PROHIBITED. The podiatrist will not use testimonials, whether paid for or not, to solicit or encourage use of the podiatrist's services by members of the public.

NEW SECTION

WAC 308-31-550 SOLICITING PATIENTS. A podiatrist shall not participate in the division of fees or agree to split or divide fees received for podiatric services with any person for bringing or referring patients. A podiatrist shall not employ or remunerate another person to solicit, obtain patient referrals.

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 308-31-560 EXCESSIVE FEES. Fees charged by podiatrists for professional services rendered to patients must not be excessive. Such fees may not exceed those in accord with the usual, customary and reasonable charges in the particular community. Complaints regarding excessive charges will be evaluated by the board on an individual basis governed by the following definitions of usual, customary and reasonable fees, as used herein:

- (1) "Usual" is defined as the usual fee which is charged for a given service by an individual podiatrist in his practice (i.e., his or her own usual fee).
- (2) "Customary" is defined as that range of usual fees charged by podiatrists of similar training and experience for the same service within a given metropolitan or specific geographic area.
- (3) "Reasonable" is defined as a fee which meets the above two criteria or, in the opinion of the board, is justifiable in the circumstances of the particular case in question.

NEW SECTION

WAC 308-31-570 MAINTENANCE OF PATIENT RECORDS. Any podiatrist who treats patients in the state of Washington shall maintain complete treatment records regarding patients treated. These records shall include, but shall not be limited to x-rays, treatment plans, patient charts, patient histories, correspondence, financial data and billing. These records shall be retained by the podiatrist for at least five years in an orderly, accessible file and shall be readily available for inspection by the Washington State Podiatry Board or its authorized representative.

NEW SECTION

WAC 308-31-580 INVENTORY OF LEGEND DRUGS AND CONTROLLED SUBSTANCES. Every podiatrist shall maintain an inventory of all legend drugs and controlled substances that he or she has prescribed or dispensed. This inventory shall include the date prescribed or the date dispensed, the name of the patient prescribed or dispensed to, the name of the medication, and the dosage and amount of the medication prescribed or dispensed. An accurate record of the medication prescribed or dispensed will be clearly indicated on the patient history record.

WSR 83-20-053

ADOPTED RULES

BOARD OF PHARMACY

[Order 176—Filed September 29, 1983]

Be it resolved by the Washington State Board of Pharmacy, acting at Midway, Washington, that it does adopt the annexed rules relating to the amending of WAC 360-12-150 and 360-32-050.

This action is taken pursuant to Notice No. WSR 83-16-085 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.64.005 and 69.41.075 which directs that the Washington State Board of Pharmacy has authority to implement the provisions of RCW 18.64.011(11) and 69.41.075.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 21, 1983.

By Donald H. Williams
Executive Secretary

AMENDATORY SECTION (Amending Order 174, filed 4/26/83)

WAC 360-12-150 MONITORING OF DRUG THERAPY BY PHARMACISTS. The term "monitoring drug therapy" used in RCW 18.64.011(11) shall mean a review of the drug therapy regimen of patients by a pharmacist for the purpose of evaluating ~~((or))~~ and rendering advice to the prescribing practitioner regarding adjustment of the regimen. Monitoring of drug therapy shall include, but not be limited to:

- (1) collecting and reviewing patient drug use histories;
- (2) measuring and reviewing routine patient vital signs including, but not limited to, pulse, temperature, blood pressure and respiration;

(3) ordering and evaluating the results of laboratory tests relating to drug therapy including, but not limited to, blood chemistries and cell counts, drug levels in blood, urine, tissue or other body fluids, and culture and sensitivity tests when performed in accordance with policies and procedures or protocols applicable to the practice setting, which have been developed by ~~((health professionals))~~ the pharmacist and prescribing practitioners and which include appropriate mechanisms for reporting to the prescriber monitoring activities and results.

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 160, filed 4/28/81)

WAC 360-32-050 IDENTIFICATION OF LEGEND DRUGS FOR PURPOSES OF CHAPTER 69.41 RCW. (1) In accordance with chapter 69.41 RCW, the

board of pharmacy hereby finds that those drugs which have been determined by the food and drug administration, pursuant to the federal Food, Drug and Cosmetic Act, to require a prescription under federal law should also be classified as legend drugs under state law for the reasons that their toxicity or other potentiality for harmful effect, the methods of their use and the collateral safeguards necessary to their use, indicate that they are not safe for use except under the supervision of a practitioner.

(2) The board of pharmacy hereby specifically identifies as legend drugs, for purposes of chapter 69.41 RCW, those drugs which have been designated as legend drugs under federal law and are listed as such in the ((1980-81)) 1983-84 edition of the American Druggist Blue Book. Copies of the list of legend drugs as contained in the American Druggist Blue Book shall be available for public inspection at the headquarters office of the State Board of Pharmacy, 319 East 7th Avenue, Olympia, Washington 98504. Copies of this list shall be available from the board of pharmacy at the above address upon request made and upon payment of a fee in the amount of ((\$1+)) \$20 per copy.

(3) There may be changes in the marketing status of drugs after the publication of the above reference. Upon application of a manufacturer or distributor, the board may grant authority for the over the counter distribution of certain drugs which had been designated as legend drugs in this reference. Such determinations will be made after public hearing and will be published as an amendment to this chapter.

WSR 83-20-054
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 30, 1983]

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 ch. 388-28 WAC AFDC and GAU—Eligibility—Need.
 Amd ch. 388-33 WAC AFDC and GAU—Grant or vendor payment.

It is the intention of the secretary to adopt these rules on an emergency basis effective October 1, 1983;

that the agency will at 2:00 p.m., Wednesday, November 9, 1983, in the H-19, Third Floor Conference Room, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 16, 1983.

The authority under which these rules are proposed is RCW 74.08.090.

The specific statute these rules are intended to implement is chapter 74.12 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 9, 1983.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
 Division of Administration and Personnel
 Department of Social and Health Services
 Mailstop OB 14
 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, Phone (206) 753-7015, by October 26, 1983. The meeting site is in a location which is barrier free.

Dated: September 26, 1983

By: David A. Hogan, Director

Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: WAC 388-28-483, 388-28-535, 388-28-570, 388-28-575, 388-33-135 and 388-33-140.

The Purpose of the Rule Change: WAC 388-28-483, editorial changes; WAC 388-28-535, deletion of CETA rules; WAC 388-28-570 and 388-28-575, implementation of Job Training Partnership Act (JTPA) income rules; WAC 388-28-570(6), to bring WAC into conformity with two court decisions; WAC 388-33-135, changes the effective date of ineligibility because of increased income; and WAC 388-33-140, changes the effective date for grant increase of a client who moves from supplied shelter to a renting situation.

The Reasons the Rule Changes are Necessary: WAC 388-28-483, greater clarification to comply with Department of Health and Human Services' suggestions; WAC 388-28-535, 388-28-570 and 388-28-575, JTPA income - 45 CFR, Part 233, effective 10-1-83; WAC 388-28-570(6), required by Williamson v. Gibbs and Hardy v. Gibbs court cases; WAC 388-33-135(6), to benefit clients by eliminating a one-month overpayment on all cases made ineligible because of increased income; and WAC 388-33-140, to benefit clients who have moved from supplied shelter to rental housing.

Statutory Authority: RCW 74.08.090.

Summary of the Rule Changes: WAC 388-28-483, editorial changes; WAC 388-28-535, 388-28-570 and 388-28-575, wages and training allowances from Job Training Partnership Act (JTPA) will be treated according to present rules for adults and nonstudents. For dependent children who are full-time students, all income will be disregarded, both for the 150% of need test and in computing the family's assistance payment; WAC 388-28-570(6), allows mandatory payroll deductions in computing net income; changes the latest date for reporting of earned income from the twenty-first to the eighteenth of the month; WAC 388-33-135, the effective date of ineligibility due to increased income will be the first of the second month following the change, rather than the first of the month following the change. This

will eliminate many overpayments for recipients; and WAC 388-33-140, a recipient moving from supplied shelter to a renting situation will receive the increased grant amount on the date of change rather than the first of the second month following the change.

Person or Persons Responsible for the Drafting, Implementation and Enforcement of the Rule or Rule Change: Helen Sommer, Community Services Program Manager, Division of Income Assistance, Mailstop: OB 31C, Phone: 753-4372.

These rules are necessary as a result of federal law and state court decisions, 45 CFR 233; a consent order in the case of Hardy v. Gibbs (No. 82-2-00408-9); and a preliminary injunction in the case of Williamson v. Gibbs (No. C83-164R).

AMENDATORY SECTION (Amending Order 1940, filed 1/28/83, effective 3/1/83)

WAC 388-28-483 RETROSPECTIVE BUDGETING, PROSPECTIVE BUDGETING, AND PROSPECTIVE ELIGIBILITY.

(1) ~~The CSO shall determine eligibility ((using prospective eligibility and the amount of the payment using retrospective or prospective budgeting)) based on the best estimate of income and circumstances which will exist in the month for which the assistance payment is made.~~

(2) ~~((Prospective eligibility means if a change of circumstances renders the client ineligible, no payment shall be authorized the month following the month the change occurred. (The corresponding process month)) For the first two months of initial eligibility, all income shall be budgeted prospectively. (See subsection (3) of this section for exceptions.) The CSO shall compute the amount of the assistance payment based on the expected income and circumstances which will exist in the month for which the assistance payment is made.~~

(3) ~~((Prospective budgeting means during the first two months of initial eligibility following application, the CSO shall determine eligibility and payment amount based upon its best estimate of the applicant's expected income and circumstances which will exist in the month for which the assistance payment is made. The following is an exception to this rule. Payment for an applicant shall be determined using retrospective budgeting when assistance had been suspended due to an extra payday for the month prior to the month of application and)) Retrospective budgeting shall be used for the first two months of initial eligibility when:~~

~~(a) There has been less than one month's break in assistance (i.e., the applicant received assistance in the preceding month, or would have received assistance except for the prohibition on payments less than ten dollars).~~

~~(b) Assistance had been suspended due to an extra pay day for the month prior to the month of application, assistance had been terminated at the end of the month of suspension, and the applicant's circumstances for the initial authorization month have not changed significantly from those prior to termination. ((This rule is effective March 1, 1983.))~~

~~(c) A case is reopened as terminated in error.~~

~~(4) ((Retrospective budgeting means, after the first two months of initial eligibility, the CSO shall compute the amount of the payment for any month based upon income and circumstances which existed in the second month preceding the month for which payment is made:~~

~~Unearned, recurrent income which is being budgeted concurrently for an individual, who has received continuous assistance since February, 1983, will continue to be budgeted concurrently in March, 1983, and April, 1983, and will be budgeted retrospectively effective May 1, 1983. When earned income is being budgeted retrospectively on March 1, 1983, for a recipient, this rule is effective March 1, 1983)) After the first two months of initial eligibility, all income shall be budgeted retrospectively.~~

~~(a) The CSO shall compute the amount of assistance based on the income and circumstances which existed in the second month preceding the month for which the payment is made.~~

~~(b) Income received before the date of application approval shall not be considered for retrospective budgeting.~~

~~(c) Nonrecurrent income which is budgeted prospectively during the first two months of eligibility shall not be budgeted again when retrospective budgeting begins.~~

~~(d) Definitions:~~

~~((~~(a)~~)) (i) The calendar month for which payment is made shall be called the payment month.~~

~~((~~(b)~~)) (ii) The second calendar month preceding the payment month shall be called the budget/report month.~~

~~((~~(c)~~)) (iii) The calendar month between the budget/report month and the payment month shall be called the process month.~~

~~((~~(d)~~)) Nonrecurrent income which is budgeted prospectively during the first two months of eligibility shall not be budgeted again when retrospective budgeting begins:))~~

~~(5) See WAC 388-33-140 for effective date of increase ((when adding a person to the grant:~~

~~(6) When a change renders an individual ineligible, the effective date of ineligibility shall be the first of the month following the month in which the change occurred)) or decrease of the grant. See WAC 388-33-135 for effective dates of ineligibility.~~

AMENDATORY SECTION (Amending Order 1940, filed 1/28/83, effective 3/1/83)

WAC 388-28-535 NET CASH INCOME—DETERMINATION—DEDUCTIONS FROM GROSS INCOME—INCOME OF CHILD. (1) A child may receive income which is paid in his or her behalf to the ((parent(s))) parent or parents or other needy caretaker relative. Such income includes allotments, retirement, survivors and disability insurance, or veterans' benefits, court-ordered support payments, trust fund payments, or other income ((which is)) legally designated for the benefit of an individual child.

(a) The family shall have the option to:

(i) Include the child as a member of the assistance unit with all income considered as available to the assistance unit, or

(ii) Exclude the child from the assistance unit. In this instance none of the child's income is available to the assistance unit.

(b) If a child's income includes a portion for his or her caretaker relative, that portion shall be available to meet the need of the assistance unit.

(c) The child's requirements shall be the difference between the payment level of the assistance unit including the child and the payment level of the assistance unit excluding the child.

(d) If a child out of school is included in the assistance unit, his or her earnings shall be treated as specified in subsection (3)(f) of this section. Determination of the child's net income is made with the caretaker relative and with the child when indicated.

(2) If the child is not included in the assistance unit, his or her eligibility for medical assistance shall be determined individually.

(3) In determining the amount of a child's earned income available to meet the current need of the assistance unit of which he or she is a member, the following rules apply:

(a) All earned income of a child in an assistance unit shall be disregarded in determining payment amount when he or she is a full-time student or a part-time student who is not a full-time employee. See subsection (4) of this section for treatment of Job Training Partnership Act (JTPA) moneys.

(b) A student is one who attends a school, college or university, or a course of vocational or technical training designed to fit him or her for gainful employment, and includes a participant in the job corps program under the Economic Opportunity Act. A full-time student must have a school schedule equal to a full-time curriculum. A part-time student must have a school schedule equal to at least one-half of a full-time curriculum. A student ((who was)) enrolled during the school term just completed and ((who plans)) planning to return to school when school reopens shall retain his or her status as a student during the summer vacation.

(c) A child earning income by working in a sheltered workshop or other training facility for handicapped children shall be considered, for purposes of income exemption, as being at least a part-time student who is working less than full time.

(d) To be employed full time, a child must be working thirty-five hours a week or the number of hours considered full time by the industry for which he or she works, whichever is less.

(e) Summer employment of students shall not be considered as full-time employment due to the temporary nature of such employment, even though the hours worked may exceed thirty-five hours a week.

(f) In determining the amount of a nonstudent child's earned income available to meet the current needs of the assistance unit, net income shall be computed according to WAC 388-28-570.

~~(4) ((Earnings received by any person under Title III, Part C, Youth Employment Demonstration Program of the Comprehensive Employment and Training Act of 1973, Public Law 93-203 shall be disregarded in determining need and the amount of the public assistance payment under any federally assisted programs)) All wages or other income (training allowances, payments for supportive services, etc.) received under the Job Training Partnership Act (JTPA) by a dependent child who is a full-time student, or a part-time student who is not a full-time employee, shall be disregarded both for the one hundred fifty percent of need test, and in computing the family's assistance payment. See WAC 388-28-570(3) and (4)(d) for treatment of JTPA moneys received by a dependent nonstudent child.~~

AMENDATORY SECTION (Amending Order 1876, filed 9/15/82)

WAC 388-28-570 NET CASH INCOME—EXEMPT EARNED INCOME. (1) For rules on exempting earned income of a full- or part-time student, see WAC 388-28-535. For rules exempting income from training, see WAC 388-28-515. For rules on other income, see WAC 388-28-580.

(2) As used in this section, "earned income" shall mean income in cash or kind earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. ~~((ft))~~ Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the individual has managerial responsibility for the rental property.

(3) For an AFDC recipient, earned income includes ~~((incentive payments under MBTA,))~~ earnings under Title I of the Elementary and Secondary Education Act, all earnings received under the Economic Opportunity Act, wages ~~((paid under Title I of the Comprehensive Employment and Training Act (CETA), wages from public service employment under CETA, and wages))~~ from WIN on-the-job training, and wages paid under the Job Training Partnership Act (JTPA) to adults and nonstudent dependent children. See WAC 388-28-535(1) for treatment of a child excluded from the grant, and WAC 388-28-535(4) for a dependent full-time student receiving JTPA wages.

(a) For public service employment under the Emergency Assistance Act ~~((and CETA)),~~ the ~~(((\$30))~~ thirty-dollar plus one-third earned income exemption is applicable.

(b) For public service employment under WIN, the ~~(((\$30))~~ thirty-dollar plus one-third earned income exemption does not apply. If net income after work expenses are deducted does not meet need according to department standards, a supplemental grant may be paid.

(4) The ~~((above))~~ definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the individual is not himself or herself actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income." See WAC 388-28-580.

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, RSDI, etc. See WAC 388-28-580.

(c) Income from WIN ~~((or CETA))~~ incentive payments, and training-related expenses derived from WIN institutional or work experience training ~~((and from participation in CETA)).~~

(d) Income received under the Job Training Partnership Act for training allowances, payments for support services, etc. Such income shall be treated according to WAC 388-28-535(4) for dependent children who are full-time students. For adults and nonstudent dependent children, disregard all moneys directly related to expenses incurred from participating in the program. Exempt the remaining amount up to the difference between the need standard and the payment standard. Consider any amount in excess of the need standard as unearned income.

(5)(a) In AFDC and refugee assistance when payment of income earned over a period of more than one month is delayed, the exemption applies only to the period of payment.

(b) In general assistance, the exemption applies to the period during which ~~((ft))~~ the exemption was earned rather than the period of payment.

(6) Aid to families with dependent children and refugee assistance.

(a) The following shall be disregarded sequentially from the monthly gross earned income of each individual member of the assistance unit.

(i) Payroll deductions required by law or as a condition of employment, in the amounts actually withheld.

(ii) The following amounts for work expenses depending upon the number of hours worked per month.

Hours worked per month	Work expense deduction
0 - 40	\$ 20.00
41 - 80	40.00
81 - 120	60.00
121 or more	75.00

~~((ft))~~ (iii) The actual cost ~~((;))~~ not to exceed the following amounts depending upon the number of hours worked per month for the care of each dependent child or incapacitated adult living in the same home and receiving AFDC or refugee assistance. No deduction shall be made for child care provided by a parent or stepparent.

Hours worked per month	Child care maximum deductions
0 - 40	\$ 40.00
41 - 80	80.00
81 - 120	120.00
121 or more	160.00

~~((ft))~~ (iv) For individuals found otherwise eligible to receive assistance or who have received assistance in one of the prior four months, ~~(((\$30))~~ thirty-dollar plus one-third of the remainder not already disregarded.

~~((ft))~~ (v) The ~~(((\$30))~~ thirty-dollar and one-third disregard shall be applied for a maximum of four consecutive months; it cannot be applied again until he or she is a nonrecipient for twelve consecutive months.

Total gross monthly earned income for the purpose of this rule means the combined gross earned income of nonstudent dependent children and adults who are included in the AFDC assistance unit.

(b) The exemptions and deductions in ~~((subdivision))~~ subsection (6)(a)(ii) through (v) of this section will not be applied for any month if the individual within a period of ~~((30))~~ thirty days preceding the month in which the income was received:

(i) Terminated his or her employment or reduced his or her earned income without good cause, or

(ii) Refused without good cause to accept employment in which he or she is able to engage which is offered through SES, or is otherwise offered by an employer if the offer of such employment is determined by the local office to be a bona fide offer of employment, or

(iii) Failed without good cause as determined by the CSO, to report earnings to the department on or before the ~~((twenty-first))~~ eighteenth day of the month following the month in which the income was received, or by the first following work day if the eighteenth day of the month falls on a weekend or holiday. Under these circumstances, the ~~(((\$30))~~ thirty-dollar and one-third exemption shall be counted in the four-month limit. Any circumstance beyond the control of the recipient shall constitute good cause.

(c) If a recipient requests termination in order to break the consecutiveness of the four-month limit for the ~~(((\$30))~~ thirty-dollar plus one-third exemption, and would have been eligible, the months of voluntary nonreceipt of assistance shall be counted toward the four-month limit.

(d) If a recipient quits work without good cause, the thirty-dollar and one-third exemption shall be deemed to have been received and shall be counted toward the four-month limit.

(e) Months in which the ~~((A/R))~~ applicant/recipient received the thirty-dollar and one-third exemption in another state shall apply towards the four-month limit unless there is a break in assistance which was not done voluntarily to break the continuity of the four-month limit.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment:

- (a) Physical, mental, or emotional inability of the individual to satisfactorily perform the work required;
- (b) Inability of the individual to get to and from the job without undue cost or hardship to ~~((him/her))~~ him or her;
- (c) The nature of the work would be hazardous to the individual;

- (d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;
- (e) The job is available because of a labor dispute;
- (f) Adequate child care is not available to the single parent AFDC household.

~~((8) The rules in this section shall be effective February 1, 1982.))~~

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 1812, filed 5/19/82)

WAC 388-28-575 DISREGARD OF INCOME AND RESOURCES. (1) In determining need and the amount of the assistance payment in AFDC, the following shall be disregarded as income and resources:

(a) Any grant or loan to any undergraduate student for educational purposes made or insured under any programs administered by the commissioner of education, U.S. Department of Health and Human Services. The entire amount of such loan or grant is disregarded, irrespective of the use to which the funds are put.

(b) Any per capita judgment funds paid under ~~((Public Law)) P.L. 92-254~~ to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana.

(c) Any Indian claim settlement funds distributed per capita or held in trust as authorized in Section 7 of ~~((Public Law)) P.L. 93-134~~ or Section 6 of ~~((Public Law)) P.L. 94-114~~.

(d) The income and resources of an individual receiving benefits under Supplemental Security Income for the period such benefits are received.

(e) Any payments received by Alaska natives under the Alaska Native Claims Settlement Act, to the extent such payments are exempt from taxation under Section 21(a) of that act.

(f) From August 1, 1975, to September 30, 1976, forty percent of the first fifty dollars collected by the office of support enforcement in payment on the support obligations for the current month.

(g) ~~((Moneys received under the Comprehensive Employment and Training Act of 1973, as amended, as follows:~~

~~(i) The thirty dollars weekly incentive training allowance for AFDC recipients;~~

~~(ii) Earnings and allowances received by any youth under the youth incentive entitlement pilot projects, youth community conservation and improvement projects, and youth employment and training program)) Wages, training allowances, and all moneys received under the Job Training Partnership Act (JTPA) by a dependent child who is a full-time student or part-time student who is not a full-time employee shall be disregarded both for the one hundred fifty percent of need test and in computing the family's assistance payment.~~

(h) Retroactive AFDC benefits resulting from a court order modifying a department policy. ~~((This subdivision is effective April 1, 1978.))~~

(i) The part of a Veterans' Administration educational assistance payment for the student's educational expenses, such as, but not limited to, tuition, books, fees, equipment, transportation for school purposes, and child care services necessary for school attendance.

(j) HUD community development block grant funds obtained and used under conditions precluding use for current living costs.

(2) In determining need and the amount of the assistance payment in AFDC and GA, the following shall be disregarded as income and resources:

(a) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(b) The value of the coupon allotment under the Food Stamp Act of 1964, as amended.

(c) Any compensation provided to volunteers in ACTION programs established by Titles II and III of ~~((Public Law)) P.L. 93-113~~, the Domestic Volunteer Service Act of 1973. ~~((This policy is effective retroactively to October 1, 1973.))~~

(d) Any compensation provided volunteers in ACTION programs established by Title I of ~~((Public Law)) P.L. 93-113~~, the Domestic Volunteer Service Act.

(e) Any benefits received under the women, infants and children program (WIC) of the Child Nutrition Act of 1966, as amended and the special food service program for children under the National School Lunch Act, as amended.

(f) Payments made under the Community Services Administration's Emergency Energy Conservation Program of 1979.

(g) Energy assistance payments.

AMENDATORY SECTION (Amending Order 1940, filed 1/28/83, effective 3/1/83)

WAC 388-33-135 EFFECTIVE DATE OF CHANGE IN ELIGIBILITY. (1) A change in circumstances is any change ~~((which affects))~~ affecting eligibility and/or continued payment of the grant previously authorized.

~~(2) When a change in income causes ineligibility during the first two months of initial eligibility, prospective budgeting rules shall be followed. Ineligibility shall be effective the first of the month following the month of change.~~

~~(3) When a change in income causes ineligibility after the first two months of initial eligibility, retrospective budgeting rules shall be followed. Ineligibility shall be effective for the corresponding payment month (the first of the second month following the month of change).~~

~~((2)) (4) When a change of circumstances other than increased income renders the ((client)) assistance unit or any member of the assistance unit ineligible, the effective date of ineligibility is the first of the month following the month in which the change occurred. ((The corresponding process month.))~~

~~(3) When a change of circumstances results in an increase or reduction in the grant, WAC 388-33-140 is applicable.) For ineligibility of strikers, see WAC 388-24-042.~~

AMENDATORY SECTION (Amending Order 1994, filed 8/5/83)

WAC 388-33-140 EFFECTIVE DATE OF INCREASE OR DECREASE IN GRANT. (1) Increase or reduction in grant:

~~(a) ((When a change in circumstances, other than adding a person to a grant, results in an increase or reduction of the assistance grant, the effective date of the change is the first of the second month following the month in which the change occurred. See WAC 388-28-483.~~

~~((b)) When a person is added to the grant, the effective date of the change shall be the date the person entered the household or the date the person is determined eligible, whichever is later.~~

~~((c)) (b) When a person's needs are added to a grant because he or she is being removed from a sanction status, the effective date of the change ((is)) shall be the date the sanction is removed.~~

~~(c) When a person moves from a supplied shelter to a renting situation, the effective date of the grant increase shall be the date of the change.~~

~~(d) When any other change in circumstances results in an increase or reduction of the assistance grant, the effective date of the change is the first of the second month following the month in which the change occurred. See WAC 388-28-483.~~

(2) The effective date shall never precede the date the circumstances actually changed.

(3) Change in grant involving a canceled warrant:

When a warrant is canceled and assistance is to be reissued by an adjusting payment, the effective date of the grant as recomputed by the state office is the first of the month covered by the canceled warrant. If, according to the rule in subsection (1) of this section, any assistance is due the recipient for a month prior to that covered by the canceled warrant, the local office shall authorize a one-time grant.

WSR 83-20-055

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed September 30, 1983]

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 nursing home licensure program administration, amending chapter 388-98 WAC;

that the agency will at 2:00 p.m., Wednesday, November 9, 1983, in the H-19, Third Floor Conference Room, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 16, 1983.

The authority under which these rules are proposed is RCW 18.51.070.

The specific statute these rules are intended to implement is RCW 18.51.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 9, 1983.

Correspondence concerning this notice and proposed rules attached should be addressed to:

David A. Hogan, Director
Division of Administration and Personnel
Department of Social and Health Services
Mailstop OB 14
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, Phone (206) 753-7015, by October 26, 1983. The meeting site is in a location which is barrier free.

Dated: September 30, 1983

By: David A. Hogan, Director
Division of Administration and Personnel

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending WAC 388-98-001 and new WAC 388-98-700.

The Purpose of the Rule: To clarify legislative intent regarding protection of patient health and safety by stopping the admissions of patients into nursing homes which have deficiencies that constitute a threat to patient health or safety.

The Reason this Rule is Necessary: To clarify that the same protection applies to all patients as is currently provided to Medicaid patients.

Statutory Authority: RCW 18.51.007, 18.51.070 and 74.42.620.

Summary of Rule Change: WAC 388-98-001 (amended) defines the term "stop placement" and WAC 388-98-700 (new) requires the department to prohibit admissions of patients regardless of payment source, to nursing homes which have deficiencies that constitute a threat to patient health or safety.

Person Responsible for the Drafting, Implementation and Enforcement of the Rule: Conrad Thompson, Director, Bureau of Nursing Home Affairs, Phone: 754-1643, Mailstop: OB-31.

These rules are not necessary as a result of federal law, court decision, or state court decision.

No economic impact is expected as a result of this change.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-001 DEFINITIONS. (1) For purposes of this section, the following words or phrases shall have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity which seeks a license to operate a nursing home.

(3) "Deficiency" means a finding by the department written on a statement of deficiency/plan of correction form indicating the part(s) of chapter 248-14 WAC that are not met.

(4) "Department" means the state department of social and health services.

(5) "Director" means an individual who has been elected or appointed as director of a corporation.

(6) "Licensed nursing home" means a nursing home licensed pursuant to chapter 18.51 RCW.

(7) "Licensee" means an individual, partnership, corporation, or other legal entity to whom a license to operate a nursing home has been granted or a person subject to such licensure as determined by the department but does not include any employee of such licensee or person unless that employee is an owner of five percent or more of the assets of the licensed entity.

(8) "Licensee's agent" means the designated nursing home administrator, or an individual allowed to perform managerial functions in his/her absence.

(9) "Officer" means an individual who has been appointed an officer of a corporation.

(10) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a sale proprietorship, the owner, or if owned as community property, the owner and his/her spouse; or

(b) In the case of a corporation, the owner of at least five percent of the capital stock of said corporation; or

(c) In the case of any other type of business entity, the owner of a beneficial interest in at least five percent of the capital assets of such entity.

(11) "Partner" means an individual who is in a partnership which owns or operates a nursing home.

(12) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of the period of time for correction of each class of deficiency, the department will consider:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to any resident;

(b) The minimum amount of time practicably required to correct.

(13) "Stop placement" means action instituted by the department prohibiting nursing home admissions, readmissions, and transfers of individual patients.

NEW SECTION

WAC 388-98-700 STOP PLACEMENT. (1) When, in the judgment of the department, a nursing home has violations of state and/or federal requirements that constitute a threat to patient health and safety, the department shall prohibit admissions to the facility except that: Readmissions from the hospital may be approved when it is determined by the department that such readmission would be in the best interest of the individual patient.

(2) The stop placement may be lifted when:

(a) The provider states in writing that the conditions necessitating the stop placement action have been corrected; and

(b) Department staff confirms in a timely fashion that the conditions necessitating the stop placement action have been corrected and that the provider exhibits the capacity to continue to deliver adequate care and service.

(3) A nursing home provider shall have the right to request an informal conference within ten days to discuss stop placement action.

(4) A nursing home provider shall have the right to request a fair hearing within thirty days of oral notice of the stop placement to appeal a stop placement action.

(a) A request for a fair hearing shall not suspend or delay a stop placement.

(b) A final decision shall be rendered within seven calendar days of the hearing, unless extended by a continuance of the hearing requested by or consented to by the appellant.

(5) The stop placement will remain in effect until there is a final administrative determination or until the conditions of subsection (2) of this section have been satisfied.

WSR 83-20-056
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2002—Filed September 30, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to food stamps, amending chapter 388-54 WAC.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to conform to amendments to 7 CFR 271, 272 and 273 published in the Federal Register on May 25, 1982, starting on page 22697.

These rules are therefore adopted as emergency rules to take effect on October 1, 1983.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1905, filed 11/18/82)

WAC 388-54-620 APPLICATION AND PARTICIPATION—INTERVIEW. (1) All food stamp households (~~including those submitting applications by mail~~) shall have a face-to-face interview prior to certification or recertification (~~except: Food stamp households where all members are subject to mandatory monthly reporting (MMR) which may, at the option of the department, be excluded from the face-to-face interview requirement at recertification~~). The individual interviewed may be (~~the head of the household, a spouse,~~) any responsible member of the household or an authorized representative. The applicant may bring any person he or she chooses to the interview. (~~The department shall review the information on the application as well as explore and resolve unclear and incomplete information.~~) Households shall be advised of (~~the~~) rights and responsibilities (~~to include the appropriate application processing standards and the household's responsibility to report changes~~).

(2) (~~All food stamp applications from SSI households processed by SSADO are excluded from the department's in-office interview requirement.~~)

(3) Except as provided in WAC 388-54-615(1), all interviews (will take place) shall be conducted in the certification office (except in those cases where an)

unless the office visit is waived; then a home visit or telephone interview is required. (Office visits can be waived:

(a)) (3) Office visits can be waived if the household is unable to appoint an authorized representative and has no (adult) responsible member able to visit the office because of hardships such as, but not limited to, illness, lack of transportation, prolonged severe weather, work hours, care of a household member (or), remoteness, age sixty-five or over, mental or physical handicap.

(~~(b) If the household is unable to appoint an authorized representative and has no adult member able to visit the office because of age (sixty-five or over), mental or physical handicap.~~)

(4) (~~(A)~~) The department may make a home visit (shall be used) only if the time of the visit is scheduled in advance with the household.

AMENDATORY SECTION (Amending Order 1956, filed 4/6/83)

WAC 388-54-760 CERTIFICATION PERIODS—DURATION. (1) (~~Based upon a thirty-day month, the value of the allotment issued to an eligible household for the initial month shall be prorated from the date of application through the end of the month, except no allotment shall be issued of less than ten dollars for the initial month.~~)

(2) ~~An assistance household shall be assigned a certification period which coincides with the scheduled assistance (reviews so that the review of the grant and food stamp basis of issuance can be accomplished simultaneously, except:~~

(a) ~~Food stamp households where all members are subject to mandatory monthly reporting (MMR) may be certified for up to twelve months.~~

(b) ~~Households whose assistance is authorized for less than six months may be assigned certification periods to coincide with the assistance authorization.~~

(3) ~~Other households shall be certified for at least three months or assigned the longest certification period possible based on the predictability of the household's circumstances, except as follows:~~

(a) ~~Certification may be for less than three months when there is a possibility of frequent changes in income or household status:~~

(i) ~~A household eligible for a certification period of three months or less shall, at the time of certification, have this certification period increased by one month, if the certification process is completed after the fifteenth day of the month of application and the household's circumstances warrant the longer certification period.~~

(ii) ~~A household with one or more members on strike shall be assigned a certification period of no more than one month if the household is certified before the fifteenth day of the month; otherwise, the maximum certification period shall be for two months unless the department wishes to assign a longer certification period and the household signs a waiver of notice of adverse action.~~

(b) ~~In situations in which there is little likelihood of changes in financial situation and household size, the~~

household may be recertified for up to six months)) review.

(2) Nonassistance households consisting solely of migrants and/or seasonal farmworkers shall be assigned a certification period of three months or less.

~~((c)) (3) ((A household consisting solely of unemployable persons with very stable income from retirement, disability payments or similar sources)) Households without earned income and all members are at least sixty years of age or receive SSA or SSI may be certified up to twelve months((; provided that other household circumstances are expected to remain stable)).~~

~~((d) A household whose primary source of income is from self-employment, farm operations or farm employment may be certified up to twelve months, provided income can be readily predicted and household circumstances are not likely to change. A household with additional income from other sources shall be assigned a certification period in accordance with subsection (3) (a), (b), and (c) of this section.))~~

(4) All other households shall be assigned certification periods of six months.

AMENDATORY SECTION (Amending Order 1720, filed 11/18/81)

WAC 388-54-765 CERTIFICATION PERIODS—NOTICES TO HOUSEHOLDS. (1) ((The applicant household shall be provided with one of the following written notices as soon as determination is made but no later than thirty days after the date of initial application:

(a) Notice of eligibility. Written notice containing the amount of the allotment, beginning and ending dates of the certification period, the right to a fair hearing, an information phone number and information regarding free legal representation.

(b) Notice of denial. Written notice explaining basis for denial, right to a fair hearing, information phone number and information about free legal services.

(c) Notice of pending status. Written notice informing the household that its application is still being processed, whether some action by the household is needed to complete the application, what this action is, and that the application will be denied if the household fails to take the required action within sixty days of the date the application was filed)) A written notice of eligibility, denial, or pending status shall be provided to all applicant households as soon as a determination is made but not later than thirty days after the date of initial application.

(2) ((Notice of adverse action. Prior to any action to reduce or terminate a household's benefits within the certification period the department shall provide notice to the household at least ten days prior to the action)) The department shall notify certified households prior to effecting any change in benefit levels except as provided in subsection (2)(c) of this section.

(a) ((This notice shall include:

- (i) The proposed action and reason for the action;
- (ii) The household's right to a fair hearing;
- (iii) An information telephone number;
- (iv) The availability of continued benefits;

(v) The liability for any overissuances received while awaiting a fair hearing if the decision is adverse to the household;

(vi) Notice of availability of free legal services)) Households shall be given at least ten days advance notice prior to any action to reduce or terminate benefits within the certification period except as provided in subsections (2)(b) and (2)(c) of this section.

(b) For changes reported on the monthly status report as part of food stamp monthly reporting, the department shall notify households by the date benefits are to be received or in place of the benefits.

(c) ((A notice of adverse action is)) Advance notice shall not be required when:

(i) Mass changes are made by federal or state government((; except as provided for in subdivision (c) of this subsection));

(ii) The department determines that the members of a household have died;

(iii) The household has moved from the ((project area)) state;

(iv) Restoration of lost benefits is completed and the household was previously notified in writing of when the increased allotment would terminate;

(v) Allotment varies from month to month and the household was notified at the time of certification that these changes would be made;

(vi) If the household experiences reduction in benefits upon approval of a PA grant and was so notified at the time of application;

(vii) A household member is disqualified for ((fraud)) intentional program violation or the benefits of the remaining household members are reduced or terminated to reflect the disqualification of that household member((;

(viii) The household contains a member subject to a strike and signs a waiver of its right to notice of adverse action for purposes of receiving a longer certification period than is otherwise allowed for such households.

(c) A notice of adverse action will be required because of mass changes resulting from the implementation of the Food Stamp Act of 1977. The department shall send an individual notice of adverse action to each household that receives a reduction or termination in benefits during its certification period due to these regulations. The notice of adverse action shall explain to the household:

(i) That the change is the result of changes in federal law;

(ii) That although the household has the right to request a fair hearing, benefits will be continued pending the fair hearing only if the household believes its eligibility or benefit level was computed incorrectly under the new law, or that the new law is being misapplied or misinterpreted.

(d) Instead of an individual notice, the department shall send a general notice to all or part of the food stamp caseload when new eligibility rules are matched by computer with current history file information.

The general notice shall explain that the cause of the allotment change, if any, is the Food Stamp Act of 1977, and the circumstances for continuing or reinstating the household's former level of benefits as in an individual

notice. ~~The general notice shall be sent no later than the allotment of ATP that adjusts the household's benefits to the new program).~~

NEW SECTION

WAC 388-54-768 **FOOD STAMP MONTHLY REPORTING.** (1) As a condition of continuing eligibility for food stamps, each recipient subject to food stamp monthly reporting must return to the department a completed monthly status report (MSR) by the fifth day of the month following the month for which the MSR describes the household circumstances.

(2) Failure to return a completed MSR by the fifth day of the month shall result in termination, except as provided in subsection (3) of this section.

(3) If the recipient furnishes the completed report to the department by the compliance date, the department shall:

- (a) Accept the monthly status report; and
- (b) Continue food stamps if the information on the monthly status report indicates the recipient is still eligible.

AMENDATORY SECTION (Amending Order 1905, filed 11/18/82)

WAC 388-54-770 **CERTIFICATION PERIODS—HOUSEHOLDS RESPONSIBILITY TO REPORT.** (1) Certified households ~~((are required to))~~ subject to a monthly reporting requirement shall report as specified in WAC 388-54-768.

(2) All other certified households shall report changes within ten calendar days of the date the change becomes known to the household. Reporting may be by telephone, mail, or personal contact.

(3) Certified households subject to the reporting requirement of subsection (2) of this section shall report the following changes in circumstances:

- (a) Changes in gross monthly income of more than twenty-five dollars and source of income, except changes in public assistance grants.
- (b) All changes in household composition such as addition or loss of a household member.
- (c) Changes in residence and the resulting change in shelter costs.
- (d) The acquisition of a licensed vehicle not fully exempt under WAC 388-54-717.
- (e) When nonexempt liquid resources reach or exceed one thousand five hundred dollars. (See WAC 388-54-715(1)(a)).
- (f) A change of more than twenty-five dollars for deductible medical expense.

~~((2)) Certified households shall report changes within ten calendar days of the date the change becomes known to the household. Reporting may be by telephone, mail or personal contact.~~

~~((3))~~ (4) Applying households shall report changes related to food stamp eligibility and benefits at the certification interview. Changes, as provided in subsection ~~((+))~~ (2) of this section, which occur after the interview but before the date of the notice of eligibility, shall

be reported by the household within ten days of the date of notice.

~~((+))~~ (5) Changes shall be considered to be reported by the household on the date the report is received by the CSO or if mailed the date the household's report is postmarked.

~~((5)) Individuals shall not be disqualified for failing to report a change, unless the individual is disqualified in accordance with the fraud disqualification procedures.~~

~~(6) The client is entitled to receive:~~

~~(a) A change report form at the time of initial certification.~~

~~(b) Acknowledgment of receipt of a notice of change given by the client to the department pursuant to subsection (2) of this section.~~

~~(c) Notification of the amount of change in the allotment if the reported change results in such an adjustment.~~

~~(d) Notification of any additional verification requirements brought about by the reported change of circumstances.~~

~~(e) Notification that failure to provide required verification within ten days will result in delay of increased benefits.~~

~~(f) A new change report form when a change has been reported.)~~

(6) Public assistance households which report a change in circumstances for grant purposes shall be considered to have reported the change for food stamp purposes.

(7) Changes reported to the department shall be documented in the case record.

AMENDATORY SECTION (Amending Order 1653, filed 5/20/81)

WAC 388-54-775 **CERTIFICATION PERIODS—EFFECTING CHANGES DURING.** (1) ~~((For))~~ Changes ~~((which result in))~~ occurring in the initial beginning month or changes for households consisting solely of migrants and/or seasonal farmworkers shall be effective as follows:

(a) Except as provided in subsection (1)(b) of this section, an increase in benefits ((the department will make the change)) shall be effective not later than the first allotment issued ten days after the change was reported to the department, provided that the household has furnished the required verification ((within ten days)). ((The time frames shall run from the date the change was reported, not from the date of verification.)) If verification is not provided within ten days from the date the change was reported, the increase in benefits shall be effective not later than the first allotment issued ten days after the verification is provided.

~~((2))~~ (b) ~~((For changes which result in))~~ An increase in a household's benefits due to the addition of a new household member who is not a member of another certified household, or due to a decrease of fifty dollars or more in the household's gross monthly income ~~((the department shall:~~

~~(a) Make the change effective not later than the first allotment issued ten days after the date the change was reported, except that;~~

~~(b) In no event shall these changes take effect any later than~~ shall be effective the month following the month in which the change is reported.

~~((3) If the household's benefit level decreases or the household becomes ineligible as a result of the change, the department will take the following action:~~

~~(a) Issue a notice of adverse action within ten days of the date the change was reported.~~

~~(b)) (c) ((The decrease)) Decreases in the benefit level shall be made effective with the first allotment ((to be issued)) after the ten-day notice of adverse action has expired, provided a fair hearing and continuation of benefits have not been requested.~~

~~((4) If the department discovers that the household has failed to report a change as required and has received benefits to which it was not entitled, the department shall file a claim against the household for the amount of the overpayment.~~

~~Individuals shall not be terminated for failing to report a change, unless the individual is disqualified in accordance with the fraud disqualification procedures.~~

~~(5) Public assistance households which report a change in circumstances to the department shall be considered to have reported the change for food stamp purposes.~~

~~(6) Changes reported to the department pursuant to WAC 388-54-770(2), whether they result in an increase, decrease or no change in the allotment amount shall be documented in the case records as to:~~

~~(a) Date received, and~~

~~(b) Circumstances.~~

~~(7)) (2) ((If the department fails to take action on reported changes as specified in subsection (1) of this section, restoration of lost benefits shall be provided to the client)) All other changes from a report month shall be effective in the corresponding payment month in the food stamp monthly reporting cycle.~~

AMENDATORY SECTION (Amending Order 1956, filed 4/6/83)

WAC 388-54-780 RECERTIFICATION PROCESS. (1) ~~((If the household makes timely application, recertification shall be completed prior to the expiration of the current certification period to give members opportunity to participate in a normal issuance cycle the month following.~~

~~(2) A)) The department shall provide a notice of expiration ((must be provided)) to ((the)) all eligible households ((except for joint PA applicant households.)) as follows:~~

~~(a) Not earlier than fifteen days prior to, and not later than, the first day of the household's last month of certification, for households certified over a multimonth period; or,~~

~~(b) At the time of certification, if the household is certified for one month, or initially certified for two months during the month after the month of application.~~

~~((c) The notice shall contain:~~

~~(i) The date the current certification ends.~~

~~(ii) The date the household must file to receive uninterrupted benefits.~~

~~(iii) The household's right to request an application and have the department accept an application so long as it is signed and contains a legible name and address.~~

~~(iv) The address of the office where the application must be filed.~~

~~(v) The consequences of failure to comply with the notice.~~

~~(vi) The right to file through an authorized representative or through the mail.~~

~~(vii) The requirement to participate in a face-to-face recertification interview.~~

~~(viii) The right to a fair hearing.~~

~~(d)) (2) A household provided a notice of expiration at the time of certification has fifteen days from the date the notice is received to ((apply)) timely reapply. All other households must apply by the fifteenth day of the last month of certification to be considered timely.~~

~~(3) A household certified for one month that has applied in a timely manner ((and has been determined eligible shall experience no interruption in benefits.~~

~~(a) Those provided notice at time of certification)) shall be notified of ((their)) the household's status and if eligible provided an opportunity to participate not later than thirty days after the date the household had an opportunity to obtain its last allotment. ~~((b) Those applying by the fifteenth day of the last month of their certification period)) All other households having timely reapplied shall ((be)) have their application approved or denied and be notified of ((their)) the household's status by the end of ((their)) the current certification period and if eligible permitted to participate in ((their)) the normal issuance cycle.~~~~

~~((c) Those households which through department error were not recertified in time to participate in their normal issuance cycle shall be given immediate opportunity to do so even outside of the normal issuance system.))~~

~~(4) ((Households not able to participate in accordance with subsection (3) of this section through department error shall be entitled to restoration of lost benefits if their benefits were interrupted.~~

~~(5)) A household ((which fails)) failing to submit a timely reapplication for recertification or appear for a face-to-face interview scheduled after a timely reapplication, without good cause, shall lose its right to uninterrupted benefits.~~

~~((a) A household which refuses to cooperate in providing required information or refuses to cooperate in any subsequent review of its eligibility, including a quality control review, shall be denied.~~

~~(b) An application for recertification submitted after the end of the current certification period shall be treated as an initial certification except that previously verified income or expenses which change by twenty-five dollars or less shall not be verified if the application is received within thirty days after the previous certification period expires.~~

~~(6) If a household's failure to apply in a timely manner was with good cause, the department will restore to the household the lost benefits, if there was interruption of benefits. Determination of good cause shall be made on a case-by-case basis and shall include, but not be~~

limited to, failure to receive timely notice of expiration or personal illness.))

WSR 83-20-057
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2021—Filed September 30, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Food stamps—Verification of eligibility, amending WAC 388-54-630.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to implement amendments to 7 CFR 271, 272 and 273 published in the Federal Register of May 25, 1982, starting on page 22684.

These rules are therefore adopted as emergency rules to take effect on October 1, 1983.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1956, filed 4/6/83)

WAC 388-54-630 APPLICATION AND PARTICIPATION—VERIFICATION. (~~((1) Mandatory verifications shall include:~~

~~(a) Gross nonexempt income. Where verification is not possible because either the person or organization providing the income has failed to cooperate or is unavailable, the department shall determine the amount to be used for certification purposes based on the best available information.~~

~~(b) Alien status. The department shall verify the alien status of those household members identified as aliens on the application by the use of INS documents, court orders or other appropriate documentations in possession of the household member. The following applies:~~

~~(i) The alien may contact INS to obtain the necessary verification.~~

~~(ii) If the alien does not wish to contact INS, the household shall be given the option of withdrawing the application or participating without the alien member.~~

~~(iii) If an alien is unable to provide INS documents, the department has no responsibility to offer to contact INS on the alien's behalf. The department's responsibility exists only when the alien has an INS document that does not clearly establish eligible or ineligible alien status. The department shall not contact INS to obtain information about the alien's correct status without the alien's written consent.~~

~~(iv) While awaiting acceptable verification, the alien whose status is questionable shall be ineligible. The income and resources of the ineligible alien shall be treated in the same manner as a disqualified individual as found in WAC 388-54-830.~~

~~(c) A Social Security number (SSN) for each household member (effective February 1, 1983):~~

~~(i) Certification shall be delayed for the verification of SSNs.~~

~~(ii) A verified SSN shall be reverified only if the SSN or the identity of the individual becomes questionable.~~

~~(iii) If verification of SSN is not completed, the household shall provide proof of application from SSADO.~~

~~(iv) If verification is not completed, only the individual whose SSN is not verified shall be disqualified if he or she is unable to show "good cause" for failure to acquire or apply for the SSN. (See WAC 388-54-687.)~~

~~(d) Identity. The department shall verify the identity of the person making the application. When an authorized representative applies for a household, the identity of the authorized representative and the head of household shall be verified.~~

~~(e) Residency. The residency requirements in WAC 388-54-685 shall be verified except in unusual cases (such as migrant households or households newly arrived in the area) where verification of residency cannot reasonably be accomplished.~~

~~(f) Continuing shelter expenses. Shelter costs, other than utilities, shall be verified if allowing the expense could potentially result in a deduction. Verification will be on a one-time basis unless the household has moved, reported an increase in cost which would affect the level of the deduction (only the changed cost shall be verified) or unless questionable.~~

~~(g) Utility expenses. The department shall verify utility expenses:~~

~~(i) If the household is entitled to the utility standard (heating or cooling costs shall be verified on a one-time basis unless the household has moved, changed its utilities or the information is questionable), or~~

~~(ii) If the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction.~~

~~(iii) Utility expenses claimed for an unoccupied home will be the actual expenses incurred.~~

~~(2) If a deductible expense which a household is entitled to claim (shelter cost, utilities, medical) cannot be verified within thirty days of the date of application, the department shall determine the household's eligibility and benefit level without providing a deduction of the claimed but unverified expense.~~

~~(3) The following need not be verified unless inconsistent with other information on the application, previous~~

~~applications or other documented information known to the department.~~

~~(a) Resource information or the exempt status of income.~~

~~(b) Nonfinancial information such as household composition, deductible expenses, liquid resources and loans, and citizenship.~~

~~If it is necessary to verify a loan, a simple statement signed by both parties to the loan shall be sufficient.~~

~~(4) The following sources of verification shall be used:~~

~~(a) Documentary evidence shall be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Whenever documentary evidence cannot be obtained, the department shall use alternate sources of verifications such as:~~

~~(i) Collateral contacts. A collateral contact is a verbal confirmation of a household's circumstances by a person outside of the household. This contact may be made either in person or over the phone with any individual who can provide an accurate third-party verification of the household's statements.~~

~~(ii) Home visits shall be made only if documentary evidence cannot be obtained and the visit is scheduled in advance with the household.~~

~~(b) Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination.~~

~~(5) The household has primary responsibility for providing documentary evidence to support its income statements and to resolve any questionable information. If it would be difficult or impossible for the household to obtain the documentary evidence in a timely manner, the department shall offer assistance in obtaining this evidence. Designation of a collateral contact is also the responsibility of the household.~~

~~(6) At recertification, a change in income or source of income, medical expenses or actual utility expenses claimed, in an amount over twenty-five dollars, shall be verified.~~

~~(a) All other changes shall be subject to the same verification procedures as apply at initial certification.~~

~~(b) Unchanged information shall not be verified unless questionable.) (1) Sources of verification shall be:~~

~~(a) Documentary evidence. Documentary evidence consists of a written confirmation of a household's circumstances and shall be the primary source of verification. Whenever documentary evidence cannot be obtained, the department shall use alternate sources of verifications, such as collateral contacts or home visits.~~

~~(b) Collateral contacts. A collateral contact is a verbal contact confirmation of a household's circumstances by a person outside the household. A collateral contact is the secondary source of verification (except for household size and citizenship).~~

~~(c) Home visits. Home visits shall be scheduled in advance with the household. See WAC 388-54-620(4).~~

~~(2) The household has primary responsibility for providing documentary evidence. If it would be difficult or impossible for the household to obtain the documentary evidence in a timely manner, the department shall offer assistance in obtaining this evidence. Designation of a~~

collateral contact is the responsibility of the household; however, the CSO may designate a collateral contact if collateral contact designated by the client is not acceptable.

(3) Mandatory verifications shall include:

(a) Identity of the person making the application. When an authorized representative applies for a household, the identity of the authorized representative and the head of household shall be verified.

(b) Residency, except in unusual cases where verification of residency cannot reasonably be accomplished.

(c) Social Security Number (SSN) for each household member. If verification is not completed, only the individual whose SSN is not verified shall be disqualified if he or she is unable to show "good cause" for failure to acquire the SSN (see WAC 388-54-687).

(d) Resources.

(e) Loans.

(f) Gross nonexempt income. Gross nonexempt income shall be verified for all households prior to certification (except expedited service households).

(g) Continuing shelter expenses, other than utilities, if allowing the expense could potentially result in a deduction. Verification will be on a one-time basis unless the household has moved, reported an increase in cost which would affect the level of the deduction, or unless questionable.

(h) Utility expenses.

(i) If the household is entitled to the utility standard, heating and/or cooling costs shall be verified on a one-time basis unless the household has moved, changed its utilities, or the information is questionable.

(ii) If the household wishes to claim expenses in excess of the utility standard and the expense would actually result in a deduction, excess utility costs shall be verified.

(i) Medical care costs. Verify medical expenses that will result in a deduction including the amount of reimbursement. If reimbursement cannot be verified, certify without allowing the expense.

(j) Dependent care cost. Verify actual costs of care of a child or other dependent when necessary for a household member to seek, accept, or continue employment or training.

(k) Household size. Verify the number of individuals within a food stamp household who reside in a domicile.

(l) Household composition. Verify the number of people who customarily purchase and prepare meals together.

(4) Verification of questionable information. Verify all other factors of eligibility prior to certification if the factors are questionable and affect a household's eligibility or benefit level. Questionable factors shall include but not be limited to:

(a) Citizenship. When a household's statement that one or more of its members are U.S. citizens is questionable, the household shall be asked to provide verification.

(b) Alien status. When a household identifies that a member is not a citizen, verification of alien status is required.

(i) The alien not providing documentation of status shall be ineligible.

(ii) The household is responsible for providing documentation of alien status. The department shall not contact INS to obtain information about the alien's correct status without the alien's written consent.

(iii) The household shall be given the option of withdrawing the application or participating without the alien member.

(iv) The income and resources of the ineligible alien shall be treated in the same manner as a disqualified individual as found in WAC 388-54-830.

(5) Verification at reapplication. At reapplication, a change in income or source of income, medical expenses, or actual utility expenses claimed in an amount over twenty-five dollars must be verified.

(a) All other changes may be reverified at recertification.

(b) Verifications shall be subject to the same verification procedures as apply during initial verification.

(6) For cases subject to food stamp monthly reporting, the department shall verify on a monthly basis:

(a) Gross nonexempt income;

(b) Utility expenses which exceed the standard;

(c) All other questionable information;

(d) Alien status if changed.

WSR 83-20-058
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2027—Filed September 30, 1983]

I, David A. Hogan, director of the Division of Administration and Personnel, do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd ch. 388-28 WAC AFDC and GAU—Eligibility—Need.
 Amd ch. 388-33 WAC AFDC and GAU—Grant or vendor payment.

I, David A. Hogan, find that an emergency exists and that this 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 the emergency is these rules are necessary to implement amendments to 45 CFR 233 as published in the Federal Register of July 15, 1983, beginning on page 32346, a consent order in the case of Hardy v. Gibbs (No. 82-2-00408-9) and a preliminary injunction in the case of Williamson v. Gibbs (No. C83-164R).

These rules are therefore adopted as emergency rules to take effect on October 1, 1983.

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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By David A. Hogan, Director
 Division of Administration and Personnel

AMENDATORY SECTION (Amending Order 1940, filed 1/28/83, effective 3/1/83)

WAC 388-28-483 RETROSPECTIVE BUDGETING, PROSPECTIVE BUDGETING, AND PROSPECTIVE ELIGIBILITY. (1) The CSO shall determine eligibility ((using prospective eligibility and the amount of the payment using retrospective or prospective budgeting)) based on the best estimate of income and circumstances which will exist in the month for which the assistance payment is made.

(2) ((Prospective eligibility means if a change of circumstances renders the client ineligible, no payment shall be authorized the month following the month the change occurred. (The corresponding process month))) For the first two months of initial eligibility, all income shall be budgeted prospectively. (See subsection (3) of this section for exceptions.) The CSO shall compute the amount of the assistance payment based on the expected income and circumstances which will exist in the month for which the assistance payment is made.

(3) ((Prospective budgeting means during the first two months of initial eligibility following application, the CSO shall determine eligibility and payment amount based upon its best estimate of the applicant's expected income and circumstances which will exist in the month for which the assistance payment is made. The following is an exception to this rule. Payment for an applicant shall be determined using retrospective budgeting when assistance had been suspended due to an extra payday for the month prior to the month of application and)) Retrospective budgeting shall be used for the first two months of initial eligibility when:

(a) There has been less than one month's break in assistance (i.e., the applicant received assistance in the preceding month, or would have received assistance except for the prohibition on payments less than ten dollars).

(b) Assistance had been suspended due to an extra pay day for the month prior to the month of application, assistance had been terminated at the end of the month of suspension, and the applicant's circumstances for the initial authorization month have not changed significantly from those prior to termination. ((This rule is effective March 1, 1983.))

(c) A case is reopened as terminated in error.

(4) ((Retrospective budgeting means, after the first two months of initial eligibility, the CSO shall compute the amount of the payment for any month based upon income and circumstances which existed in the second month preceding the month for which payment is made.

Unearned, recurrent income which is being budgeted concurrently for an individual, who has received continuous assistance since February, 1983, will continue to be

~~budgeted concurrently in March, 1983, and April, 1983, and will be budgeted retrospectively effective May 1, 1983. When earned income is being budgeted retrospectively on March 1, 1983, for a recipient, this rule is effective March 1, 1983)) After the first two months of initial eligibility, all income shall be budgeted retrospectively.~~

(a) The CSO shall compute the amount of assistance based on the income and circumstances which existed in the second month preceding the month for which the payment is made.

(b) Income received before the date of application approval shall not be considered for retrospective budgeting.

(c) Nonrecurrent income which is budgeted prospectively during the first two months of eligibility shall not be budgeted again when retrospective budgeting begins.

(d) Definitions:

~~((a))~~ (i) The calendar month for which payment is made shall be called the payment month.

~~((b))~~ (ii) The second calendar month preceding the payment month shall be called the budget/report month.

~~((c))~~ (iii) The calendar month between the budget/report month and the payment month shall be called the process month.

~~((d) Nonrecurrent income which is budgeted prospectively during the first two months of eligibility shall not be budgeted again when retrospective budgeting begins.))~~

(5) See WAC 388-33-140 for effective date of increase ~~((when adding a person to the grant.~~

~~(6) When a change renders an individual ineligible, the effective date of ineligibility shall be the first of the month following the month in which the change occurred)) or decrease of the grant. See WAC 388-33-135 for effective dates of ineligibility.~~

AMENDATORY SECTION (Amending Order 1940, filed 1/28/83, effective 3/1/83)

WAC 388-28-535 NET CASH INCOME—DETERMINATION—DEDUCTIONS FROM GROSS INCOME—INCOME OF CHILD. (1) A child may receive income which is paid in his or her behalf to the ((parent(s))) parent or parents or other needy caretaker relative. Such income includes allotments, retirement, survivors and disability insurance, or veterans' benefits, court-ordered support payments, trust fund payments, or other income ((which is)) legally designated for the benefit of an individual child.

(a) The family shall have the option to:

(i) Include the child as a member of the assistance unit with all income considered as available to the assistance unit, or

(ii) Exclude the child from the assistance unit. In this instance none of the child's income is available to the assistance unit.

(b) If a child's income includes a portion for his or her caretaker relative, that portion shall be available to meet the need of the assistance unit.

(c) The child's requirements shall be the difference between the payment level of the assistance unit including the child and the payment level of the assistance unit excluding the child.

(d) If a child out of school is included in the assistance unit, his or her earnings shall be treated as specified in subsection (3)(f) of this section. Determination of the child's net income is made with the caretaker relative and with the child when indicated.

(2) If the child is not included in the assistance unit, his or her eligibility for medical assistance shall be determined individually.

(3) In determining the amount of a child's earned income available to meet the current need of the assistance unit of which he or she is a member, the following rules apply:

(a) All earned income of a child in an assistance unit shall be disregarded in determining payment amount when he or she is a full-time student or a part-time student who is not a full-time employee. See subsection (4) of this section for treatment of Job Training Partnership Act (JTPA) moneys.

(b) A student is one who attends a school, college or university, or a course of vocational or technical training designed to fit him or her for gainful employment, and includes a participant in the job corps program under the Economic Opportunity Act. A full-time student must have a school schedule equal to a full-time curriculum. A part-time student must have a school schedule equal to at least one-half of a full-time curriculum. A student ((who was)) enrolled during the school term just completed and ((who plans)) planning to return to school when school reopens shall retain his or her status as a student during the summer vacation.

(c) A child earning income by working in a sheltered workshop or other training facility for handicapped children shall be considered, for purposes of income exemption, as being at least a part-time student who is working less than full time.

(d) To be employed full time, a child must be working thirty-five hours a week or the number of hours considered full time by the industry for which he or she works, whichever is less.

(e) Summer employment of students shall not be considered as full-time employment due to the temporary nature of such employment, even though the hours worked may exceed thirty-five hours a week.

(f) In determining the amount of a nonstudent child's earned income available to meet the current needs of the assistance unit, net income shall be computed according to WAC 388-28-570.

(4) ((Earnings received by any person under Title III, Part C, Youth Employment Demonstration Program of the Comprehensive Employment and Training Act of 1973, Public Law 93-203 shall be disregarded in determining need and the amount of the public assistance payment under any federally assisted programs)) All wages or other income (training allowances, payments for supportive services, etc.) received under the Job Training Partnership Act (JTPA) by a dependent child who is a full-time student, or a part-time student who is not a full-time employee, shall be disregarded both for

the one hundred fifty percent of need test, and in computing the family's assistance payment. See WAC 388-28-570(3) and (4)(d) for treatment of JTPA moneys received by a dependent nonstudent child.

AMENDATORY SECTION (Amending Order 1876, filed 9/15/82)

WAC 388-28-570 NET CASH INCOME—EX-EMPT EARNED INCOME. (1) For rules on exempting earned income of a full- or part-time student, see WAC 388-28-535. For rules exempting income from training, see WAC 388-28-515. For rules on other income, see WAC 388-28-580.

(2) As used in this section, "earned income" shall mean income in cash or kind earned as wages, salary, commissions, or profit from activities in which the individual is engaged as a self-employed person or as an employee. Earned income may be derived from self-employment (such as business enterprise or farming), or derived from wages or salary received as an employee. ~~((H))~~ Earned income also includes earnings over a period of time for which settlement is made at one time, for example, sale of farm crops, livestock, or poultry. Income from rentals is earned income, provided the individual has managerial responsibility for the rental property.

(3) For an AFDC recipient, earned income includes ~~((incentive payments under MDTA,))~~ earnings under Title I of the Elementary and Secondary Education Act, all earnings received under the Economic Opportunity Act, wages ~~((paid under Title I of the Comprehensive Employment and Training Act (CETA), wages from public service employment under CETA, and wages))~~ from WIN on-the-job training, and wages paid under the Job Training Partnership Act (JTPA) to adults and nonstudent dependent children. See WAC 388-28-535(1) for treatment of a child excluded from the grant, and WAC 388-28-535(4) for a dependent full-time student receiving JTPA wages.

(a) For public service employment under the Emergency Assistance Act ~~((and CETA)),~~ the ~~((30))~~ thirty-dollar plus one-third earned income exemption is applicable.

(b) For public service employment under WIN, the ~~((30))~~ thirty-dollar plus one-third earned income exemption does not apply. If net income after work expenses are deducted does not meet need according to department standards, a supplemental grant may be paid.

(4) The ~~((above))~~ definition of "earned income" excludes:

(a) Returns from capital investment with respect to which the individual is not himself or herself actively engaged, as in a business. For example, under most circumstances, dividends and interest are excluded from "earned income." See WAC 388-28-580.

(b) Benefits accruing as compensation or reward for service, or as compensation for lack of employment, for example, pensions and benefits from labor organizations, veterans' benefits, unemployment compensation, RSDI, etc. See WAC 388-28-580.

(c) Income from WIN ~~((or CETA))~~ incentive payments, and training-related expenses derived from WIN institutional or work experience training ~~((and from participation in CETA)).~~

(d) Income received under the Job Training Partnership Act for training allowances, payments for support services, etc. Such income shall be treated according to WAC 388-28-535(4) for dependent children who are full-time students. For adults and nonstudent dependent children, disregard all moneys directly related to expenses incurred from participating in the program. Exempt the remaining amount up to the difference between the need standard and the payment standard. Consider any amount in excess of the need standard as unearned income.

(5)(a) In AFDC and refugee assistance when payment of income earned over a period of more than one month is delayed, the exemption applies only to the period of payment.

(b) In general assistance, the exemption applies to the period during which ~~((it))~~ the exemption was earned rather than the period of payment.

(6) Aid to families with dependent children and refugee assistance.

(a) The following shall be disregarded sequentially from the monthly gross earned income of each individual member of the assistance unit.

(i) Payroll deductions required by law or as a condition of employment, in the amounts actually withheld.

(ii) The following amounts for work expenses depending upon the number of hours worked per month.

Hours worked per month	Work expense deduction
0 - 40	\$ 20.00
41 - 80	40.00
81 - 120	60.00
121 or more	75.00

~~((it))~~ (iii) The actual cost ~~((;))~~ not to exceed the following amounts depending upon the number of hours worked per month for the care of each dependent child or incapacitated adult living in the same home and receiving AFDC or refugee assistance. No deduction shall be made for child care provided by a parent or stepparent.

Hours worked per month	Child care maximum deductions
0 - 40	\$ 40.00
41 - 80	80.00
81 - 120	120.00
121 or more	160.00

~~((it))~~ (iv) For individuals found otherwise eligible to receive assistance or who have received assistance in one of the prior four months, ~~((30))~~ thirty-dollar plus one-third of the remainder not already disregarded.

~~((iv))~~ (v) The ~~((30))~~ thirty-dollar and one-third disregard shall be applied for a maximum of four consecutive months; it cannot be applied again until he or she is a nonrecipient for twelve consecutive months.

Total gross monthly earned income for the purpose of this rule means the combined gross earned income of

nonstudent dependent children and adults who are included in the AFDC assistance unit.

(b) The exemptions and deductions in ~~((subdivision))~~ subsection (6)(a)(ii) through (v) of this section will not be applied for any month if the individual within a period of ~~((30))~~ thirty days preceding the month in which the income was received:

(i) Terminated his or her employment or reduced his or her earned income without good cause, or

(ii) Refused without good cause to accept employment in which he or she is able to engage which is offered through SES, or is otherwise offered by an employer if the offer of such employment is determined by the local office to be a bona fide offer of employment, or

(iii) Failed without good cause as determined by the CSO, to report earnings to the department on or before the ~~((twenty-first))~~ eighteenth day of the month following the month in which the income was received, or by the first following work day if the eighteenth day of the month falls on a weekend or holiday. Under these circumstances, the ~~((30))~~ thirty-dollar and one-third exemption shall be counted in the four-month limit. Any circumstance beyond the control of the recipient shall constitute good cause.

(c) If a recipient requests termination in order to break the consecutiveness of the four-month limit for the ~~((30))~~ thirty-dollar plus one-third exemption, and would have been eligible, the months of voluntary non-receipt of assistance shall be counted toward the four-month limit.

(d) If a recipient quits work without good cause, the thirty-dollar and one-third exemption shall be deemed to have been received and shall be counted toward the four-month limit.

(e) Months in which the ~~((A/R))~~ applicant/recipient received the thirty-dollar and one-third exemption in another state shall apply towards the four-month limit unless there is a break in assistance which was not done voluntarily to break the continuity of the four-month limit.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment:

(a) Physical, mental, or emotional inability of the individual to satisfactorily perform the work required;

(b) Inability of the individual to get to and from the job without undue cost or hardship to ~~((him/her))~~ him or her;

(c) The nature of the work would be hazardous to the individual;

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community;

(e) The job is available because of a labor dispute;

(f) Adequate child care is not available to the single parent AFDC household.

~~((8))~~ The rules in this section shall be effective February 1, 1982.)

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 1812, filed 5/19/82)

WAC 388-28-575 DISREGARD OF INCOME AND RESOURCES. (1) In determining need and the amount of the assistance payment in AFDC, the following shall be disregarded as income and resources:

(a) Any grant or loan to any undergraduate student for educational purposes made or insured under any programs administered by the commissioner of education, U.S. Department of Health and Human Services. The entire amount of such loan or grant is disregarded, irrespective of the use to which the funds are put.

(b) Any per capita judgment funds paid under ~~((Public Law))~~ P.L. 92-254 to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana.

(c) Any Indian claim settlement funds distributed per capita or held in trust as authorized in Section 7 of ~~((Public Law))~~ P.L. 93-134 or Section 6 of ~~((Public Law))~~ P.L. 94-114.

(d) The income and resources of an individual receiving benefits under Supplemental Security Income for the period such benefits are received.

(e) Any payments received by Alaska natives under the Alaska Native Claims Settlement Act, to the extent such payments are exempt from taxation under Section 21(a) of that act.

(f) From August 1, 1975, to September 30, 1976, forty percent of the first fifty dollars collected by the office of support enforcement in payment on the support obligations for the current month.

(g) ~~((Moneys received under the Comprehensive Employment and Training Act of 1973, as amended, as follows:~~

~~((i) The thirty dollars weekly incentive training allowance for AFDC recipients,~~

~~((ii) Earnings and allowances received by any youth under the youth incentive entitlement pilot projects, youth community conservation and improvement projects, and youth employment and training program))~~ Wages, training allowances, and all moneys received under the Job Training Partnership Act (JTPA) by a dependent child who is a full-time student or part-time student who is not a full-time employee shall be disregarded both for the one hundred fifty percent of need test and in computing the family's assistance payment.

(h) Retroactive AFDC benefits resulting from a court order modifying a department policy. ~~((This subdivision is effective April 1, 1978.))~~

(i) The part of a Veterans' Administration educational assistance payment for the student's educational expenses, such as, but not limited to, tuition, books, fees, equipment, transportation for school purposes, and child care services necessary for school attendance.

(j) HUD community development block grant funds obtained and used under conditions precluding use for current living costs.

(2) In determining need and the amount of the assistance payment in AFDC and GA, the following shall be disregarded as income and resources:

(a) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(b) The value of the coupon allotment under the Food Stamp Act of 1964, as amended.

(c) Any compensation provided to volunteers in ACTION programs established by Titles II and III of (~~Public Law~~) P.L. 93-113, the Domestic Volunteer Service Act of 1973. (~~This policy is effective retroactively to October 1, 1973.~~)

(d) Any compensation provided volunteers in ACTION programs established by Title I of (~~Public Law~~) P.L. 93-113, the Domestic Volunteer Service Act.

(e) Any benefits received under the women, infants and children program (WIC) of the Child Nutrition Act of 1966, as amended and the special food service program for children under the National School Lunch Act, as amended.

(f) Payments made under the Community Services Administration's Emergency Energy Conservation Program of 1979.

(g) Energy assistance payments.

AMENDATORY SECTION (Amending Order 1940, filed 1/28/83, effective 3/1/83)

WAC 388-33-135 **EFFECTIVE DATE OF CHANGE IN ELIGIBILITY.** (1) A change in circumstances is any change (~~which affects~~) affecting eligibility and/or continued payment of the grant previously authorized.

(2) When a change in income causes ineligibility during the first two months of initial eligibility, prospective budgeting rules shall be followed. Ineligibility shall be effective the first of the month following the month of change.

(3) When a change in income causes ineligibility after the first two months of initial eligibility, retrospective budgeting rules shall be followed. Ineligibility shall be effective for the corresponding payment month (the first of the second month following the month of change).

~~((2))~~ (4) When a change of circumstances other than increased income renders the (~~client~~) assistance unit or any member of the assistance unit ineligible, the effective date of ineligibility is the first of the month following the month in which the change occurred. (~~The corresponding process month.~~)

~~(3) When a change of circumstances results in an increase or reduction in the grant, WAC 388-33-140 is applicable.)~~ For ineligibility of strikers, see WAC 388-24-042.

AMENDATORY SECTION (Amending Order 1994, filed 8/5/83)

WAC 388-33-140 **EFFECTIVE DATE OF INCREASE OR DECREASE IN GRANT.** (1) Increase or reduction in grant:

~~(a) ((When a change in circumstances, other than adding a person to a grant, results in an increase or reduction of the assistance grant, the effective date of the change is the first of the second month following the month in which the change occurred. See WAC 388-28-483.~~

~~(b))~~ When a person is added to the grant, the effective date of the change shall be the date the person entered the household or the date the person is determined eligible, whichever is later.

~~((c))~~ (b) When a person's needs are added to a grant because he or she is being removed from a sanction status, the effective date of the change (~~is~~) shall be the date the sanction is removed.

(c) When a person moves from a supplied shelter to a renting situation, the effective date of the grant increase shall be the date of the change.

(d) When any other change in circumstances results in an increase or reduction of the assistance grant, the effective date of the change is the first of the second month following the month in which the change occurred. See WAC 388-28-483.

(2) The effective date shall never precede the date the circumstances actually changed.

(3) Change in grant involving a canceled warrant:

When a warrant is canceled and assistance is to be reissued by an adjusting payment, the effective date of the grant as recomputed by the state office is the first of the month covered by the canceled warrant. If, according to the rule in subsection (1) of this section, any assistance is due the recipient for a month prior to that covered by the canceled warrant, the local office shall authorize a one-time grant.

WSR 83-20-059

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed September 30, 1983]

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 Westport, City of, amending WAC 173-19-2208.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 6, 1983.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

This notice is connected to and continues the matter in Notice Nos. WSR 83-14-085 and 83-17-113 filed with the code reviser's office of July 6, 1983, and August 24, 1983.

Dated: September 29, 1983

By: Donald W. Moos

Director

WSR 83-20-060
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Filed September 30, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd	WAC 356-06-010	Definitions.
Amd	WAC 356-10-040	Positions—((Reallocation)) Downward or lateral reallocation—Employees.
Amd	WAC 356-15-020	Work period designations.
Amd	WAC 356-15-020	Work period designations.
Amd	WAC 356-15-030	Overtime provisions and compensation.
Amd	WAC 356-15-060	Shift differential provisions and compensation.
Amd	WAC 356-30-015	Appointments—Prohibition of multiple appointments to single position—Exceptions.
Amd	WAC 356-30-130	Career seasonal ((positions)) employment.
Amd	WAC 356-30-140	Intermittent employment—Rules—Regulations.
Amd	WAC 356-30-330	Reduction-in-force—Reasons, regulations—Procedure.
Amd	WAC 356-35-010	Disability—Separation—Appeals—Procedures.
Amd	WAC 356-42-082	Filing unfair labor practice charge.
Amd	WAC 356-42-084	Answer to complaint—Unfair labor practice.
Amd	WAC 356-46-050	Payroll certification;

that the agency will at 10:00 a.m., Thursday, November 10, 1983, in the Personnel Board Hearings Room, Department of Personnel, 600 South Franklin, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150, HB 136 (chapter 58, Laws of 1983) and RCW 41.06.270.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 8, 1983.

Dated: September 29, 1983

By: Leonard Nord
Secretary

STATEMENT OF PURPOSE

Amend WAC 356-06-010.

Title: Definitions (career seasonal employees) (career seasonal position)—Alternate #1 (career seasonal employment)—Alternate #2.

Purpose: Defines terms and words used throughout Title 356 WAC.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Addition of these terms would define and clarify a category of employment; would better distinguish one category of employment from another.

Responsibility for Drafting: Bill Turney, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia,

WA 98504, Phone: 753-7125; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-06-010.

Title: Definitions (exchange time).

Purpose: Defines terms and words used throughout Title 356 WAC.

Statutory Authority: RCW 41.06.150.

Summary: Addition of this term would define "exchange time" which is being proposed for use in chapter 356-15 WAC.

Reasons: Term would differentiate exchange time from compensatory time.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-10-040.

Title: Positions—Reallocation downward—Employees.

Purpose: Outlines the action taken when an employee elects to remain in a position that is reallocated downward.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: This change would further clarify the action taken when an employee elects to remain in a position that is reallocated downward. In addition, it will include the action required when a position is laterally reallocated and the employee elects to remain in the position.

Responsibility for Drafting: Al Gonzales, Department of Social and Health Services, Office Building #2, MS: OB-41, Olympia, WA 98503, Phone: 753-5184; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-15-020.

Title: Work period designations.

Purpose: Identifies the assignment and application of work period designations.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Persons on "in-training" and "underfill" appointments occupy positions above the level of their present qualifications. Until they have reached the necessary experience level, they are training and performing as much of the position's work as possible. Meanwhile, they are paid in a lower level class commensurate with their own qualifications. Whatever the work period of the position being learned, that is the work period needed by the incumbent to perform in that job. This clarification is necessary to avoid the misinterpretation that the incumbent's work period designation would be that of the lower level class.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-15-020.

Title: Work period designations.

Purpose: Identifies the assignment and application of work period designations.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: To avoid the interference that such positions do not belong in this group if they have normal starting and quitting times; to clarify that the reason employees initiate changes in their hours is that management has assigned them to do that when necessary; to clarify that it is employee-initiated changes, not employer-initiated changes, which justify inclusion in this work period designation.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-15-030.

Title: Overtime provisions and compensation.

Purpose: Describes conditions under which exceptions work period employees may be compensated or not for work outside their normal hours.

Statutory Authority: RCW 41.06.150.

Summary: Retains all previous employer options and adds "exchange time" which would not incur "cash-out" requirements.

Reasons: Some agencies want to give time off for extra hours worked by exceptions work period employees. But present rules appear to require a cash payoff of compensatory time after one year or at the end of the biennium. Exchange time adds the option of equal time off without compulsory cash-out.

Responsibility for Drafting: Gail Salisbury, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5383; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-15-060.

Title: Shift differential provisions and compensation.

Purpose: Provides premium pay schedule for evening and night work shifts.

Statutory Authority: RCW 41.06.150.

Summary: Proposal would increase hourly rate of pay for employees eligible for shift differential pay.

Reasons: The 1982 salary survey indicates that shift differential rates for the state of Washington are not competitive with the private sector and other governmental units.

Responsibility for Drafting: Robert Boysen, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5377; Implementation and Enforcement: All state agencies.

Proposed by: Washington Federation of State Employees Employee Organization.

Comments: Previously, the Office of Financial Management indicated that funds are not available for an increase in shift differential pay.

Amend WAC 356-30-015.

Title: Appointments—Prohibition of multiple appointments to single position—Exceptions.

Purpose: Identifies situations in which multiple appointments may be made to a single position.

Statutory Authority: RCW 41.06.150.

Summary: Would allow more than one intermittent appointment to be made to a position.

Reasons: Presently, agencies are restricted to making only one intermittent appointment to a position. In offices where it is necessary to have more than one intermittent employee in the same class, appointments must be made to separate positions. This is administratively burdensome and expensive.

Responsibility for Drafting: Robert Conner, Department of Social and Health Services, Office Building #2, MS: OB-14, Olympia, WA 98504, Phone: 753-1234; Implementation and Enforcement: All state agencies.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-30-130.

Title: Seasonal positions.

Purpose: Prescribes rights and procedures of entry, reduction-in-force and status of employees in a category of employment.

Statutory Authority: RCW 41.06.150.

Summary: To further prescribe procedures and modify existing procedures relating to status of employees in a category of employment.

Reasons: To better define administration of positions and employees in this category of employment.

Responsibility for Drafting: Bill Turney, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-7125; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-30-140.

Title: Intermittent employment—Rules—Regulations.

Purpose: Limits the time persons can be employed in an intermittent appointment.

Statutory Authority: RCW 41.06.150.

Summary and Reasons: Change would allow agencies to place more than one intermittent employee in a position without the risk of exceeding the 1560 hour limit set forth in this portion of the rule. Presently, agencies must use separate positions for each intermittent employee. This is administratively burdensome and expensive.

Responsibility for Drafting: Robert Conner, Department of Social and Health Services, Office Building #2, MS: OB-14, Olympia, WA 98504, Phone: 753-1234; Implementation and Enforcement: All state agencies.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-30-330.

Title: Reduction-in-force—Reasons, regulations—Procedures.

Purpose: Outlines reasons and procedures for reduction-in-force.

Statutory Authority: RCW 41.06.150.

Summary: This change would allow the inclusion of employees whose positions are reallocated downward or laterally.

Reasons: The rules are currently silent regarding the status of employees who fail to qualify to remain in a position that has been reallocated downward or laterally.

Responsibility for Drafting: Al Gonzales, Department of Social and Health Services, Office Building #2, MS: OB-14, Olympia, WA 98504, Phone: 753-5184; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-35-010.

Title: Disability—Separation—Appeals—Procedures.

Purpose: Establishes a procedure to terminate permanent employees when they become disabled.

Statutory Authority: RCW 41.06.150.

Summary: This change would permit termination of a permanent employee for disability after he/she has been allowed to exhaust all accrued sick leave.

Reasons: Currently, an employee may not be separated for disability if he/she has any amount of accrued sick leave. This means an agency must carry an employee indefinitely even though the employee may never be able to return to work.

Responsibility for Drafting: Al Gonzales, Department of Social and Health Services, Office Building #2, MS: OB-14, Olympia, WA 98504, Phone: 753-5184; Implementation: All state agencies; and Enforcement: Department of Personnel.

Proposed by: Department of Social and Health Services, governmental agency.

Amend WAC 356-42-082, Filing unfair labor practice charge, and amend WAC 356-42-084, Answer to complaint—Unfair labor practice.

Purpose: Outlines procedures for filing unfair labor practice charges and answering the complaint.

Statutory Authority: RCW 41.06.150.

Specific Statute: HB 136 (chapter 58, Laws of 1983).

Summary: An unfair labor practice complaint shall not be processed for any unfair labor practice occurring more than six months before the filing of the complaint.

Reasons: Implementation of legislative mandate.

Responsibility for Drafting: Garry Hull, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-2290; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

Amend WAC 356-46-050.

Title: Payroll certification.

Purpose: Provides instructions for certification of payrolls as required by RCW 41.06.270.

Statutory Authority: RCW 41.06.150.

Specific Statute: RCW 41.06.270.

Summary: Change would refer to detailed instructions contained in OFM financial manual. Also would delete

requirement for forwarding copy of certified payroll to Department of Personnel.

Reasons: The instructions contained in the OFM financial manual are more comprehensive. Also, the requirement for a copy to be sent to the Department of Personnel is made redundant by the payroll/personnel computer system.

Responsibility for Drafting: Bernard R. Mullins, Department of Personnel, 600 South Franklin, MS: FE-11, Olympia, WA 98504, Phone: 753-5402; Implementation and Enforcement: Department of Personnel.

Proposed by: Department of Personnel, governmental agency.

AMENDATORY SECTION (Amending Order 179, filed 12/22/82)

WAC 356-06-010 DEFINITIONS. The following definitions apply throughout these rules unless the context clearly indicates another meaning:

ACTING APPOINTMENT - An appointment of limited duration made from within the classified service to a supervisory or managerial position.

ADMINISTRATIVE PERSONNEL - Employees who regularly exercise discretion and independent judgment in the performance of: (1) Work related directly to management policy; or (2) work providing direct assistance to executive or administrative personnel.

AGENCY - An office, department, board, commission, or other separate unit or division, however designated, of the state government and all personnel thereof. It includes any unit of state government established by law, the executive officer or members of which are either elected or appointed, upon which the statutes confer powers and impose duties in connection with operations of either a governmental or proprietary nature.

AGRICULTURAL PERSONNEL - Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

ALLIED REGISTER - A register for a class for which the duties and minimum or desirable qualifications are equivalent to or above those for another class.

ALLOCATION - The assignment of a position to a job classification.

ANNIVERSARY DATE - Original entry date into state service as adjusted by leave without pay or break in service.

APPOINTING AUTHORITY - A person or group of persons lawfully authorized to make appointments.

BARGAINING UNIT - The group of employees in positions determined by the personnel board to constitute a unit appropriate for collective bargaining purposes under these rules.

BASIC SALARY RANGE - The dollar amount of the step of the salary range to which the employee is entitled, before any deduction, and exclusive of additional compensation of any kind.

BOARD - The state personnel board.

BUMPING - The replacement of an incumbent by another employee subject to reduction in force, who has greater seniority.

CAREER PLANNING - A programmed process designed to assist employee career growth through job experience, training and/or continuing education.

Alternate #1

CAREER SEASONAL EMPLOYEES - Incumbents who have been appointed to career seasonal positions with the mutual expectations of repeated employment on a cyclic basis.

CAREER SEASONAL POSITION - The grouping of duties and responsibilities required on a cyclic basis, beginning with climatic, agricultural or forestry seasons and ending approximately the same time every year.

Alternate #2

CAREER SEASONAL EMPLOYMENT - Work which is cyclic in nature beginning at approximately the same time each year and lasting for a minimum of five months and a maximum of nine months in any consecutive twelve-month period.

CERTIFICATION - Providing an agency with the appropriate number of names of candidates who have passed the examination for a given class and are eligible to be considered for vacancies.

CLASS – Identification of a position, or a group of positions, sufficiently similar in duties so that the same requirements of training, experience, or skill and the same title, examination, and salary range may be applied.

CLASSIFIED SERVICE – All positions and employees in the state service subject to the provisions of chapter 41.06 RCW and these rules.

COLLECTIVE BARGAINING OR COLLECTIVE NEGOTIATION – The performance of the mutual obligation of the appointing authority, or designee, and the certified exclusive representative of a bargaining unit to meet in an attempt to reach an agreement on all personnel matters over which the appointing authority may lawfully exercise discretion.

COMPENSATORY TIME – Time off in lieu of cash payment for overtime.

COMPETITIVE SERVICE – All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

DATE OF ELECTION – The date of election is the date the director of personnel certifies the results of the election.

DEMOTION – A change of a permanent employee from a position in one class to a position in another class having a lower maximum salary.

DESIRABLE QUALIFICATIONS – The levels of education and/or experience deemed desirable or preferable for admission to the examination in lieu of fixed minimum qualifications.

DIRECTOR – The director of the department of personnel.

DISABILITY – An employee's bodily inability to perform adequately the essential duties of the job class. (For purposes of WAC 356-35-010, this definition shall not include maternity.)

DISMISSAL – The termination of employment of a permanent employee (for cause) or of a probationary employee as specified in these rules.

EDUCATION LEAVE OF ABSENCE – An authorized leave of absence for educational purposes.

ELEVATION – Restoring an employee to the higher classification, with permanent status, which was held prior to being granted a demotion.

ELIGIBLE – An applicant whose name is on a register.

EMERGENCY APPOINTMENT – An appointment, for emergency reasons, not to exceed 60 calendar days.

EMPLOYEE – Any person employed under the jurisdiction of these rules.

EMPLOYEE ORGANIZATION – Any organization having the authority, as specified in WAC 356-42-010, to represent state employees on personnel matters.

EXCHANGE TIME – Equal time off for excess hours worked by exception work period employees.

EXECUTIVE PERSONNEL (As used in chapter 15 of these rules) – Employees who customarily and regularly exercise discretionary powers in directing and controlling program operations of an agency or division or customarily recognized subdivision thereof and personnel who are responsible for (1) hiring or firing or making substantial recommendation for same and (2) directing the work of and (3) regulating the working hours of two or more employees.

EXEMPT POSITION – Any position designated as exempt from the application of these rules as specified in WAC 356-06-020.

EXIT LEAVE – The paid hours of nonworking time taken by an employee who is not eligible to receive a lump sum cash payment for accrued vacation leave. Exit leave is taken following the last designated work day prior to an employee's resignation, dismissal, or separation due to reduction in force or disability and continuing until all the employee's accrued vacation leave is exhausted.

FULL TIME EMPLOYMENT – Regularly scheduled employment requiring an average of 40 hours of work per week. However, for certification from a register, work between 32 – 40 hours per week shall be considered full time.

HANDICAPPED – Persons with physical, mental or sensory impairments that would impede that individual in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight; static and permanent in that they are seldom fully corrected by medical replacement, therapy or surgical means.

HOLIDAYS – Paid nonwork days for state employees as established by RCW 1.16.050.

HOUSED PERSONNEL – Employees whose duties require that they reside at the place of their employment or who otherwise spend a substantial portion of their work time subject to call and not engaged in the performance of active duties.

HUMAN RESOURCE DEVELOPMENT – The function of achieving agency goals by changing or enhancing employees' knowledges, skills, attitudes and behaviors.

INTERMITTENT EMPLOYMENT – Employment without any understanding of continuity, fitting no particular pattern and performed for no more than a total of (nine months) 1560 hours during any consecutive 12-month period.

INTERVENING SALARY STEPS – All increment steps in a salary range, except the lowest and highest.

LAW ENFORCEMENT PERSONNEL – Employees empowered by statute to enforce laws designed to maintain public peace and order, protect life and property, and detect and prevent crimes. Employees in these positions must have the power of arrest, and have been trained in rules of evidence, laws of arrest, search and seizure and legal rights of citizens.

MINIMUM QUALIFICATIONS – The training, experience, and other qualifications established for a given class and required of an applicant for admission to the examination for that class.

NONCOMPETITIVE POSITIONS – Positions designated by the board as not requiring a competitive examination.

ORIENTATION – An introduction to the organization and to tasks, jobs, procedures and other activities new to the employee.

OVERTIME – Work authorized and performed in accordance with WAC 356-15-030.

PART TIME EMPLOYMENT – Work of less than 40 hours per week. However, for certification from registers, work of less than 32 hours per week shall be considered part time.

PERIODIC INCREMENT DATE – The date established in accordance with the merit system rule on which an employee is entitled to a salary increase within a salary schedule range as prescribed in the merit system rules.

PERMANENT EMPLOYEE – An employee who has successfully completed a probationary period and has had no break in service.

PERSONNEL RECORD – Such information having pertinence to the employment of an employee and which is retained in a specific location as required by WAC 356-46-060(2)A.

POSITION – A group of duties and responsibilities normally assigned to an employee. Such position may be filled or vacant, full-time or part-time, seasonal, temporary or permanent.

PREMIUM PAYMENT – Wage payment over and above the basic salary rate authorized by the board for extraordinary conditions of employment.

PROBATIONARY PERIOD – The trial period of employment following certification and appointment to, or reemployment in, the classified service and continuing for 6 to 12 months as determined under the provisions of WAC 356-30-260.

PROFESSIONAL PERSONNEL – Employees performing work which requires consistent exercise of independent judgment and is in a specialized field requiring advanced knowledge normally gained through achieving a baccalaureate degree but which may be gained through equivalent experience.

PROJECT EMPLOYMENT – A program designated by the director of personnel as "project employment," that is separately financed by a grant, federal funds, or by state funds, or by a combination of funds to provide training or employment opportunities or expertise or additional employees to carry out a specific project or goal and which, either because of the nature of the project, funding requirements, or potential harmful impact on employment opportunities for regular civil service employees, cannot be facilitated through the regular civil service system. Such a program may last upward to two years and beyond, but has an end in sight.

PROMOTION – A change of an employee from a position in one class to a position in a class having a higher maximum salary.

PROVISIONAL APPOINTMENT – An appointment to a position pending the establishment of a register for that class.

REDUCTION IN FORCE – A separation resulting from a lack of funds, lack of work, good faith reorganization for efficiency purposes, or from there being fewer positions than the employees entitled to the positions because of exercising their rights to return to the classified service. When a reduction in force occurs, it is a separation from service without cause on the part of the employee.

REDUCTION – Placement of an employee's salary at a lower step within the range as a result of a disciplinary action.

REEMPLOYMENT – An appointment, made from the reemployment register, of a former employee who had permanent status.

REGISTER – A list of eligible names established for employment or reemployment in a class.

REINSTATEMENT – Return of an employee to full employment rights by board action following appeal hearing.

RESIGNATION – A voluntary separation from employment.

REVERSION – Voluntary or involuntary movement of an employee during a six-month trial service period to the class which was held prior to the current trial service appointment.

SALARY RANGE – A sequence of minimum, intervening, and maximum dollar amounts designated by the board as the monthly compensation for a class.

~~((SEASONAL EMPLOYMENT – Work that is cyclic in nature beginning and ending at approximately the same time every year and lasting for no more than nine months.))~~

SENIORITY – A measure of the last period of unbroken time served in positions in the classified service under the jurisdiction of the state personnel board. Service in positions brought under the jurisdiction of the state personnel board by statute is counted as though it had previously been under the jurisdiction of the state personnel board. Leaves of absence granted by agencies and separations due to reduction in force are not considered a break in service. Time spent on leaves of absence without pay is not credited unless it is for educational leaves, or statutes require it be credited; or it is taken at the specific request of an agency so employees may perform work specifically related to state work. Time spent off the state payroll due to reduction in force will be credited for that period of time the employee is eligible to be placed on the reduction in force register. Leaves without pay granted to directly or indirectly reduce the possible effect of reduction in force will be credited in accordance with WAC 356-18-140 and 356-18-220. Leaves of absence without pay granted to employees who are drawing worker's compensation because of injury or illness while employed by the state will be credited. Time spent in exempt appointments listed in RCW 41.06.070 will be credited and the service will not be regarded as broken when employees return from exempt service in accordance to RCW 41.06.070(22), WAC 356-06-055 and 356-30-330. Time spent under the jurisdiction of the higher education personnel board will be added when the employee comes under the jurisdiction of the state personnel board through the provisions of WAC 356-06-055(6). The length of active military service of a veteran, not to exceed five years, shall be added to the state service for such veteran or his widow.

SERIES – A group of classes of positions to which the same kind of work is assigned but which is at different levels of difficulty and responsibility.

SUPERVISOR – Any employee assigned responsibility by management to participate in all the following functions with respect to their subordinate employees: (1) Selection of staff, (2) training and development, (3) planning and assignment of work, (4) evaluation of performance, and (5) corrective action. Participation in these functions must not be of a merely routine nature but requires the exercise of individual judgment.

SUSPENSION – An enforced absence without pay for disciplinary purposes.

TANDEM EMPLOYMENT – Any position filled by more than one employee as voluntarily agreed between management and employee(s) who jointly fulfill the responsibilities and duties of the position(s).

TEMPORARY EMPLOYMENT – Single or multiple periods of employment during the absence of a permanent employee on leave; or for work done at a workload peak and normally lasting for less than nine months and having an end in sight.

TERMINATION – Separation from employment for reasons beyond the control of the employee.

TRAINING – An organized learning process designed to provide needed changes in the skills, knowledges, attitudes or behaviors of employees.

TRANSFER – The change of an employee from one to another classified position having the same salary range number.

TRIAL SERVICE PERIOD – A six-month trial period of employment of a permanent employee beginning with the effective date of the promotion or demotion or appointment from the promotional register.

TUITION REIMBURSEMENT – A full or partial reimbursement to eligible employees by the employing agency for tuition paid to attend approved courses.

UNDERFILL – The filling of a position with an employee in a lower related class in the absence of an adequate eligible register for the classification.

UNION SHOP – A form of union security that requires that all employees within a bargaining unit become members of the certified bargaining representative within 30 calendar days of the union shop

election or 30 calendar days from an employee's date of hire, whichever is later.

UNION SHOP FEE – The union shop fee, sometimes known as a representation fee, is the fee paid by an employee to a union shop representative in lieu of holding membership in that union. An employee who has been certified for nonmembership status because of bona fide religious tenets of a church or religious body of which the employee is a member, shall pay a fee equivalent to the regular monthly dues of the union shop representative minus any included monthly premiums for union sponsored insurance programs.

UNION SHOP REPRESENTATIVE – A union shop representative is an employee organization that is certified as exclusive bargaining representative for a bargaining unit and which has also been certified as union shop representative by the director of personnel. To be certified as union shop representative, a majority of all employees in the bargaining unit must vote in favor of having the petitioning employee organization as their union representative.

VETERAN – For the purpose of granting preference during layoffs and subsequent reemployment, any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge is given: PROVIDED, That the person has not voluntarily retired with 20 or more years of active military service and has military retirement pay in excess of \$500 per month.

VETERAN'S WIDOW – For the purpose of granting preference during layoffs and subsequent reemployment, the unmarried wife of a deceased veteran as defined in WAC 356-06-010 except that such veteran's one-year minimum length of active military service shall be disregarded.

VOLUNTEER EXPERIENCE – Work experience for which no salary was received, which may be credited toward meeting the minimum qualifications for a classification: Provided such experience is equivalent to and not prohibited by the minimum qualifications of the classification. Volunteer experience for which academic credit was granted may be used to satisfy either the educational or the experience requirements of a class, but may not be used for both.

WORK DAY – A 24-hour period beginning at a time determined by the appointing authority. For scheduled standard work period positions the work day begins at the scheduled starting time of the employee.

WORK PERIOD DESIGNATION – Identification of each classification's and position's criteria for hours of work as defined in WAC 356-15-020 and qualifications for premium pay as defined in chapter 356-15 WAC.

WORK SCHEDULE – A series of workshifts and work days within the workweek.

WORKSHIFT – Scheduled working hours within the workday.

WORKWEEK – A regular recurring period of 168 hours beginning at a time determined by the appointing authority and continuing for seven consecutive 24-hour periods. For scheduled standard work period positions the workweek begins at the scheduled starting time of the first shift of the employee's uniform shifts.

Y-RATE – A salary amount which either exceeds the maximum step for the salary range of an employee's class or a salary amount that falls between the steps of a salary range of an employee's class.

AMENDATORY SECTION (Amending Order 109, filed 9/7/77)

**WAC 356-10-040 POSITIONS—((REALLOCATION))
DOWNWARD OR LATERAL REALLOCATION—EMPLOYEES.** (1) When a position occupied by an employee is reallocated downward, or laterally to a different classification with the same salary range, the director of personnel shall notify the incumbent and the agency in writing at least 30 calendar days prior to the effective date of the reallocation. This action shall not preclude the employee from accepting a transfer or promotion to a vacant position.

(2) The employee may elect to remain in a position which is reallocated downward or laterally provided he/she meets the minimum or desirable qualifications for the new classification or acceptable qualifications as determined by the director of personnel or designee. No further qualifying examination will be required and the employee will retain existing appointment status.

(3) If it is determined the employee does not meet the minimum qualifications for the new classification as provided in subsection (2) of this section and he/she is not transferred, promoted, demoted or otherwise retained in status within sixty days, the provisions governing reduction-in-force shall apply.

(4) The employee (~~electing to~~) who remains in a position which is reallocated downward may have his/her name placed upon the agency reduction-in-force register for the classification to which his/her position was previously allocated.

((3)) (5) An employee who continues in a position which is reallocated downward shall be paid an amount equal to his/her previous salary ((is)) if such amount is within the salary subrange for the lower class. Employees whose current salary falls between two steps or exceeds the top step of the new position shall be ((~~Y~~)^X) Y-rated.

((4)) (6) The employee shall retain his/her existing periodic increment date provided the salary is not equal or greater than the maximum of the lower subrange. Employees whose salaries are Y-rated between steps will move to the first dollar amount step for the class in the lower subrange on their periodic increment date.

((5)) (7) Employees who retain their salaries as provided in ((3) above) subsection (5) of this section will not be entitled to promotional salary increases if they are subsequently hired off the agency reduction-in-force register; however, if the salary falls between the steps of the higher subrange, the employees' salaries will be increased to the first dollar amount step for the class in the higher subrange upon promotion.

(8) The salary and periodic increment date of an employee who continues in a position which is reallocated laterally shall remain unchanged.

AMENDATORY SECTION (Amending Order 167 and 167-A, filed 2/16/82 and 2/19/82)

WAC 356-15-020 WORK PERIOD DESIGNATIONS. The personnel board shall assign a specific work period designation to each classification. The personnel board may authorize a work period designation which differs from the class-wide designation for specific positions having atypical working conditions. When two or more designations are indicated for a job classification, the first designation listed shall constitute the class-wide designation. Each position shall be assigned only one designation. The work period designation for persons on "in-training" and "underfill" appointments shall be the same as that of the position to which they are appointed.

(1) SCHEDULED (S):

(a) Standard: Full time positions with conditions of employment which may be completed within five consecutive work days, each having the same starting time and lasting not more than eight working hours, and occurring within the same workweek.

(b) Alternate: Full time positions with conditions of employment which may be completed within:

(i) Five work days lasting not more than eight working hours within the same workweek but which, because of operational necessity, cannot be scheduled with the same daily starting time or with consecutive days off; or

(ii) Four work days lasting not more than ten working hours each within the same workweek; or

(iii) Ten consecutive work days with four consecutive days off; or

(iv) Ten work days lasting not more than eight working hours and occurring within a scheduled fourteen consecutive day period. Positions are restricted to employees in the registered nurse class series who work in an institutional hospital primarily engaged in the care of residents.

(v) Continuous five work-days-per-week shifts which rotate each 28 days to a different schedule of regular days and hours per week. The rotation involves extended or shortened time off between the ending shift of one schedule and the beginning shift of the next, but does not require more than eight hours work in any one 24-hour period within a schedule, nor more than 52 40-hour workweeks per year. Positions are limited to communications officers and scheduled weight control officers of the state patrol.

After giving written notice to the employee and the certified exclusive representative, the employer may implement an alternate schedule provided the employer can document a program need for the alternate schedule or the alternate schedule is mutually agreeable to the employer and employee.

(2) Nonscheduled (NS): Full time positions with conditions of employment which necessitate adjustment of hours by employees within forty working hours within the workweek. These positions normally

have no scheduled starting and/or quitting time, but management may designate specific tasks which require assigned hours.

(3) EXCEPTIONS (E): In determining which positions are designated in the "exceptions" work period, the personnel board shall consider the following factors:

(a) Positions which meet the definition (WAC 356-06-010) of administrative personnel, agricultural personnel, executive personnel, housed personnel, law enforcement personnel, professional personnel.

(b) Positions which have historically been paid overtime by the state.

(c) Positions which have direct counterparts in private industry or other governmental jurisdictions and which have an historical or prevailing practice of paying overtime.

(d) Other factors it may deem to be appropriate.

AMENDATORY SECTION (Amending Order 167 and 167-A, filed 2/16/82 and 2/19/82)

WAC 356-15-020 WORK PERIOD DESIGNATIONS. The personnel board shall assign a specific work period designation to each classification. The personnel board may authorize a work period designation which differs from the class-wide designation for specific positions having atypical working conditions. When two or more designations are indicated for a job classification, the first designation listed shall constitute the class-wide designation. Each position shall be assigned only one designation.

(1) SCHEDULED (S):

(a) Standard: Full time positions with conditions of employment which may be completed within five consecutive work days, each having the same starting time and lasting not more than eight working hours, and occurring within the same workweek.

(b) Alternate: Full time positions with conditions of employment which may be completed within:

(i) Five work days lasting not more than eight working hours within the same workweek but which, because of operational necessity, cannot be scheduled with the same daily starting time or with consecutive days off; or

(ii) Four work days lasting not more than ten working hours each within the same workweek; or

(iii) Ten consecutive work days with four consecutive days off; or

(iv) Ten work days lasting not more than eight working hours and occurring within a scheduled fourteen consecutive day period. Positions are restricted to employees in the registered nurse class series who work in an institutional hospital primarily engaged in the care of residents.

(v) Continuous five work-days-per-week shifts which rotate each 28 days to a different schedule of regular days and hours per week. The rotation involves extended or shortened time off between the ending shift of one schedule and the beginning shift of the next, but does not require more than eight hours work in any one 24-hour period within a schedule, nor more than 52 40-hour workweeks per year. Positions are limited to communications officers and scheduled weight control officers of the state patrol.

After giving written notice to the employee and the certified exclusive representative, the employer may implement an alternate schedule provided the employer can document a program need for the alternate schedule or the alternate schedule is mutually agreeable to the employer and employee.

(2) NONSCHEDULED (NS): Full time positions (~~with conditions of employment which necessitate adjustment of hours by employees within forty working hours within the workweek. These positions normally have no scheduled starting and/or quitting time, but management may designate specific tasks which require assigned hours~~) which may, or may not, have assigned normal hours of work, but in which the incumbents are required by management to initiate changes in hours within the 40-hour workweek to accommodate working conditions encountered.

(3) EXCEPTIONS (E): In determining which positions are designated in the "exceptions" work period, the personnel board shall consider the following factors:

(a) Positions which meet the definition (WAC 356-06-010) of administrative personnel, agricultural personnel, executive personnel, housed personnel, law enforcement personnel, professional personnel.

(b) Positions which have historically been paid overtime by the state.

(c) Positions which have direct counterparts in private industry or other governmental jurisdictions and which have an historical or prevailing practice of paying overtime.

(d) Other factors it may deem to be appropriate.

AMENDATORY SECTION (Amending Order 133, filed 9/18/79)

WAC 356-15-030 OVERTIME PROVISIONS AND COMPENSATION. (1) The following conditions constitute overtime:

- (a) For full-time employees, work in excess of the workshift within the work day.
- (b) Work in excess of forty working hours in one workweek or eighty working hours in a scheduled fourteen consecutive day period as authorized under WAC 356-15-020(1)(b)(iv).
- (c) Work on a holiday (except Sunday when it is within the assigned workshift).
- (d) Work on a scheduled day off.
- (e) Law enforcement work in excess of 240 hours in a work period of 28 consecutive days (60 hours in a work period of 7 consecutive days or in the case of any work period between 7 and 28 days, a proportionate number of hours in such a work period).

(2) Scheduled work period employees shall receive overtime compensation for work which meets subsection (1)(a) through (d) of this section. However, an agency is not obligated to pay overtime due to a change in the work day or workweek, when such change is in response to a written request from an employee for employee convenience.

(3) Nonscheduled work period employees shall receive overtime compensation for work which meets subsection (1)(b) through (d) of this section and may be paid overtime compensation for work which meets subsection (1)(a) of this section.

(4) Exception work period employees are not (~~normally compensated beyond their regular rate of pay for work which meets (1)(a) through (d). However, they may be compensated for any of those conditions if their appointing authority deems it appropriate. The rate of overtime compensation may be fixed by the appointing authority but may not exceed time and one-half the regular rate of pay for these employees~~) required to be compensated or granted exchange time beyond their regular monthly rate of pay for work which meets subsection (1)(a) through (d) of this section. However, they may be compensated or granted exchange time for any of those conditions if their appointing authority deems it appropriate.

(a) If overtime compensation is authorized, the appointing authority may fix the rate, not to exceed one and one-half times the employee's regular rate of pay. As indicated in subsection (5) of this section, the agency and the employee may agree to use compensatory time off in lieu of cash; in that event, the rules covering liquidation of compensatory time apply.

(b) If exchange time is authorized, it shall be for even exchange hours off for those worked. Exchange time can be accrued to a maximum of 174 hours. Employees must be allowed to use all exchange time in excess of 80 hours prior to each April 1 and October 1. They must exhaust their exchange time before using compensatory time or vacation leave unless this would result in a loss of accumulated leave.

(c) Employees absent on approved exchange time shall be considered to be at work for payroll purposes.

(d) Exchange time has no cash liquidation value. However, employees terminating from state service or transferring to another department must be offered the opportunity to postpone their cessation of employment by the granting department until their accumulated, authorized exchange time has been used.

Law enforcement employees shall receive overtime compensation for work that meets subsection (1)(e) of this section and at the rate of time-and-one-half.

(5) Unless otherwise provided in the work period designations or other personnel board decisions, the rate of overtime compensation for scheduled and nonscheduled work period employees shall be time-and-one-half.

Overtime compensation shall be paid in either cash or compensatory time off, provided that such compensation is paid in a manner consistent with the overtime liquidation provisions of the merit system rules.

Only when an agency and the employee agree may compensatory time off be used in lieu of cash compensation for overtime. When compensatory time is utilized by scheduled or nonscheduled work period employees it shall be compensated at the rate of time-and-one-half.

AMENDATORY SECTION (Amending Order 98, filed 1/13/77, effective 2/13/77)

WAC 356-15-060 SHIFT DIFFERENTIAL PROVISIONS AND COMPENSATION. (1) Any employee working a shift shall be paid a shift premium (as shown in the shift differential schedule) under any one of the following conditions:

(a) When her/his scheduled working hours extend before 6 a.m. or beyond 6 p.m., she/he shall receive the premium rate for those hours that so extend.

(b) The premium rate shall be paid for all hours worked on a scheduled evening or night shift. Evening or night shifts are defined as those in which four or more hours of a scheduled shift extend beyond 6 p.m. or in which three or more hours of a scheduled shift are completed prior to 6 a.m.

(2) Monthly shift differential rates: In cases where shift differential hours are regularly scheduled over a year, agencies may pay shift differential at a monthly rate which is equal for all months of the year. Such monthly rates shall be calculated by dividing twelve into the amount of shift premium an employee would earn in a year if the hourly rules in subsection (1) of this ((rate)) section were applied. This option is granted to simplify bookkeeping and is not authorized to establish shift differential rates higher or lower than those set by the board.

(3) Shift differential and overtime: When a scheduled work period employee works overtime on a shift which qualifies for shift differential, her/his overtime shall be computed as one-and-one-half times her/his basic salary and shift differential combined.

(4) Payment during leave periods: Employees eligible for shift differential will receive the shift differential rate for authorized periods of paid leave, i.e., vacation leave, sick leave, military leave, holiday leave, etc.

((SHIFT DIFFERENTIAL SCHEDULE (Effective 7-1-75))

CODE	TITLE	HOURLY PREMIUM
5630-5634	Registered Nurses	23¢
0628-0641	Liquor Store Personnel/ working in the stores	23¢
	All other classes	20¢

SHIFT DIFFERENTIAL SCHEDULE (Effective 11-11-83) 50¢ per hour

AMENDATORY SECTION (Amending Order 124, filed 10/2/78)

WAC 356-30-015 APPOINTMENTS—PROHIBITION OF MULTIPLE APPOINTMENTS TO SINGLE POSITION—EXCEPTIONS. Multiple appointments to single positions within the classified service shall be restricted to the following situations:

- (1) Tandem or part-time employment where the total FTE's for all persons in the position(s) does not exceed one FTE per position
- (2) reasonable training periods
- (3) periods of approved leave of absence
- (4) emergency, intermittent, temporary, or acting appointments made in accordance with the merit system rules.

Any exceptions not permitted by this section must be approved in advance by the director of personnel, or designee.

AMENDATORY SECTION (Amending Order 58, filed 9/10/73)

WAC 356-30-130 CAREER SEASONAL ((POSITIONS)) EMPLOYMENT. (1) ((Those positions established to respond to work which is cyclic [cyclic] in nature and lasting for no more than nine months (1560 hours) during any consecutive twelve month period.

(2) The appointing authority may establish seasonal positions to respond to cyclic work load requirements, provided, that the agency will not establish seasonal positions which circumvent the utilization of full time positions:)) Career seasonal positions are those established to respond to work that is cyclic in nature beginning at approximately the same time each year and lasting for a minimum of five months and a maximum of nine months in any consecutive twelve-month period.

(2) Career seasonal employees are those who have been appointed to a career seasonal position with the mutual understanding of continued employment season after season.

(3) Initial appointment of a career seasonal employee to a career seasonal position shall be from a register.

(4) Upon completion of the probationary period (1040 scheduled hours), ((seasonal)) employees in career seasonal positions shall assume all rights of a permanent employee.

(5) Reduction in force, or reduction in hours of work, a subsequent reemployment or increase in scheduled hours of work affecting seasonal employees in seasonal positions shall be by seniority within their

seasonal lay-off unit; provided, notification of reduction-in-force or alteration of work schedules shall be given no later than two working days prior to the effective date. Career seasonal employees shall not accrue seniority while on seasonal layoff.

(6) Agencies shall maintain and post ~~((seasonal lay-off lists and))~~ seasonal reduction-in-force registers for reemployment to seasonal positions in accordance with the agency's reduction-in-force policy.

(7) Employees who have completed one season of employment shall be placed on a separate seasonal reduction-in-force register for that season of employment.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71, effective 8/1/71)

WAC 356-30-140 INTERMITTENT EMPLOYMENT—RULES—REGULATIONS. (1) The director of personnel may not authorize an intermittent appointment beyond a total working time of nine months (1560 hours) during any consecutive 12-month period. ~~((Any position which is filled beyond the nine-month cumulative period shall be considered a full-time position and will be filled in accordance with WAC 356-26-010 through 356-26-130.))~~

(2) The appointing authority is not obligated to consult the register, but he may request the director of personnel to furnish the register as a service.

(3) No person can become a permanent employee because of time served as an intermittent employee.

AMENDATORY SECTION (Amending Order 186, filed 6/17/83)

WAC 356-30-330 REDUCTION-IN-FORCE—REASONS, REGULATIONS—PROCEDURE. (1) The reasons for reduction-in-force actions and the minimum period of notice are:

(a) Employees may be separated in accordance with the statutes and the agencies' approved reduction-in-force procedures after at least fifteen calendar days' notice in writing, without prejudice, because of lack of funds or curtailment of work, or good faith reorganization for efficiency purposes, ineligibility to continue in a position which has been reallocated ((upward)), or when there are fewer positions than there are employees entitled to such positions either by statute or within other provisions of merit system rules.

(b) When employees have statutory and merit system rule rights to return to the classified service and the total number of employees exceeds the number of positions to be filled in the classification, those employees in excess will have the reduction-in-force rights prescribed in this section.

(2) The agencies shall develop a reduction-in-force procedure that is consistent with the following:

(a) For purposes of reduction-in-force (WAC 356-30-330), seniority shall be determined by the definition in WAC 356-06-010, and, if necessary, by measuring the employees' last continuous time within their current classification; and, if still necessary, by measuring the employees' last continuous time in their current agency. When the above seniority determination process results in a tie, the tie will be broken by comparing the employees' last regular annual performance evaluation.

(b) Clearly defined layoff units, either geographically or by administrative units or both, so as to limit the disruption of an agency's total operation; but not to unduly restrict the options available to employees with greater seniority. The definition of layoff units may be a series of progressively larger units within an agency when a valid option in lieu of separation cannot be offered to respective employees within a lesser-sized unit.

(c) Options in lieu of separation by reduction-in-force shall be offered by an agency only when such options are in accordance with the agency's reduction-in-force procedure which has been approved by the director of personnel.

(d) Agency reduction-in-force procedures shall specify the rights and obligations for employees to accept or reject options offered in lieu of separation due to reduction-in-force.

(e) "Bumping" by employees with greater seniority will be limited to:

- (i) The same layoff unit; and
- (ii) Classification in which the "bumping" employee previously held permanent status; and
- (iii) Position at the current salary range of the employee doing the bumping, or lower; and
- (iv) Employee with the least seniority within the same category of full-time or part-time employment; and

(v) Competition at one progressively lower classification at a time.

(f) An employee may not exercise a bumping option in lieu of separation due to a reduction-in-force if there is within the agency a vacant position which satisfies all of the criteria set forth below.

The position is one which:

(i) The agency intends to fill;

(ii) Is in the current classification of the employee being offered the option, or in a classification within which the employee being offered the option previously held permanent status;

(iii) Is at a salary range no lower than the range that would have otherwise been a bumping option;

(iv) Is located within a reasonable commuting distance of the employee's permanent work location; and

(v) Is on the same or similar workshift as the one which the employee currently holds.

(g) When an employee has previously held permanent status in more than one classification at the same salary range and is eligible to bump, then the employee shall be offered the option to bump into the position occupied by the employee with the least seniority.

(h) The right to actually "bump" shall be exercised only after the employee to be "bumped" has received at least fifteen calendar days' notice of the scheduled action.

(i) Options of full-time positions will be offered first to full-time employees before part-time positions are offered. For the purpose of these offers, employees who previously accepted part-time positions due to a reduction-in-force action or to lessen the impact of a reduction-in-force shall be considered full-time employees.

(j) Seniority for part-time employees will be computed on a basic payroll hour basis within the same provision and restrictions of the general definition of seniority. When part-time employees become full-time employees, their payroll hours will be integrated on a comparable time basis as full-time employees.

(k) Permanent employees who have been scheduled for reduction-in-force shall have the right to take a transfer or a voluntary demotion to a vacancy that is to be filled in their own layoff unit for which they qualify, as determined by the director of personnel. This right is to be exercised according to the seniority of those desiring the same vacancy.

(l) Options of other than permanent positions as named in subsection (2)(m) of this section are to be made if no permanent position to be filled is available within a reasonable commuting distance.

(m) The reduction-in-force procedure shall contain the statement that, "No permanent employee shall be separated from state service through reduction-in-force without being offered within fifteen calendar days prior to what would be the permanent employee's effective separation those positions at the same or lesser salary range within the layoff unit for which he/she qualifies, currently being held by emergency, temporary, provisional, probationary, or intermittent employees."

(n) The salary of an employee who has accepted a lower position will be reduced to the top of the range of the lower class unless the previous salary is within the range of the new class, in which case it will remain unchanged.

(3) The agency shall submit the procedure to the director of personnel for approval.

(4) Vacancies will not be filled either by local list procedures or on a provisional, temporary, intermittent, or seasonal basis without contacting the department of personnel in an effort to fill the positions by qualified employees who have been or are scheduled for separation due to reduction-in-force.

(5) When a majority of the positions in a layoff unit other than in project employment is to be eliminated because of a lack of funds and/or work, permanent employees in such positions shall be offered, according to their seniority, those positions in classes in which they have held permanent status which are currently being held by emergency, temporary, provisional, or probationary employees; provided they have not rejected offers of vacant positions made by certifications from the registers. Such options shall be offered in accordance with the following requirements:

(a) Positions in the employee's own agency and within a reasonable commuting distance shall be offered first; second, in the classified service within a reasonable commuting distance; third, anywhere within the employee's own agency; and fourth, throughout the classified service.

(b) A permanent employee's right to fill a position may be exercised only within fifteen calendar days prior to the effective date of separation.

(c) Offers will be made in accordance with a procedure established by the director of personnel.

(6) In order to exercise an option to a position which may require selective criteria, the following applies. The option may be exercised only by an employee who possesses the required specialized qualifications when:

(a) The criteria were approved when the position was established, reallocated or last filled; or

(b) The specialized qualifications were previously required for a classification that was later merged with other classifications that did not require them; or

(c) When, at a subsequent time, it was determined that the position requires the performance of specialized duties that would warrant future selective certification.

(d) In the case of (c) above, the selective criteria shall not be applied for the purposes of determining reduction-in-force options until six months after the notification of the new duties has been made to the department of personnel.

(e) In the case of (a), (b) and (c) of this subsection, the director of personnel or designee must have determined that the specialized qualifications are still essential for the successful job performance and the qualifications could not be learned within a reasonable length of time.

(7) Time to be spent on exit leave shall not be considered in determining reduction-in-force options or the order of separation due to reduction-in-force.

AMENDATORY SECTION (Amending Order 169, filed 4/12/82)

WAC 356-35-010 **DISABILITY—SEPARATION—APPEALS—PROCEDURES.** (1) When a permanent employee becomes disabled, employment may be terminated by the appointing authority after a minimum of 60 calendar days written notice, provided that the employee shall be allowed to exhaust accrued sick leave before separation if the disability prevents attendance at work. (~~When a disabled employee chooses to receive time loss compensation as provided in WAC 356-18-080, the employee shall not be separated due to disability until all accrued sick leave is exhausted.~~) Separations due to disability shall not be considered disciplinary actions and shall be appealable to the personnel appeals board on grounds that a disability does not exist. The 60 calendar days notice shall not be required when the employee requests and the appointing authority approves a shorter notice period.

(2) For purposes of this rule, determinations of disability shall be made by an appointing authority only at the employee's written request or after obtaining a physician's written statement. The appointing authority may require an employee to obtain a medical examination at agency expense from a physician of the agency's choice. In such cases, the agency shall provide the physician with the specification for the employee's class and a description of the employee's position. Evidence may be requested from the physician regarding the employee's physical ability to perform the specified duties.

(3) At the time of notification that his/her employment will be terminated because of disability, the employee shall be informed by the appointing authority of the right to appeal. The appeal must be filed in writing to the personnel appeals board as provided in Title 358 WAC within 30 days after notice of separation is given.

(4) During the notice period required by paragraph (1) an employee being separated due to disability shall be counseled by the agency regarding benefits for which the employee may be eligible through employees' insurance plans, social security, worker's compensation, veteran's benefits, public assistance, disability retirement, vocational rehabilitation, and such other related programs as may be available.

(5) The names of permanent employees who have been separated because of disability shall be placed on reduction-in-force and promotional registers by the director of personnel as provided in WAC 356-26-030 upon submission of a physician's statement that they are physically able to perform the duties of the class(es) for which the registers are established.

AMENDATORY SECTION (Amending Order 177, filed 10/26/82)

WAC 356-42-082 **FILING UNFAIR LABOR PRACTICE CHARGE.** (1) A charge or charges that any employing agency or employee organization has committed an unfair labor practice, as defined in these rules and RCW 41.56.150, may be filed with the personnel board by any employee, group of employees, employee organization, employing agency, or their authorized agents.

(2) Unfair labor practice charges shall be filed with the director of personnel, as secretary to the personnel board, at the principal office of the department of personnel.

(3) Unfair labor practice charges shall be in writing in the form of a complaint of unfair labor practices, or on a form provided by the personnel board or its designee. The charge shall contain the following:

(a) The name, address and telephone number of the charging party, and the name, address and telephone number of the party's principal representative, if any.

(b) The name, address and telephone number of the party against whom the charge is being filed, and, if known, the principal representative of the charged party.

(c) Clear and concise statements of the facts constituting the alleged unfair labor practice(s), including times, dates, places and participants in occurrences.

(d) A listing of the specific unfair labor practice(s) alleged to have been committed including reference to the applicable subsection(s) of the statute and regulation defining unfair labor practices. If the charging party is not represented, this subsection may be left blank pending the investigation of the charge.

(e) A statement of the relief sought by the charging party.

(f) The signature and, if any, the title of the person filing the charge.

(4) Unfair labor practice charges shall not be processed for any unfair labor practice occurring more than six months before the filing of the charge with the personnel board.

AMENDATORY SECTION (Amending Order 177, filed 10/26/82)

WAC 356-42-084 **ANSWER TO COMPLAINT—UNFAIR LABOR PRACTICE.** (1) The charged party shall have the right to file its answer to the unfair labor practice complaint with the personnel board (~~within five days of service of the complaint, exclusive of Saturdays, Sundays, and holidays. After the expiration of such time period, the charged party shall no longer have the right to file an answer and may do so only if the personnel board, for good cause shown, permits an answer to be filed.~~). The charged party shall serve its answer on the charging party when it files its answer with the personnel board.

(2) The answer shall specifically admit, deny or explain each of the facts alleged in the complaint. If the charged party is without knowledge sufficient to form a belief as to the truth or falsity of any specific allegation, that fact shall be so stated and shall operate as a denial of that allegation. Failure to answer all or any part of the complaint within the time required shall, except for good cause shown, be deemed an admission of such allegation(s) not answered.

(3) Facts admitted in the answer, either by specific admission or failure to answer as required, except for good cause shown, shall be considered true for purposes of the remainder of the unfair labor practice proceeding, and shall constitute a waiver by the charged party of a hearing as to the facts so admitted.

AMENDATORY SECTION (Amending Order 121, filed 6/12/78)

WAC 356-46-050 **PAYROLL CERTIFICATION.** (~~In accordance with the requirements of RCW 41.06.270, the following procedure for certification of payrolls is hereby established by joint action of the board and the director of the office of financial management:~~

~~(1) Before presentment to any disbursing officer, each agency head, or designee, shall make the following certification on each payroll register which reflects payments to employees covered by the provisions of chapter 41.06 RCW:~~

~~"I hereby certify that amounts listed in this payroll are true and correct charges, and that employees rendering service in a position covered by chapter 41.06 RCW have been employed in accordance with the provisions thereof and the rules, regulations, and orders issued thereunder.~~

~~By _____
(title) (date)"~~

~~(2) The certification shall be signed by the agency head, or designee. One copy of each certified payroll register shall be maintained as [a] part of the record files of the agency and a duplicate copy submitted to the director.) Payroll registers will be certified in accordance with instructions set forth in paragraph 4.3.2.1.5 of the Financial and Administrative Policies, Regulations and Procedures published by the Office of Financial Management.~~

WSR 83-20-061
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES

[Order 118-06—Filed September 30, 1983]

I, Hugh H. Fowler, director of the Washington State Department of Emergency Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the establishment of standard criteria for evaluating local government emergency services organizations.

I, Hugh H. Fowler, find that an emergency exists and that this 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 the emergency is this rule is necessary for determining, in part, the eligibility of local governments for receipt of federal emergency management assistance (matching) funds which become available October 1, 1983. Additionally, this rule establishes criteria for determining compliance with RCW 38.52.070 which requires local governments to create local emergency services organizations. Without this rule federal funds for local governments could be jeopardized.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 38.52.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.
 By Hugh H. Fowler
 Director

Chapter 118-06 WAC
LOCAL EMERGENCY SERVICES ORGANIZATIONS

NEW SECTION

WAC 118-06-010 AUTHORITY. This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

NEW SECTION

WAC 118-06-020 PURPOSE. The purpose of this chapter is to establish criteria for evaluating and approving the establishment of local emergency services organizations.

NEW SECTION

WAC 118-06-030 DEFINITIONS. (1) Director means the director of the Washington state department of emergency services.

(2) Council means the Washington state emergency services council as established by RCW 38.52.040.

(3) Political subdivision means a county or incorporated city or town.

(4) Executive head(s) means:

(a) In the case of an incorporated city or town, the mayor.

(b) In the case of a county, either the county executive or the chairperson of the board of county commissioners.

(5) Emergency services organization means the local government organization established by either a political subdivision or two or more political subdivisions for the purpose of carrying out emergency services as described in RCW 38.52.010(1).

(6) Ordinances means a law established by the legislative body of a city, town or county.

(7) Resolution means an expression of policy established by the legislative body of a city, town or county.

NEW SECTION

WAC 118-06-040 RESPONSIBILITIES OF POLITICAL SUBDIVISIONS. (1) A political subdivision must establish an emergency services organization by ordinance or resolution passed by the legislative body of the political subdivision.

(2) In the event that two or more political subdivisions want to join in the establishment of an emergency services organization, each political subdivision must establish said organization by ordinance or resolution passed by the legislative body of the political subdivision. Such ordinance or resolution shall specify the joint relationship being entered into with one or more political subdivisions.

(3) Each political subdivision must specify in the ordinance or resolution establishing the emergency services organization that the agency shall be headed by a director of emergency services who shall be appointed by and directly responsible to the executive head of the political subdivision.

(4) In the case of an emergency services organization established by two or more political subdivisions, such political subdivisions shall specify in the ordinances or resolutions establishing the organization that the local government agency shall be headed by a director of emergency services who shall be appointed by the joint action of the executive heads of the constituent political subdivisions. The political subdivisions shall specify by ordinances or resolutions that the emergency services director shall be directly responsible to the executive heads of the constituent political subdivisions.

(5) Each political subdivision shall specify by ordinance or resolution that the director of emergency services shall be directly responsible for the organization, administration, and operation of the emergency services organization.

(6) In the case of two or more political subdivisions joining in the establishment of a single emergency services organization, each political subdivision shall specify in the ordinance or resolution establishing the organization how the costs of supporting the organization shall be equitably shared between the constituent political subdivisions.

(7) Each political subdivision shall submit a copy of the ordinance or resolution establishing its emergency services organization to the state director for evaluation and approval of the organizational plan or structure.

NEW SECTION

WAC 118-06-050 EVALUATION OF EMERGENCY SERVICES ORGANIZATION. (1) The director shall use the following criteria to review and evaluate a local emergency services organization as represented by the ordinance(s) or resolution(s) submitted by the political subdivision(s).

(a) The emergency services organization must be established by an ordinance or resolution passed by the legislative body of the political subdivision.

(b) The ordinance or resolution establishing the emergency services organization must specify that:

(i) Either the organization represents only one political subdivision or the organization represents two or more political subdivisions that have jointly established an emergency services organization.

(ii) The organization shall be headed by a director appointed by and directly responsible to the executive head(s) of the political subdivision(s).

(iii) The director of emergency services shall be directly responsible for the organization, administration, and operation of the emergency services organization.

(iv) In the case of an organization established by two or more political subdivisions, the costs of supporting the organization shall be equitably shared as determined between the constituent political subdivisions.

(2) If any one of the criteria specified in subsection (1) of this section is not met, the director shall inform the executive head(s) of the political subdivision(s) submitting the ordinance(s) or resolution(s) establishing the organization that the organization as established is unacceptable. A political subdivision with an unacceptable organization shall be regarded as not having an emergency services organization as required by RCW 38.52.070.

NEW SECTION

WAC 118-06-060 REVIEW AND EVALUATION OF AN EXISTING EMERGENCY SERVICES ORGANIZATION. (1) Each political subdivision with an emergency services organization shall submit its ordinance or resolution establishing such organization to the director by no later than October 1, 1983.

(2) After October 1, 1983, a political subdivision shall submit a copy of the ordinance or resolution establishing an emergency services organization to the director if such organization did not exist prior to October 1, 1983.

(3) The director shall review and evaluate the ordinance for compliance with the criteria established in WAC 118-06-050 within thirty calendar days of receipt of the ordinance or resolution.

(4) If the director determines that the organization is unacceptable, he shall so inform the executive head(s) of the political subdivision(s) submitting the ordinance or

resolution. The director shall state the reasons for determining that the ordinance or resolution is unacceptable.

(5) The local political subdivision(s) shall have thirty calendar days from the date of the statement of determination in which to appeal to the director his finding that the organization is unacceptable. The appeal shall be in writing, shall set forth the reasons why the political subdivision believes the finding is incorrect, and shall be submitted by the executive head(s) of the political subdivision(s).

(6) The director shall respond to the appeal within thirty calendar days of receipt of the appeal. The response to the appeal shall either:

- (a) Sustain the original determination; or
- (b) Reverse the original determination.

(7) In responding to the appeal the director shall state in writing to the appealing executive head(s) the director's reasons for sustaining or reversing the original finding.

NEW SECTION

WAC 118-06-070 AUTHORIZING TWO OR MORE POLITICAL SUBDIVISIONS TO ESTABLISH A LOCAL EMERGENCY SERVICES ORGANIZATION. If two or more political subdivisions submit ordinances or resolutions establishing a single emergency services organization which meet the criteria set forth in WAC 118-06-050, the director shall inform the executive heads of the constituent political subdivisions that the emergency services organization is acceptable and authorized. Nothing in this code shall prevent one or more political subdivisions from contracting with another subdivision for emergency services under the provisions of chapter 39.34 RCW, the Interlocal Cooperation Act.

NEW SECTION

WAC 118-06-080 RESOLUTION OF CONFLICT REGARDING THE SHARING OF EMERGENCY SERVICES ORGANIZATION COSTS BETWEEN POLITICAL SUBDIVISIONS. If two or more political subdivisions cannot agree on the equitable sharing of costs to support the emergency services organization established by the constituent political subdivisions, the director shall refer the matter to the council. The council shall consider the matter at either a regular or special meeting. The council may request additional information from the constituent political subdivisions, the director or other interested party(s). The council shall arbitrate the matter, and its decision shall be final.

**WSR 83-20-062
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES**

[Order 118-07—Filed September 30, 1983]

I, Hugh H. Fowler, director of the Washington State Department of Emergency Services, do promulgate and

adopt at Olympia, Washington, the annexed rules relating to the establishment of standard criteria for evaluating local government emergency services plans.

I, Hugh H. Fowler, find that an emergency exists and that this 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 the emergency is this rule is necessary for determining, in part, the eligibility of local governments for receipt of federal emergency management assistance (matching) funds which become available October 1, 1983. Additionally, this rule establishes standard criteria for evaluating local emergency services plans required by RCW 38.52.070. Without this rule federal funds to assist local government emergency services programs could be jeopardized.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 38.52.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Hugh H. Fowler
Director

Chapter 118-07 WAC
LOCAL EMERGENCY SERVICES PLANS

NEW SECTION

WAC 118-07-010 AUTHORITY. This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

NEW SECTION

WAC 118-07-020 PURPOSE. The purpose of this chapter is to establish criteria for evaluating local comprehensive emergency operations plans.

NEW SECTION

WAC 118-07-030 DEFINITIONS. (1) Director means the director of the Washington state department of emergency services.

(2) Political subdivision means a county or an incorporated city or town.

(3) Council means the Washington state emergency services council as described in RCW 38.52.040 and 38.52.070.

(4) Comprehensive emergency operations plan, hereinafter referred to as the plan, means a written basic plan with annexes, procedures and checklists which addresses all natural and man-made, including warfare, emergencies and disasters to which a political subdivision is vulnerable. The comprehensive emergency operations plan follows the format outlined in WAC 118-07-

060 and specifies the purpose, organization, responsibilities, and facilities of agencies and officials of the political subdivision in mitigation of, preparation for, response to, and recovery from all emergencies and disasters.

(5) Hazard analysis means a written assessment and listing of the natural and man-made, including warfare, emergencies and disasters to which a political subdivision is vulnerable.

NEW SECTION

WAC 118-07-040 SUBMITTAL OF COMPREHENSIVE EMERGENCY OPERATIONS PLAN OR PLAN DEVELOPMENT SCHEDULE FOR REVIEW BY DIRECTOR. (1) Each political subdivision shall submit its comprehensive emergency operations plan or schedule for development or maintenance of the plan to the director by July 1 of each year. Political subdivisions that have joined together to form a joint emergency services organization may submit a single plan or schedule by the aforementioned deadline.

(2) Revised or updated portions of the plan or its annexes shall be submitted to the director within thirty calendar days of local promulgation of such updated or revised portion of the plan or its annexes.

NEW SECTION

WAC 118-07-050 REVIEW PERIODS AND PROCEDURES. (1) The director shall review and evaluate the plan or its annexes, procedures, or checklists or revisions or updates to portions of the plan or its annexes, procedures, or checklists within forty-five workdays of receipt of such plan, annexes, procedures or checklists or portions thereof at the state department of emergency services.

(2) Within the forty-five workday review period the director shall provide to the political subdivision(s) submitting the comprehensive emergency operations plan or portions thereof, recommendations for changes or improvements or notice of acceptance. If the director's recommendations for changes or improvements are adverse to the political subdivision(s) submitting the plan, the political subdivision(s) may request a meeting with the director to resolve questions regarding the recommendations.

(3) If the political subdivision(s) submitting the plan still disagree with the director's recommendations, the political subdivision(s) may appeal the director's review findings to the council. The council may consider the matter at any regular or special meeting; consider information supplied by the director, the political subdivision, or other party; and review the plan or portion thereof. Within thirty days of receipt of notice of appeal by the director, the council shall render a decision regarding the matter.

NEW SECTION

WAC 118-07-060 CRITERIA FOR EVALUATING LOCAL EMERGENCY SERVICES PLAN. The director shall use but not be limited to the following criteria for evaluating local emergency services plans.

(1) Each plan shall have a basic section which shall follow the format listed in (a) through (d) of this subsection and shall be comprised of the following five components:

(a) A purpose or mission statement. This statement shall include an explanation of why the plan is established, a citation of federal, state, and local statutes, and an explanation of the situations and assumptions upon which the plan is based.

(b) An organization and responsibilities statement. This statement shall include a listing of the emergency responsibilities of each agency of the political subdivision(s) and a brief explanation of the chain of command and organizational relationships between agencies.

(c) A concept of operations statement. This statement shall briefly explain how the plan and its annexes, procedures or checklists will be implemented and how the political subdivisions will interrelate to other counties, cities, or towns or other levels of government.

(d) An administration and logistics statement. This statement shall specify how emergency response and recovery action will be financed and shall outline how resources within the political subdivision(s) shall be organized, listed and utilized.

(e) A direction and control statement. This statement shall specify the location of the emergency operating center(s), control points, command posts, field stations, communications links, warning and notification systems and the means or procedures for maintaining civil government within the political subdivision(s).

(2) Each plan shall have the following annexes appearing behind the basic section of the plan:

- (a) Direction, control and coordination.
- (b) Continuity of government.
- (c) Emergency resource management.
- (d) Warning.
- (e) Emergency public information.
- (f) Response and recovery operation reports.
- (g) Movement (evacuation).
- (h) Shelter.
- (i) Manpower.
- (j) Mass care, emergency welfare, individual assistance.
- (k) Medical, health, and mortuary.
- (l) Communications.
- (m) Food.
- (n) Transportation.
- (o) Radiological and technological protection.
- (p) Law enforcement.
- (q) Fire protection.
- (r) Emergency engineering services.
- (s) Search and rescue.
- (t) Military support.
- (u) Religious affairs.
- (v) Emergency administrative procedures.
- (w) Emergency fiscal procedures and records.
- (x) Training and education.
- (y) Energy and utilities.
- (z) Special subjects (special contingency procedures).

(3) The annexes shall outline in detail the function of the emergency services organization during emergencies. Each annex should include the following elements:

- (a) Purpose.
- (b) Operational concepts.
- (c) Responsibilities.
 - (i) Local agencies.
 - (ii) Volunteer agencies or organizations.
- (d) Agency functions by time phase.
 - (i) Mitigation and preparedness.
 - (ii) Response.
 - (iii) Recovery.
- (e) Appendices.
 - (i) Organization chart.
 - (ii) SOPs as necessary.
 - (iii) Attachments.

(4) The political subdivision(s) may add special contingency procedures for specific hazards or events under annex z (subsection (2)(z) of this section). The content of such procedures shall be determined by the political subdivision(s).

(5) The local ordinance(s) establishing the emergency services organization shall be appended to the plan along with other documents such as mutual aid agreements, memoranda of understanding, etc.

(6) The plan, its annexes, procedures and checklists shall be promulgated by letter signed by the current executive head(s) of the political subdivision(s) to which the plan applies.

(7) The plan shall be reviewed and updated at least once in every two calendar years. Each page of the plan and its annexes, procedures, and checklists must show the month and year of the latest update of information appearing on the page.

(8) Each plan shall be tested by an emergency operations exercise involving the head(s) of the local political subdivision(s) no less than once each calendar year.

WSR 83-20-063

EMERGENCY RULES

DEPARTMENT OF

EMERGENCY SERVICES

[Order 118-08—Filed September 30, 1983]

I, Hugh H. Fowler, director of the Washington State Department of Emergency Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the establishment of procedures for evaluating and approving local government emergency services program statements.

I, Hugh H. Fowler, find that an emergency exists and that this 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 the emergency is this rule is necessary for determining, in part, the eligibility of local governments for receipt of federal emergency management assistance (matching)

funds which become available October 1, 1983. Additionally, this rule establishes standard criteria for evaluation and approval of local emergency services program statements. Without this rule federal assistance funds for local emergency services agencies may be jeopardized.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 38.52.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Hugh H. Fowler

Director

Chapter 118-08 WAC
LOCAL EMERGENCY SERVICES PROGRAM

NEW SECTION

WAC 118-08-010 *AUTHORITY.* This chapter is promulgated pursuant to the authority granted in RCW 38.52.070.

NEW SECTION

WAC 118-08-020 *PURPOSE.* The purpose of this chapter is to establish criteria for evaluating local emergency services programs.

NEW SECTION

WAC 118-08-030 *DEFINITIONS.* (1) Director means the director of the Washington state department of emergency services.

(2) Political subdivision means a county or an incorporated city or town.

(3) Emergency services organization means the local government agency established by a political subdivision or two or more political subdivisions for the purpose of carrying out emergency services as described in RCW 38.52.010(1).

(4) Council means the Washington state emergency services council as described in RCW 38.52.040 and 38.52.070.

(5) Program paper means a statement of emergency services program objectives for a period of twelve consecutive months beginning January 1 and ending December 31 of the calendar year. A program paper may represent, at the discretion of the director, the program objectives for a period of less than twelve consecutive months. The program paper shall represent the local program for the purposes of RCW 38.52.070 and shall be used as a program management tool by both state and local government.

NEW SECTION

WAC 118-08-040 *SUBMITTAL OF PROGRAM PAPER FOR REVIEW BY DIRECTOR.* (1) Each political subdivision shall submit its program paper annually to the director not less than sixty days prior to the start of the effective period of the program paper. Unless the director specifies in writing to the contrary the program paper must be submitted by November 1 each year for the twelve-month period beginning January 1 and ending December 31 of that year.

(2) Two or more political subdivisions may submit a single program paper if the political subdivisions have established an accepted joint emergency services organization as described by WAC 118-06-070. The submittal requirements described in subsection (1) of this section apply to the submission of a single program paper by two or more political subdivisions acting jointly.

NEW SECTION

WAC 118-08-050 *REVIEW PERIOD AND PROCEDURES.* (1) The director shall review and evaluate the program paper within twenty workdays following receipt of the program paper.

(2) Within twenty workdays of receipt of the program paper, the director shall provide to the political subdivision(s) submitting said paper, recommendations for changes or improvements or a notice of acceptance. The political subdivision(s) submitting such program paper shall have fifteen calendar days to make any recommended changes in the program paper or to appeal the director's determination to the council. If the director's recommendations are adverse to the political subdivision(s), the political subdivision(s) may request a meeting with the director to resolve any questions prior to appeal to the council.

(3) The political subdivisions may appeal the director's review findings to the council. Such appeal must be made in writing within thirty calendar days of the date of the findings. The council may consider the matter at any regular or special meeting. The council may request information regarding the matter from the director, the political subdivision(s), or any other party. The council shall review the program paper, and within thirty calendar days of receipt of the appeal by the director, the council shall render a decision. The council's decision shall be final and binding on the director and the political subdivision.

NEW SECTION

WAC 118-08-060 *CRITERIA FOR EVALUATING LOCAL EMERGENCY SERVICES PROGRAM PAPER.* (1) The director shall use the following criteria for evaluating program papers.

(a) Each program paper shall list the emergency services program objectives of the political subdivision(s) for a twelve-month period or for a lesser period as specified in WAC 118-08-030.

(b) Each program paper shall address the following categories:

(i) Comprehensive emergency plan development or updating;

- (ii) Training and education;
 - (iii) Communications, warning and notification systems development or maintenance;
 - (iv) Radiological and hazardous materials incident response capability or maintenance;
 - (v) Tests, drills and exercises to assess emergency plan, personnel training and system effectiveness;
 - (vi) Public information;
 - (vii) Hazard analysis and assessment;
 - (viii) General program administration;
 - (ix) Response to emergencies and disasters.
- (c) Each program paper shall have objectives consistent with federal and state emergency services program requirements as published by the director on or before September 1 each year.

(d) The program paper may include, in addition to the objectives listed in (b) of this subsection, specific local program objectives relating to local program needs.

(e) The director shall specify and publish a form for the political subdivision(s) to use in recording and submitting program objectives.

(2) The political subdivision(s) shall submit a statement of progress on each objective in each of the categories listed in subsection (1) of this section in two reports, one to be submitted to the director on April 1 of each year and the other July 1 of each year. Each report shall indicate the progress on each objective, whether or not objectives have been met, and if objectives have not been met or are not being met, the reasons why progress or achievement has not been accomplished.

NEW SECTION

WAC 118-08-070 INTERIM PROGRAM PAPER FOR THE PERIOD OCTOBER 1 THROUGH DECEMBER 31, 1983. Each political subdivision shall submit a program paper by October 14, 1983, for the period of October 1 through December 31, 1983, in accordance with the program paper evaluation criteria specified in WAC 118-08-060. Review and appeal procedures specified in WAC 118-08-050 shall apply to this interim program paper.

WSR 83-20-064
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Order 118-09—Filed September 30, 1983]

I, Hugh H. Fowler, director of the Washington State Department of Emergency Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the establishment of criteria for allocating emergency management assistance (matching) funds to eligible emergency services organizations of local governments. This rule repeals the following chapter of the Washington Administrative Code: WAC 118-10-010, Purpose; 118-10-020, Definitions; and 118-10-030, EMA funds eligibility criteria.

I, Hugh H. Fowler, find that an emergency exists and that this 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 the emergency is this rule is necessary for the establishment of procedures for allocating federal emergency management assistance (matching) funds to eligible local government emergency services organizations. These funds become available October 1, 1983. Without this rule federal funds cannot be properly allocated to local governments, and existing local emergency programs may stop. This rule replaces an outdated rule, chapter 118-10 WAC.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 38.52.160 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Hugh H. Fowler
 Director

Chapter 118-09 WAC
**CRITERIA FOR ALLOCATION OF EMERGENCY
 MANAGEMENT ASSISTANCE FUNDS**

NEW SECTION

WAC 118-09-010 PURPOSE. The purpose of this regulation is to establish criteria to be applied by the director of the Washington state department of emergency services in allocating emergency management assistance (EMA) funds to local emergency services organizations of this state for the purpose of carrying out emergency services programs. EMA funds will be allocated in accordance with the federal Civil Defense Act of 1950 and other applicable parts of the Code of Federal Regulations.

NEW SECTION

WAC 118-09-020 DEFINITIONS. (1) Administrative expenses mean necessary emergency management expenses required for the proper and efficient administration of the emergency management program of a local government emergency services organization.

(2) Personnel expenses mean necessary emergency management expenses for personnel on the staffing pattern of a local emergency services organization including but not limited to salaries, wages, and supplementary compensation and fringe benefits for such personnel. Such expenses must be supported by job descriptions, payroll records, and time distribution records to be kept on file by the local emergency services organization.

(3) Program paper means the same as "program paper" as defined by WAC 118-08-030.

(4) Comprehensive emergency operations plan means the same as "comprehensive emergency operation plan" as defined by WAC 118-02-030.

(5) State director means the director of the Washington state department of emergency services.

(6) Emergency services organization means the same as emergency services organization as defined by WAC 118-06-030.

(7) Review board shall mean a committee of four persons appointed by the director, three persons from the state department of emergency services and the president of the Washington state association of emergency services directors.

NEW SECTION

WAC 118-09-030 EMA FUNDS ELIGIBILITY CRITERIA. Local emergency services organizations in the state of Washington will be eligible for EMA funds if the following criteria are met prior to the beginning of the one-year period for which the funds are sought:

(1) The local emergency services organization for which EMA funds are sought shall have a current comprehensive emergency operations plan or schedule for plan development or maintenance approved by the state director.

(2) The director/coordinator of the emergency services organization for which EMA funds are sought shall be a full-time or part-time employee of the organization.

(3) The emergency services organization shall have an approved program paper in accordance with WAC 118-08-060.

(4) Local emergency services organization personnel must be hired and appointed in accordance with local merit system rules and regulations that are commensurate with federal guidelines.

(5) If a local emergency services organization receiving EMA funds fails to meet the requirements of subsections (1) through (4) of this section, the state director shall withhold from the recipient any EMA funds for the balance of the federal fiscal year. The funds thus withheld shall be reallocated on a percentage basis to those emergency services organizations that have met the requirements of subsections (1) through (4) of this section.

NEW SECTION

WAC 118-09-040 DISTRIBUTION OF EMA FUNDS. (1) From the total amount of EMA funds allocated for distribution to local emergency services organizations, the director may withhold up to five percent of the funds for discretionary distribution to emergency services organizations that meet EMA funds eligibility criteria after the beginning of the one-year period for which EMA funds are available. These discretionary moneys will be distributed on a percentage basis to local emergency services organizations that became eligible during the one-year period for which EMA funds are available. If such discretionary funds are exhausted, local emergency services organizations that become eligible for such funds will not receive funds.

(2) Any portion of the withheld percentage of the total EMA fund allocation to local emergency services organizations that has not been distributed by the end of a nine-month period, measured from the beginning of the one-year period for which EMA funds are available, shall be distributed on a percentage basis to those emergency services organizations that have achieved and maintained eligibility in accordance with WAC 118-09-030.

(3) The director shall decide upon and publish by September 1 each year, the beginning and ending dates of the next one-year period for which EMA funds will be available to local emergency services organizations.

(4) The total amount of EMA funds allocated for distribution to local emergency services organizations, less the percentage withheld by the director (net funds), shall be distributed to eligible local emergency services organizations on a percentage basis up to and including fifty percent of eligible costs. The percentage amount will be determined by the amount of federal funds available each federal fiscal year. The percentage shall be derived by dividing the amount of net funds available by the total of all EMA funds requested by eligible local emergency services organizations. An eligible local emergency services organization shall receive an amount of EMA funds equal to the percentage multiplied by the amount of EMA funds requested.

NEW SECTION

WAC 118-09-050 APPEAL AND REVIEW OF EMA FUNDS DISTRIBUTION. (1) A local emergency services organization may appeal to the director to reconsider the amount of funds distributed to it if the emergency services organization believes that the amount of EMA funds distributed to it is inconsistent with the eligibility criteria. Such appeal shall be made in writing to the director within fifteen calendar days following receipt of notification of the EMA allocation by the local emergency services organization.

(2) The appeal shall set forth the local emergency services organization's reasons for the appeal.

(3) The director shall respond to the local emergency services organization in writing within fifteen calendar days of receipt of the written appeal. The director's response shall uphold or modify the distribution of EMA funds and set forth in writing the reasons for his decision. The decision of the director shall be final.

(4) The director may appoint a review board of four persons to review and recommend a response to an appeal.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

(1) WAC 118-10-010 PURPOSE.

(2) WAC 118-10-020 DEFINITIONS.

(3) WAC 118-10-030 EMA FUNDS ELIGIBILITY CRITERIA.

WSR 83-20-065
PROPOSED RULES
EMPLOYMENT SECURITY DEPARTMENT

[Filed September 30, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Employment Security Department intends to adopt, amend, or repeal rules concerning requirements of corporations electing coverage of corporate officers, WAC 192-12-025;

that the agency will at 10:00 a.m., Wednesday, November 9, 1983, in the Commissioner's Conference Room, Second Floor, Employment Security Building, 212 Maple Park, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 50.12.010 and 50.12.040.

The specific statute these rules are intended to implement is RCW 50.04.165.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 7, 1983.

Dated: September 30, 1983

By: Norward J. Brooks
 Commissioner

STATEMENT OF PURPOSE

The following statement has been prepared by the Employment Security Department for the purpose of legislative review of agency rules as provided by chapter 34.04 RCW.

WAC 192-12-025, Election of coverage for corporate officers.

RCW 50.04.165 was revised by the legislature to fully exempt corporate officers. The effective date is October 1, 1983. Emergency rules were adopted September 30, 1983. To voluntarily cover the services of corporate officers it is necessary for the agency to receive written notice from the employer as set forth in RCW 50.24.160. It was, therefore, necessary to establish a required date for submitting the written notice. Because of previous improper reporting of corporate officers, correct reporting procedures must be outlined. It is also necessary to define the proper use of reportable and nonreportable corporate officer wages with respect to agricultural and domestic employer liability.

The rules were drafted by Howard Nanto and Tom LePique of the tax branch of the Employment Security Department. Their office address is 212 Maple Park, Olympia, Washington 98504. Their telephone number is 753-5178. Chiefs of tax central office operations and tax field operations are responsible for the implementation and enforcement of the rules. Their office address is Employment Security Department, 212 Maple Park, Olympia, Washington 98504. Their office telephone numbers are 753-5140 and 753-7166.

AMENDATORY SECTION (Amending Order 4-81, filed 11/10/81)

WAC 192-12-025 REQUIREMENTS OF CORPORATIONS
 ((REQUESTING EXEMPTION)) ELECTING COVERAGE OF

CORPORATE OFFICERS. RCW 50.04.165 provides: "((At the discretion of the employer, s)) Services performed after September 30, ((+198+)) 1983, in the capacity of corporate officers, ((may)) as defined in RCW 23A.08.470, other than those covered by Chapter 50.44 RCW, shall not be considered services in employment. ((This exemption shall not apply to services performed by corporate officers that are covered by chapter 50.44 RCW.)) However, a corporation may elect to cover not less than all of its corporate officers under RCW 50.24.160. If an employer does not elect to cover its corporate officers under RCW 50.24.160, the employer must notify its corporate officers that they are ineligible for unemployment benefits. If the employer fails to notify any corporate officer, then that person shall not be considered to be a corporate officer for the purposes of this section."

In order for the employment security department to make timely and accurate employer liability determinations and unemployment insurance payments, the commissioner prescribes:

(1) The term "corporate officer" is defined the same as in RCW 23A.08.470, which states "The officers of a corporation shall consist of a president, one or more vice presidents as may be prescribed by the bylaws, a secretary, and a treasurer, each of whom shall be elected by the board of directors at such time and in such manner as may be prescribed by the bylaws. Such other officers and assistant officers and agents as may be deemed necessary may be elected or appointed by the board of directors or chosen in such other manner as may be prescribed by the bylaws. Any two or more offices may be held by the same person, except the offices of president and secretary, except that when all of the issued and outstanding stock of the corporation is owned of record by one shareholder, one person may hold all or any combination of offices."

(2) ((Any employer exercising the exemption provided in RCW 50.04.165 exempts the services of all corporate officers from coverage.

((3)) All services of corporate officers are deemed ((covered and subject to contributions)) exempt until the effective date of ((written notification)) approval of election of coverage ((from the employer)) by the commissioner.

((4)) Written notice is required to reinstate coverage of services of corporate officers.

((5)) (3) A ((W)) written ((notice)) request for voluntary coverage must be submitted by the employer and be signed by someone authorized to legally bind the corporation ((AND)). The request must be received by the department no later than thirty days prior to the ((beginning)) end of the quarter in which the change of coverage is to begin. However, if an employer wishes to ((exempt)) voluntarily cover the services of corporate officers beginning with the fourth quarter ((+198+)) of 1983, written notice must be received by the department no later than October 31, ((+198+)) 1983.

((6)) (4) ((All changes in)) Elected coverage of services of corporate officers ((are)) can be effective from the beginning of ((the)) any calendar quarter, and will remain in effect for not less than two calendar years. Coverage can be terminated only at the end of a calendar year, provided a written request for termination is submitted to the agency by the employer, on or before the 15th of January immediately following the end of the last calendar year of desired coverage.

((7)) (5) Wages or salary paid for services of corporate officers exempt under RCW 50.04.165 will not be used to determine liability of agricultural ((and domestic)) employers. However, if a corporation voluntarily covers its officers the wages of salary paid for services of those officers shall be used to determine the liability of agricultural employers.

(6) A corporation exempt from covering the services of its officers under RCW 50.04.165 should not include those officers' names, social security numbers, wages or hours on any Employment Security quarterly wage and tax reports submitted for any calendar quarters which fall during the period of exemption.

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: 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.

WSR 83-20-066
EMERGENCY RULES
EMPLOYMENT SECURITY DEPARTMENT
 [Order 1-83—Filed September 30, 1983]

I, Norward J. Brooks, Commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to requirements of corporation electing coverage of corporate officers, WAC 192-12-025.

I, Norward J. Brooks, Commissioner, Employment Security Department, find that an emergency exists and that this 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 the emergency is recent amendments to Title 50 RCW require the adoption of this rule. The rule is interpretive.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 50.04.165 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Employment Security Department as authorized in RCW 50.12.010 and 50.12.040.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Norward J. Brooks
 Commissioner

AMENDATORY SECTION (Amending Order 4-81, filed 11/10/81)

WAC 192-12-025 REQUIREMENTS OF CORPORATIONS ((REQUESTING EXEMPTION)) ELECTING COVERAGE OF CORPORATE OFFICERS. RCW 50.04.165 provides: "~~((At the discretion of the employer, s))~~ Services performed after September 30, ((1981)) 1983, in the capacity of corporate officers, ((may)) as defined in RCW 23A.08.470, other than those covered by Chapter 50.44 RCW, shall not be considered services in employment. ((This exemption shall not apply to services performed by corporate officers that are covered by chapter 50.44 RCW.)) However, a corporation may elect to cover not less than all of its corporate officers under RCW 50.24.160. If an employer does not elect to cover its corporate officers under RCW 50.24.160, the employer must notify its corporate officers that they are ineligible for unemployment benefits. If the employer fails to notify any corporate officer, then that person shall not be considered to be a corporate officer for the purposes of this section."

In order for the employment security department to make timely and accurate employer liability determinations and unemployment insurance payments, the commissioner prescribes:

(1) The term "corporate officer" is defined the same as in RCW 23A.08.470, which states "The officers of a corporation shall consist of a president, one or more vice presidents as may be prescribed by the bylaws, a secretary, and a treasurer, each of whom shall be elected by the board of directors at such time and in such manner as may be prescribed by the bylaws. Such other officers and assistant officers and agents as may be deemed necessary may be elected or appointed by the board of directors or chosen in such other manner as may be prescribed by the bylaws. Any two or more offices may be held by the same person, except the offices of president and secretary, except that when all of the issued and outstanding stock of the corporation is owned of record by one shareholder, one person may hold all or any combination of offices."

(2) ~~((Any employer exercising the exemption provided in RCW 50.04.165 exempts the services of all corporate officers from coverage.~~

~~((3))~~ All services of corporate officers are deemed ((covered and subject to contributions)) exempt until the effective date of ((written notification)) approval of election of coverage ((from the employer)) by the commissioner.

~~((4))~~ Written notice is required to reinstate coverage of services of corporate officers.

~~((5))~~ (3) A ((W)) written ((notice)) request for voluntary coverage must be submitted by the employer and be signed by someone authorized to legally bind the corporation ((AND)). The request must be received by the department no later than thirty days prior to the ((beginning)) end of the quarter in which the change of coverage is to begin. However, if an employer wishes to ((exempt)) voluntarily cover the services of corporate officers beginning with the fourth quarter ((1981)) of 1983, written notice must be received by the department no later than October 31, ((1981)) 1983.

~~((6))~~ (4) ((All changes in)) Elected coverage of services of corporate officers ((are)) can be effective from the beginning of ((the)) any calendar quarter, and will remain in effect for not less than two calendar years. Coverage can be terminated only at the end of a calendar year, provided a written request for termination is submitted to the agency by the employer, on or before the 15th of January immediately following the end of the last calendar year of desired coverage.

~~((7))~~ (5) Wages or salary paid for services of corporate officers exempt under RCW 50.04.165 will not be used to determine liability of agricultural ((and domestic)) employers. However, if a corporation voluntarily covers its officers the wages of salary paid for services of those officers shall be used to determine the liability of agricultural employers.

(6) A corporation exempt from covering the services of its officers under RCW 50.04.165 should not include those officers' names, social security numbers, wages or hours on any Employment Security quarterly wage and tax reports submitted for any calendar quarters which fall during the period of exemption.

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: 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.

WSR 83-20-067
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-144—Filed September 30, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is allows a treaty Indian update fishery to occur while minimizing risk of overfishing.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Gary C. Alexander
for William R. Wilkerson
Director

NEW SECTION

WAC 220-36-02100I SALMON FISHING AREAS—GILLNET—SEASONS. *Notwithstanding the provisions of WAC 220-36-021, 220-36-022 and 220-36-024, effective immediately until further notice it is unlawful for any non-treaty fisherman to take, fish for or possess salmon for commercial purposes from Grays Harbor Salmon Management and Catch Reporting Areas 2A, 2B, 2C or 2D.*

WSR 83-20-068
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 83-145—Filed September 30, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5 and 6C allow the least restrictive regulations that allow protection of adult Canadian chinook salmon while providing opportunity for limited harvest, limited impact, limited effort, immobile treaty Indian coho fisheries. Restrictions in Areas 6, 6A, 7 and 7A provide protection for Canadian summer/fall chinook during IPSFC sockeye and pink management and subsequent protection for Fraser River coho. Restrictions in Area 7C and the Samish River protect milling chinook destined for the Samish Hatchery. Restrictions in Area 6D and the Dungeness River provide protection for local chinook and pink stocks. Restrictions in other Strait of Juan de Fuca tributaries provide protection for local coho stocks. Restrictions in Area 12C provide protection for summer/fall chinook and pink salmon returning to Hoodspout Hatchery. Restrictions in Areas 10C, 10D and the Cedar River are the least restrictive regulations that provide opportunity to harvest chinook and protect Lake Washington sockeye. Restrictions in the Nooksack River provides protection for local pink stocks. Restrictions in Area 8 and the Skagit River protect local pink stocks. Restrictions in Area 13B provide protection for local early chum stocks.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Gary C. Alexander
for William R. Wilkerson
Director

NEW SECTION

WAC 220-28-324 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS. *Effective immediately 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:*

Areas 4B, 5, and 6C – Gill net gear restricted to 6-1/2-inch maximum mesh, when open.

**Areas 6, 6A, 7 and 7A – Gill net gear restricted to 5-7/8-inch maximum mesh, when open. Effective 12:01 AM Sunday October 2 – closed to all commercial fishing.*

Area 6D in that portion within a 1,000-foot radius of the mouth of the Dungeness River and the Dungeness River – Effective until

further notice, closed to all commercial fishing.

Area 7C - Effective until further notice, closed to all commercial fishing.

Area 8 - Effective until further notice, closed to all commercial fishing.

Area 10C - Effective until further notice, closed to all commercial fishing.

Area 10D - Effective through October 8, gill net gear restricted to 6-1/2-inch minimum mesh and all other gear must release sockeye, when open. That portion within 250 yards of the eastern and northern shores of Lake Sammamish between the Sammamish River and Issaquah Creek is closed to all commercial fishing until further notice.

Area 12C - Effective through September 30, closed to all commercial fishing within 1,000 feet of the western shore between Hoodspout Marina Dock and Glen Ayr Trailer Park.

Area 13B - Effective through October 15: (1) that portion westerly of a line from the flashing light at Arcadia to Hungerford Point (Hammersley Inlet) is closed to gill nets, and other gear must release female chum salmon; (2) that portion north of a true east-west line projected through the southernmost point on Stretch Island and intersecting with the eastern and western shores of Case Inlet is closed to gill nets, and other gear must release all chum salmon.

Cedar River - Effective until further notice, closed to all commercial fishing.

Nooksack River - Upstream of the confluence of north and south forks - Effective until further notice, closed to all net gear.

Skagit River including all tributaries - Effective until further notice, closed to all commercial fishing.

Samish River - Effective until further notice, closed to all commercial fishing.

Hoko, East and West Twin, Clallam, Lyre, Sekiu, Sail and Pysht rivers, and Salt and Deep creeks - Effective until further notice, closed to all commercial fishing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-28-323 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-139)

WSR 83-20-069

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-146—Filed September 30, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia,

Washington, the annexed rules relating to commercial fishing rules.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is restrictions in Areas 4B, 5, and 6C provide protection for weak Canadian origin chinook and coho stocks. Restrictions in Areas 6, 6A, 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye and pink fisheries under the direction of IPSEC and subsequent protection for Fraser River coho. Openings in Areas 8A, 9, 10, 11, 12, 12A and 12B provide opportunity to harvest non-Indian coho allocations. Extended opening of Areas 6D and 7B necessary to harvest coho allocation. All other areas are closed to prevent overharvest.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Gary C. Alexander
for William R. Wilkerson
Director

NEW SECTION

WAC 220-47-815 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective immediately until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes in the following Puget Sound Salmon Management and Catch Reporting Areas in accordance with the following restrictions:

Areas 4B, 5, 6C - Closed.

Areas 6, 6A, 7, and 7A - Under control of International Pacific Salmon Fisheries Commission and U.S. Department of Commerce. Gill net gear is restricted to 5-7/8-inch maximum mesh, when open. Effective 12:01 AM Sunday October 2 - closed to all commercial fishing.

Area 6D - Closed except gill nets using 5-inch minimum mesh and purse seines using the 5-inch strip may fish 24 hours/day. That portion of Area 6D within a 1,000-foot radius of the mouth of the Dungeness River remains closed to all commercial fishing.

Area 7B - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly. Purse seines may fish from 5:00 AM to 9:00 PM daily. That portion north of a line from Post Point to the

northern tip of Eliza Island then true west to Lummi Island is open to gill nets using 5-inch minimum mesh and purse seines 24 hours/day.

**Area 8A, 10 and 11 - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM October 3 through the morning of October 4, and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM October 3.*

**Area 9 - Closed except open to gill nets using 5" minimum mesh from 5 PM to 9 AM Monday night October 3 through the morning of October 4 and to purse seines using the 5" strip from 5 AM to 9 PM Monday October 3. That portion inside and westerly of a line from the Point No Point light to Sierra Echo Buoy to Forbes Landing Wharf east of Hansville is closed to all commercial fishing.*

**Areas 12, 12A east of a line from Fisherman's Point to Point Whitney, and area 12B north of a line from Hood Point to Quatsap Point - Closed except gill nets using 5-inch minimum mesh may fish from 5:00 PM to 9:00 AM nightly Monday through Thursday, October 3 through the morning of October 7; and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily Monday through Thursday October 3, 4, 5 and 6. Area 12A west of a line from Fisherman's Point to Point Whitney and Area 12B South of a line from Hood Point to Quatsap Point is closed to all commercial fishing.*

Partial area exclusions applicable to the Area 7B, 8A, 10, 11 and 12 openings are described in WAC 220-47-307.

Area 6B, 7C, 7D, 8, 9A, 10A, 10B, 10C, 10D, 10E, 11A, 12C, 12D, 13, 13A, 13B, and all freshwater areas - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-47-814 PUGET SOUND COMMERCIAL FISHERY RESTRICTIONS (83-138)

WSR 83-20-070

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 83-147—Filed September 30, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is conforms commercial regulations with Oregon and the Columbia River Compact as harvestable quantities of sturgeon are available.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 30, 1983.

By Gary C. Alexander
for William R. Wilkerson
Director

NEW SECTION

WAC 220-32-04000S SEASON AND AREA—STURGEON SETLINE. Notwithstanding the provisions of WAC 220-32-040, effective immediately it is unlawful to take, fish for, or possess sturgeon taken for commercial purposes with setline gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D and that portion of Area 1E downstream of a line projected due north from the mouth of Oneonta Creek on the Oregon shore to a deadline marker on the Washington shore except at those times, with the gear, and under the provisions designated below:

(1) The open fishing period is October 1, 1983 until further notice.

(2) Setline gear is limited to 4 lines per fisherman, not more than 300 hooks per line, with buoys which must float visibly at all times attached to each end of each setline on which buoys must be written in a legible manner the fishing license number of the fisherman operating the setline gear.

(3) Minimum hook size is 12/0 or number 3 tuna circle, and treble hooks are prohibited.

(4) Gangions must contain an in-line swivel between the groundline and the hook.

(5) Setlines must be attended once every 48 hours, weather permitting.

(6) All sturgeon under 48 inches in length and over 72 inches in length must be released immediately and all sturgeon in transit must not have head or tail removed.

(7) It is unlawful to take sturgeon by angling from any vessel that is engaged in commercial sturgeon fishing, has been engaged in commercial sturgeon fishing that same day, or has commercially caught sturgeon on board.

NEW SECTION

WAC 220-32-05700S SEASON AND GEAR—STURGEON. Notwithstanding the provisions of WAC 220-32-057, effective immediately until further notice, it is unlawful for any fisherman, including treaty Indian

fishermen, to take, fish for or possess sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1G, 1F and 1H except for those individuals at those times, with the gear and under the provisions designated below:

(1) Only individuals possessing treaty fishing rights under the Umatilla, Warm Springs, Yakima and Nez Perce treaties may fish for sturgeon for commercial purposes.

(2) The open fishing period is October 1, 1983 until further notice.

(3) Setline gear limited to a maximum of 100 single hooks per setline, hook size is 9/0 minimum, and each setline must have at least one buoy on which is legibly marked the tribal identification number of the fisherman operating the gear.

(4) All sturgeon under 48 inches in length or over 72 inches in length must be released immediately and all sturgeon in transit must not have head or tail removed.

(5) It is unlawful for any fisherman to sell, barter or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of any sturgeon prior to the time the sturgeon is sold to a wholesale dealer, and it is unlawful for any wholesale dealer to purchase or attempt to purchase sturgeon eggs that have been removed from the body cavity of any sturgeon prior to the time that the sturgeon is offered for sale.

WSR 83-20-071
NOTICE OF PUBLIC MEETINGS
URBAN ARTERIAL BOARD
[Memorandum—October 3, 1983]

Urban Arterial Board
Transportation Building
Olympia, Washington 98504

Beginning at 9:30 a.m., Friday, October 21, 1983.

✓ **WSR 83-20-072**
ADOPTED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Banking)
[Order 55—Filed October 3, 1983]

I, L. O. Malmberg, Acting Supervisor of Banking, do promulgate and adopt at Olympia, Washington, the annexed rules relating to satellite facilities, amending WAC 50-40-990 and cost of examinations, amending WAC 50-44-010 and 50-44-020.

This action is taken pursuant to Notice No. WSR 83-16-073 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 30.04.030 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED September 7, 1983.

By L. O. Malmberg
Acting Supervisor of Banking

AMENDATORY SECTION (Amending Order 48, filed 12/1/82)

WAC 50-40-990 APPENDIX I—FORM—APPLICATION TO PROVIDE SATELLITE FACILITY.

APPENDIX I

FORM—APPLICATION TO PROVIDE SATELLITE FACILITY
(NOT TO BE CONSTRUED TO BE THE ESTABLISHMENT OF A BRANCH.)

To the Supervisor of Banking:

(Bank, Trust Company, (~~Stock Savings~~)) Stock Savings or
Mutual Savings Bank, hereinafter referred to as the
Applicant), _____, Washington,

(City)

hereby initiates application for approval to provide
satellite facilities at

(Include street designation or approximate location in
terms of nearest intersection)

(City or Town, indicate direction if outside city
limits)

_____, Washington.

(County)

The location of the proposed satellite facility would be
..... miles distant from the main office and
miles distant from the nearest branch

(Name) of the Applicant

We enclose a verified copy of a resolution adopted
..... by the Board of Directors or Board of Trustees
(Date)

of the Applicant, duly authorizing the undersigned to
make this application, and obligate the Applicant for
necessary costs. Also enclosed is a check to apply upon
the costs of investigation. If the cost of investigation to
be made exceeds the minimum required by WAC 50-
12-040(13), the Applicant will pay such excess in ac-
cordance with that section.

We also enclose the supporting data required by
WAC 50-40-020.

SUBSCRIBED AT, Washington((f,)),
 this day of, 19...

(Please type name and position under signature)

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 48, filed 12/1/82)

WAC 50-44-010 COLLECTION OF EXAMINATION COSTS—COLLECTION METHOD. The requirement of RCW 30.04.070 that the supervisor collect from each bank, mutual savings bank, stock savings bank((f,)), trust company, or industrial loan company, the estimated cost of examinations, shall be met in accordance with the procedures established in this chapter. Costs shall be recouped by the following methods: Semi-annual asset charges, a charge for each branch office in operation, and an hourly charge for the number of hours spent by division personnel in specialized examinations. In addition, a special assessment will be made over the next two years to provide working capital for the banking examination fund.

AMENDATORY SECTION (Amending Order 48, filed 12/1/82)

WAC 50-44-020 SEMI-ANNUAL ASSET CHARGE—ASSESSMENT. A semi-annual charge for assets will be computed upon the asset value reflected in the most recent report of condition. The rate of such charge shall be as set forth in the following schedules:

(1) Commercial banks.

If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	1	\$ 500	.0000850	0
1	10	1,000	.0000850	1
10	100	1,000	((f-0000800)) ((f-0000800))	1
100	300	1,000	.0000600	1
300	500	1,000	.0000575	1
500	700	1,000	.0000538	1
700	900	1,000	.0000525	1
900	1,000	1,000	.0000500	1
1,000	—	1,000	.0000450	1

(2) Alien banks.

If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	200	\$1,000	.0000625	1
200	300	1,000	.0000600	1
300	500	1,000	.0000575	1
500	700	1,000	.0000550	1
700	1,000	1,000	.0000500	1
1,000	—	1,000	.0000450	1

(3) Mutual savings banks and stock savings banks.

If the bank's total assets are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	100	\$3,000		
100	200	1,000	.0000225	1
200	500	1,000	.0000200	1
500	1,000	1,000	.0000175	1
1,000	3,000	1,000	.00001625	1
3,000	—	1,000	.0000150	1

(4) Industrial loan companies.

If the total assets on a consolidated basis are:

The assessment is:

Over	But not Over	This Amount	Plus	Of Excess Over
Million	Million			Million
0	1	\$ 250		
1	—	250	.000075	1

The supervisor's office shall forward by first-class mail a notice to each respective financial institution showing the total amount of the asset charge due. The notices shall be mailed during the months of February and August, commencing in February 1982. The asset charge must be received by the office of the supervisor of banking within thirty days from the time the supervisor's notice is mailed. An additional two hundred dollar penalty shall be assessed if the amount is not paid within the time specified.

WSR 83-20-073
ADOPTED RULES
DEPARTMENT OF
GENERAL ADMINISTRATION
(Division of Banking)
 [Order 56—Filed October 3, 1983]

I, L. O. Malmberg, Acting Supervisor of Banking, do promulgate and adopt at Olympia, Washington, the annexed rules relating to acquisition of banks, trust companies, national banking associations or bank holding companies by out-of-state bank holding companies, creating new chapter 50-48 WAC.

This action is taken pursuant to Notice No. WSR 83-16-072 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 30.04.230 as amended by section 9, chapter 157, Laws of 1983 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.
APPROVED AND ADOPTED September 7, 1983.

By L. O. Malmberg
Acting Supervisor of Banking

Chapter 50-48 WAC

ACQUISITION OF BANKS, TRUST COMPANIES,
NATIONAL BANKING ASSOCIATIONS OR
BANK HOLDING COMPANIES BY OUT-OF-
STATE BANK HOLDING COMPANIES

WAC

- 50-48-010 Authority and Purpose.
50-48-020 Joint Application.
50-48-030 Information Required—Identity of Applicant Parties and Operating Subsidiaries—Designation of Each Applicant.
50-48-040 Information Required from Applicant to be Acquired.
50-48-050 Information Required From Acquiring Applicant.
50-48-060 Information to be Made Available by Acquiring Applicant.
50-48-070 Information to be Made Available by Applicant Acquired.
50-48-080 Application to Include Statement of Interlocking Management or Ownership.
50-48-090 Supervisor may Consult with and Obtain Information from Appropriate Federal Regulatory Authority.

NEW SECTION

WAC 50-48-010 **AUTHORITY AND PURPOSE.** These regulations are promulgated pursuant to Section 9, Chapter 157, Laws of 1983, to establish a procedure under which an out-of-state bank holding company which desires to acquire more than five percent of the shares of the voting stock, or all or substantially all of the assets, of a bank, trust company, national banking association or bank holding company, the principal operations of which are conducted within this state, may apply to the supervisor for approval of such acquisition.

NEW SECTION

WAC 50-48-020 **JOINT APPLICATION.** An application for approval of such acquisition shall be submitted jointly by the acquiring bank holding company and the domestic institution or bank holding company to be acquired. The application need not be in any particular format, but must set forth all the information required under these regulations and must be accompanied by an application fee in the amount of five thousand dollars. The application shall include a copy of the agreement setting forth the plan of merger or acquisition, including certified copies of the resolutions of the respective boards of directors of parties to the agreement

approving same. The application shall also include a statement authorizing any federal or state regulatory agency to make available to the supervisor any and all information which such agency may have relating to the applicants or any of their subsidiaries.

NEW SECTION

WAC 50-48-030 **INFORMATION REQUIRED—IDENTITY OF APPLICANT PARTIES AND OPERATING SUBSIDIARIES—DESIGNATION OF REPRESENTATIVE OF EACH APPLICANT.** Unless included in other information required by this chapter, the application shall set forth the name and main office address of all operating subsidiaries of both the acquiring bank holding company and the bank, trust company, national banking association or domestic bank holding company to be acquired. In addition, the application shall set forth the name, office address, and telephone of one or more persons designated by each applicant to be its official representative in connection with the application. All contact between the supervisor's office and the applicant should, except in extraordinary circumstances, be through such representatives.

NEW SECTION

WAC 50-48-040 **INFORMATION REQUIRED FROM APPLICANT TO BE ACQUIRED.** The bank, trust company, national banking association, or domestic bank holding company to be acquired shall include with the application each of the following items of information:

(a) A statement verifying that the bank, trust company, national banking association or domestic bank holding company to be acquired is in such a liquidity or financial condition as to be in danger of closing, failing or insolvency, setting forth with specificity the circumstances upon which such conclusion is based.

(b) A statement of all courses of action actively considered as an alternative to the proposed merger or acquisition; a statement of why each such course of action or combination of more than one of them was not taken; a statement as to why assistance available from the Federal Reserve Board, the Federal Deposit Insurance Corporation, or other governmental agency either alone or in combination with other actions is not sufficient to alleviate the liquidity or financial situation so as to avoid the danger of closing, failing or insolvency; and if known, the course or courses of action which will be taken in the event the merger or acquisition is not consummated.

(c) Financial records including: (1) copies of reports of condition required to be filed with the appropriate regulatory authorities and financial statements showing its assets and liabilities as of the end of each of the six most recent quarterly periods of operation; (2) copies of income and expense statements for each of the six most recent quarterly periods of operation; and (3) a copy of the most recent independent audit report.

Information submitted in response to this subsection shall be consolidated figures for the entire organization.

If individual figures for operating subsidiaries are available, they shall also be submitted.

(d) A statement setting forth which, if any, state banks, trust companies, or national banking associations doing business in this state, or domestic bank holding companies have been solicited to make an offer for acquisition or merger. If no such solicitations have been made, the application shall include an explanation of the decision not to make such solicitations. The application shall include a summary of the terms of any bona fide offer for merger or acquisition received from any domestic bank, trust company, national banking association or bank holding company, and shall further state whether any domestic offerors have been given the opportunity to match the terms of the proposed acquisition by or merger with the out-of-state bank holding company.

NEW SECTION

WAC 50-48-050 INFORMATION REQUIRED FROM ACQUIRING APPLICANT. The applicant out-of-state bank holding company shall submit with the application each of the following items of information:

(a) A copy of its most recent audited financial statement, its most recently prepared statement of assets and liabilities, including footnotes and explanations, and its most recent income and expense report.

(b) A statement of its then existing business plan, both short-range and long-range, for operation of the bank, trust company, national banking association or domestic bank holding company to be acquired. Such statement shall include comments by the acquiror as to how the proposed acquisition will meet the needs and convenience of the people of the state of Washington.

(c) A list of any other notices pursuant to the Change in Bank Control Act (12 U.S.C. §1817(j)) filed on its behalf involving any other bank, trust company, national banking association or bank holding company which is presently pending. Such list shall include the date and place of filing each notice and the name and address of the institution to which each notice pertains.

(d) A statement as to what part, if any, of the funds to be used in making the acquisition or merger are borrowed from sources other than its own subsidiaries. With respect to any such funds, the applicant shall state: (1) the amount and source of borrowed funds; (2) collateral pledged, if any; (3) terms of the loan, including interest rates, amortization requirements, guarantors, endorsers, and any other arrangements or agreements among the parties to such loan transaction; (4) proposed source of funds for debt service; (5) whether and to what extent the acquiring party intends to rely on dividends, fees, etc. from the institution being acquired for debt servicing requirements.

NEW SECTION

WAC 50-48-060 INFORMATION TO BE MADE AVAILABLE BY ACQUIRING APPLICANT. The applicant out-of-state bank holding company shall make available for review by the office of the supervisor the following:

(a) Any current file which it or its principal banking subsidiary or subordinate is required to maintain by regulations promulgated by the appropriate federal financial supervisory authority (as defined in 12 U.S.C. §2902(1)) for purposes of the Community Reinvestment Act (12 U.S.C. §2902 et seq.).

(b) Copies of all internal documents having to do with the proposed merger or acquisition, including, without limitation, memoranda or analyses together with conclusions and recommendations to management and all financial or other information from which such memoranda, analyses, conclusions, recommendations or other documents were prepared.

NEW SECTION

WAC 50-48-070 INFORMATION TO BE MADE AVAILABLE BY APPLICANT TO BE ACQUIRED. The bank, trust company, national banking association or domestic bank holding company to be acquired shall make available to the supervisor all internally generated reports relating to the operation of any or all operating subsidiaries during the immediately preceding two-year period.

NEW SECTION

WAC 50-48-080 APPLICATION TO INCLUDE STATEMENT OF INTERLOCKING MANAGEMENT OR OWNERSHIP. The application must state whether any management official (as defined in 12 U.S.C. §3201(4)) of the acquiring out-of-state bank holding company or any of its affiliated corporations (as the term "affiliated" is defined by 12 U.S.C. §3201(3)) is also a management official of any other depository institution or holding company other than the bank, trust company, or national banking association being acquired, or whether any person, partnership or corporation who owns or controls, directly or indirectly, ten percent or more of the outstanding voting shares of the acquiring applicant also owns, directly or indirectly, ten percent or more of the outstanding voting shares of any other depository institution or holding company. If such circumstances do exist, the application shall include: (1) the name of such person or persons, partnerships or corporations; (2) name and address of the depository institution or holding company; (3) relationship triggering this reporting requirement; and (4) nature and extent of ownership interest held by such person, partnership or corporation in the applicant and other depository institution or holding company.

NEW SECTION

WAC 50-48-090 SUPERVISOR MAY CONSULT WITH AND OBTAIN INFORMATION FROM APPROPRIATE FEDERAL REGULATORY

AUTHORITY. The supervisor may consult with appropriate federal regulatory agencies in connection with any application filed hereunder and shall consider any information received from such agency or agencies in ruling upon the application.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Tuesday, November 8, 1983.

Dated: October 3, 1983
By: John B. Conklin
Forest Tax Supervisor

WSR 83-20-074
ATTORNEY GENERAL OPINION
Cite as: AGO 1983 No. 19
[September 30, 1983]

OFFICES AND OFFICERS—COUNTY—TREASURER—FUNDS—BANKS AND BANKING—DEPOSITARIES—DEPOSIT OF CERTAIN MUNICIPAL FUNDS IN SAVINGS AND LOAN ASSOCIATIONS

(1) A county treasurer continues to be authorized to invest funds under his/her control within the provisions of RCW 36.29.020 in savings or time accounts in mutual savings banks or savings and loan associations up to the insurance limits afforded such accounts by the Federal Savings and Loan Insurance Corporation even though the particular institution has not also been approved as a qualified depository under chapter 66, Laws of 1983—except to the extent that specific statutes which were repealed or amended by chapter 66 might come into play.

(2) Consideration, and identification, of certain specific municipal funds which, by virtue of the enactment of chapter 66, Laws of 1983, may no longer be invested or deposited with thrift institutions which have not been approved as qualified public depositories.

Requested by:
Honorable Robert V. Graham
State Auditor
Legislative Building
Olympia, Washington 98504

WSR 83-20-075
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed October 4, 1983]

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 Forest land values—1984, WAC 458-40-19108;

that the agency will at 10:00 a.m., Tuesday, November 8, 1983, in the Conference Room, 2nd Floor, Evergreen Plaza Building, 711 South Capitol Way, Olympia, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 84.33.120 as amended by chapter 148, Laws of 1981.

The specific statute these rules are intended to implement is RCW 84.33.120.

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: WAC 458-40-19108, Forest land values—1984.

Purpose: To establish the forest land values for each grade of bare forest land on the basis of its use only for growing and harvesting timber.

Statutory Authority: RCW 84.33.120 as amended by chapter 148, Laws of 1981, directs the Department of Revenue prior to January 1 of each year to determine forest land values and to certify such values to the county assessors.

Summary and Reasons for the Rule: The rule sets out the procedure for determining the per acre dollar value of forest land annually and giving consideration to land quality (land quality grades 1 through 8, and operability classes 1 through 4 for each land qualities 1 through 7) with a uniform valuation system throughout the state.

Drafters of the Rule: John Conklin, (206) 753-2871, and Bill Derkland, (206) 753-1359, both located at Room 303, Evergreen Plaza Building, 711 South Capitol Way, Olympia, WA 98501.

Rule Implementation and Enforcement: Donald Burrows, Director of Revenue, Room 415, General Administration Building, Olympia, WA 98504, (206) 753-5512.

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.

NEW SECTION

WAC 458-40-19108 FOREST LAND VALUES—1984. The forest land values, per acre, for each grade of forest land for the 1984 assessment year are determined to be as follows:

1984 WASHINGTON FOREST LAND VALUES		
LAND GRADE	OPERABILITY CLASS	VALUES PER ACRE
1	1	\$160
	2	155
	3	148
	4	108
2	1	133
	2	129
	3	125
	4	91
3	1	106
	2	103
	3	98
	4	75

1984 WASHINGTON FOREST LAND VALUES		
LAND GRADE	OPERABILITY CLASS	VALUES PER ACRE
4	1	79
	2	77
	3	75
	4	59
5	1	58
	2	54
	3	52
	4	35
6	1	30
	2	29
	3	29
	4	25
7	1	14
	2	14
	3	13
	4	13
8		1

WSR 83-20-076
NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE
 [Memorandum—October 3, 1983]

The regular meeting of the board of trustees, scheduled for October 17, 1983, has been cancelled and rescheduled for October 24, 1983, at 4:30 p.m., in the bookstore conference room.

This regular meeting will replace the special meeting previously announced.

WSR 83-20-077
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 83-148—Filed October 4, 1983]

I, William R. Wilkerson, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, William R. Wilkerson, find that an emergency exists and that this 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 the emergency is harvestable numbers of salmon are available, and this rule is adopted pursuant to the Columbia River compact.

These 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 the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 4, 1983.

By Russell W. Cahill
 for William R. Wilkerson
 Director

NEW SECTION

WAC 220-32-05100A SEASONS—SALMON. Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, it is unlawful to take, fish for or possess salmon taken for commercial purposes in Columbia River Management and Catch Reporting Areas 1F, 1G or 1H, except that those individuals possessing treaty rights pursuant to the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish from 6:00 p.m. October 4 until 6:00 p.m. October 7, 1983.

NEW SECTION

WAC 220-32-05800L CLOSED AREAS SALMON—RIVER MOUTHS. Notwithstanding the provisions of WAC 220-32-058, effective 6:00 p.m. October 4 until 6:00 p.m. October 7, 1983 the sanctuary provisions at the mouths of Little White Salmon River and Spring Creek National fish hatchery are repealed for individuals participating in a legal commercial salmon fishery.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100Z SEASONS—SALMON.
 (83-141)

WSR 83-20-078
PROPOSED RULES
EASTERN WASHINGTON UNIVERSITY
 [Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Eastern Washington University intends to adopt, amend, or repeal rules concerning:

Rep ch. 172-156 WAC State College Resident Housing.
 New ch. 172-325 WAC State Environmental Policy Act;

that such institution will at 1:00 p.m., Thursday, November 17, 1983, in the Council Chambers, Pence Union Building, EWU, Cheney, Washington 99004, conduct a public hearing relative thereto.

The formal adoption, amendment, or repeal of such rules will take place immediately following such hearing.

The authority under which these rules are proposed is RCW 28B.35.120 and 43.21C.120.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this

institution prior to November 17, 1983, Business and Finance, Attn: J. Samples, and/or orally at 1:00 p.m., Thursday, November 17, 1983, Council Chambers, Pence Union Building, EWU, Cheney, Washington 99004.

Dated: September 22, 1983
By: Bert Shaber
Chairman, Board of Trustees

STATEMENT OF PURPOSE

Subject: Eastern Washington University's Notice of Intent to Adopt, Amend, or Repeal, chapter 172-156 WAC (repealer) and chapter 172-325 WAC (new section).

Authority: Chapter 28B.35 RCW.

Summary of Rule: EWU proposes to adopt the rule in response to directives and RCW 43.21C.120 of the State Environmental Policy Act (SEPA), WAC 197-10-800 and 197-10-810 which expressly requires all state agencies to adopt rules implementing SEPA.

Personnel Responsible for Drafting, Implementation and Enforcement: Mr. Russell Hartman, Vice President for Business and Finance, 206 Showalter Hall, Eastern Washington University, Cheney, WA 99204, (509) 359-2421.

Comments: None.

Reason for Rule: See summary above.

Small Business Impact: None.

NEW SECTION

WAC 172-325 STATE ENVIRONMENTAL POLICY ACT (SEPA) It is the policy of Eastern Washington University that any project shall be accomplished in compliance with Chapter 43.21C RCW, The State Environmental Policy Act (SEPA) and in accordance with Chapter 197-10 WAC, Guidelines for The State Environmental Policy Act Implementation. To this end, Eastern Washington University hereby adopts by reference Chapter 197-10 of the WAC SEPA guidelines and all subsequent amendments thereto.

In compliance with Chapter 197-10 WAC, the Vice President for Business and Finance, or his/her designee shall be the responsible official for carrying out this policy.

WSR 83-20-079
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES
[Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Natural Resources intends to adopt, amend, or repeal rules concerning this order adds several new sections to chapter 332-30 WAC, aquatic land management. These rules establish regulations for determining rental rates, credits and refunds for leases of aquatic lands, as required under ESSB 3290 (chapter 2, Laws of 1983 2nd ex. sess.). The rules set the methods by which a 6 percent per year limit on rental rate increases, overpayment credits and refunds will be applied to existing leases, releases, lease renewals and new leases from April 3, 1982, to September 30, 1984;

that the agency will at 1:00 p.m., Wednesday, November 9, 1983, in the Seattle Port Office, Commissioners Chambers, 3rd Floor, Bell Street and Alaskan Way, Pier 66, Seattle, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 22, 1983.

The authority under which these rules are proposed is RCW 79.01.525.

The specific statute these rules are intended to implement is RCW 79.01.525.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 16, 1983.

Written or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules before the hearing or in response to written or oral comments received before or during the hearing.

The agency may need to change the date for hearing or adoption on short notice. To ascertain that the hearing or adoption will take place as stated in this notice, an interested person may contact the person named below.

Correspondence relating to this notice and the proposed rules should be addressed to:

Bob Hoyser
Department of Natural Resources
Division of Marine Land Management
Cushman Road
Olympia, Washington 98504
Mailstop EX-12
(206) 753-7158

Dated: October 5, 1983

By: Brian J. Boyle
Commissioner of Public Lands

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Chapter 332-30 WAC, Aquatic land management; includes WAC 332-30-200 Purpose—Lease rate rules; 332-30-205 Scope—Lease rate rules; 332-30-210 Definitions—Lease rate rules; 332-30-215 Rental rates—Leases issued prior to April 3, 1982; 332-30-220 Rental rates—Lease issued after April 3, 1982; 332-30-225 Overpayment credit; and 332-30-230 Overpayment refund.

Statutory Authority: RCW 79.01.525.

Specific Statute that Rule is Intended to Implement: RCW 79.01.525.

Summary of the Rules: This notice proposes to add several new sections to chapter 332-30 WAC, Aquatic land management. These rules establish regulations for determining rental rates, credits and refunds for leases of aquatic lands, as required under ESSB 3290 (chapter 2, Laws of 1983 2nd ex. sess.). The rules set the methods by which a 6 percent per year limit on rental rate increases, overpayment credits and refunds will be applied

to existing leases, re-leases, lease renewals and new leases from April 3, 1982, to September 30, 1984.

Reasons Supporting the Proposed Rules: The rules establish regulations for determining rental rates, credits and refunds for leases of aquatic lands, as required under Engrossed Senate Bill No. 3290 (chapter 2, Laws of 1983 2nd ex. sess.).

The Agency Personnel Responsible for Drafting: Robert Hoyser, Use Authorization Supervisor, Division of Marine Land Management, 900 47th Avenue, Olympia, Washington 98506, Mailstop EX-12, (206) 753-5324; **Implementation and Enforcement:** John De Meyer, Manager, Division of Marine Land Management, 900 47th Avenue, Olympia, Washington 98506, Mailstop EX-12, (206) 753-5324.

Name of the Person or Organization Whether Private, Public, or Governmental, that is Proposing the Rule: Department of Natural Resources.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining to the Rule: These rules roll back the rental rates for aquatic lands leases to January 1, 1981, rental rates, limit the increase of those rates, from January 1, 1981, to six percent per year, allow for overpayment credits on future rents and cash refunds for overpayments in certain lease-termination situations.

The rule is not necessary to comply with a federal law or a federal or state court decision.

A small business economic impact statement is not required. The rules roll the rents of all affected leases back to January 1, 1981. Therefore, the current rentals either remain the same or are lowered and any overpayments are credited towards future rent or paid back to the lessee in cash in certain termination situations.

NEW SECTION

WAC 332-30-200 PURPOSE—LEASE RATE RULES. WAC 332-30-200 through 230 establishes regulations for determining rental rates, credits and refunds for leases of aquatic lands to the first due date following September 30, 1984, as required under ESSB 3290 (Ch. 2, Laws of 1983, 2nd ex. sess.). If there is conflict between these regulations and WAC 332-30-125, these regulations will apply.

NEW SECTION

WAC 332-30-205 SCOPE—LEASE RATE RULES. WAC 332-30-200 through 230 will apply to existing leases, re-leases, lease renewals and new leases. They will not apply to the following: (1) shellfish agreements with rental rates established by competitive bid, (2) material removal agreements, (3) use and occupancy permits, (4) easements, (5) deep water disposal permits, (6) mineral mining contracts and prospecting leases, and (7) leases issued for filled tide/shorelands with nonwaterfront upland characteristics.

NEW SECTION

WAC 332-30-210 DEFINITIONS—LEASE RATE RULES. The following definitions shall apply in WAC 332-30-200 through 230. Additional definitions may be found in WAC 332-30-106.

- (1) "Adjustment factor" is .0001644 and is equal to $.06 \div 365$ days.
- (2) "Date of issuance" shall mean the date the lease commences as specified in the contract.

(3) "Due date" shall mean that day each year when the rent is to be paid, as specified in the contract.

(4) "Overpayment" shall mean that portion of the rent paid after April 3, 1982, that is more than the rent permitted under this law.

(5) "Prevailing Rent" shall mean the annual rent in effect for that particular lease on January 1, 1981, including stairstepped or other incremental payments, adjusted in proportion to any changes in the acreage under lease, but not including the leasehold tax. If the lease was not in effect on January 1, 1981, the "Prevailing Rent" shall be the average of the prevailing rents per acre for similar leases.

(6) "Similar Leases" shall mean leases of comparable public tide-lands, shorelands, beds of navigable waters, and harbor areas for like uses within the same general area, considering the access, zoning, size, shape and topography.

(7) "Termination" shall mean the expiration or conclusion of a lease agreement. It shall occur on the last day of the lease term or on a mutually agreed upon day, unless otherwise provided in the lease document. As used in these rules, it shall not apply to: involuntary forfeiture, voluntary forfeiture that is not mutually agreeable to the lessee and the lessor; the cessation of payment for use of aquatic lands by owners of private docks used for personal recreational purposes as provided for by section two of ESSB 3290. The effective date of the termination shall be that of the expiration date or the Department Order, whichever is earlier.

NEW SECTION

WAC 332-30-215 RENTAL RATES—LEASES ISSUED PRIOR TO APRIL 3, 1982. The annual rental rate from April 3, 1982 until the following due date shall be the sum of: (1) the prevailing rent plus (2) the prevailing rent (times) the adjustment factor (times) the number of days from January 1, 1981 to April 3, 1982. On the due date following April 3, 1982 the annual rental rate shall be increased to the sum of: (1) the rent effective on April 3, 1982 plus (2) the prevailing rent (times) the adjustment factor (times) the number of days between April 3, 1982 and the following due date. Rental rates for each year thereafter shall be increased to the sum of: (1) the previous year's rent plus (2) the prevailing rent (times) 6 percent. **PROVIDED,** however, that no lease will have its rental rate increased above any rates previously set for the period from April 3, 1982 to September 30, 1984.

NEW SECTION

WAC 332-30-220 RENTAL RATES—LEASES ISSUED AFTER APRIL 3, 1982. The first year's rent shall be the sum of: (1) the prevailing rent plus (2) the adjustment factor (times) the number of days from January 1, 1981 to the date of issuance (times) the prevailing rent. Rental rates for each year thereafter shall be increased to the sum of: (1) the previous year's rent plus (2) the prevailing rent (times) 6 percent. **PROVIDED,** however, that no lease will have its rental rate increased above any rates previously set for the period from April 3, 1982 to September 30, 1984.

NEW SECTION

WAC 332-30-225 OVERPAYMENT CREDIT. If the lessee has paid more rent for the period after April 3, 1982 than the rent allowed under WAC 332-30-215 and 220, the overpayment will first be applied by the Department to the lease from which it was earned (up to the first due date following September 30, 1984) then to other leases held by the same lessee.

NEW SECTION

WAC 332-30-230 OVERPAYMENT REFUND. If a lease terminates between June 13, 1983, (the effective date of Ch. 2, Laws of 1983, 2nd ex. sess.) and before September 30, 1984, without full credit being granted, a refund will be paid to the lessee provided that the lease is paid up, the lessee is in compliance with the terms, and this provision of the Act is not declared invalid. At the request of the lessee a refund will be applied by the Department to other leases held by the same lessee.

WSR 83-20-080
PROPOSED RULES
DEPARTMENT OF
NATURAL RESOURCES
(Board of Natural Resources)
 [Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Natural Resources intends to adopt, amend, or repeal rules concerning establishment of charges and fees for services performed by the Department of Natural Resources.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on December 6, 1983, at 9:30 a.m.

The authority under which these rules are proposed is RCW 79.01.088 and 79.01.720.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 29, 1983.

Dated: October 4, 1983

By: Brian J. Boyle

Chairman of the Board

STATEMENT OF PURPOSE

Amendments to and repeal of portions for chapter 332-10 WAC.

Purpose of Rule: The purpose of the amendments and repealers is to more accurately reflect the actual costs for services performed by the Department of Natural Resources in processing certain classes of documents.

Statutory Authority: RCW 79.01.088 and 79.01.720.

Summary of Rules and Reasons Supporting Proposed Action: The repealed rules are unnecessary in light of the amendments. The amendments are designed to establish reasonable charges for categories of services performed by the Department of Natural Resources in an amount sufficient to defray their cost.

Agency Personnel Responsible for Drafting: Walt Carlson, Right of Ways Division, Department of Natural Resources, Public Lands Building, Olympia, Washington 98504, Telephone: (206) 753-5334, and J. Lawrence Coniff, Assistant Attorney General, 310 Public Lands Building, Olympia, Washington 98504, Telephone: (206) 753-5318; and Implementation and Enforcement: William Lundberg, Manager, Administrative Services Division, Department of Natural Resources, Public Lands Building, Olympia, Washington 98504, Telephone: (206) 753-5310, Sandra Clancy, Manager Office Services, Department of Natural Resources, Public Lands Building, Olympia, Washington 98504, Telephone: (206) 753-5328, and appointed records officers at each area office of the Department of Natural Resources.

Person or Organization Proposing Rule: Department of Natural Resources.

Agency Comments and Recommendations: The proposed changes in the regulations are designed to implement the statutes which direct cost recovery for performing certain categories of services by the Department of Natural Resources. To the extent such fees are collected, the fiscal condition of the department would

be improved. No problems are anticipated in implementing or enforcing these changes. These rule changes were not made in response to federal law or federal or state court action.

Small Business Economic Impact Statement: No small business economic impact statement is required because neither twenty percent of all industries nor ten percent of any one industry are impacted by the proposed regulation changes.

AMENDATORY SECTION (Amending Order 349, Resolution 310, filed 11/13/80)

WAC 332-10-170 FEES FOR PERFORMING THE FOLLOWING SERVICE. ((A fee will be collected and transmitted to the state treasurer as required by law.)) Charges for the following categories of services will be collected and transmitted to the state treasurer for deposit into the resource management cost account:

(1) ((Five dollars for the issuance of:
 (a) Original contract of sale;
 (b) original bill of sale;
 (c) original lease;
 (e) original harbor area lease and approval of bond;
 (f) original right of way certificate;
 (g) lieu contract of sale;
 (h) lieu lease (except mineral, coal and oil and gas);)) Twenty-five dollars for the approval of any assignment of contract of sale, assignment of lease, assignment of bill of sale or assignment of right of way.

(2) ((Five dollars for the approval of:
 (a) Assignment of contract of sale;
 (b) assignment of lease (any kind);
 (c) assignment of bill of sale.)) Twenty-five dollars for the division of contracts or leases pursuant to RCW 79.01.236.

(3) Five dollars for certification of any document.
(4) Fifteen cents per page for copies of ((records or)) documents which do not exceed 8-1/2 x ((+3)) 14 inches in ((page)) size.

(5) Copies of ((records or)) documents ((which exceed)) or non-standard items beyond the size ((limits)) of documents set forth in subsection (4) above (e.g., computer printouts, films, recordings or ((larger documents)) maps will be charged on the basis of the cost of reproduction including the time of Department personnel as determined by the records officer for the Department of Natural Resources.

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 349, Resolution 310, filed 11/13/80)

WAC 332-10-180 APPLICATION FEE. An applicant to purchase land; or lease any public land or valuable materials ((from or lease any public land for any purpose except oil and gas leasing)) shall pay a ((five)) twenty-five dollar application fee, except from prospecting leases or mining contracts fees as specified by WAC 332-16-040, and oil and gas leases as specified by WAC 332-12-230. ((The application fee is not refundable and will not be credited as a portion of the required annual rental.))

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: 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 349, Resolution 310, filed 11/13/80)

WAC 332-10-190 EXCEPTIONS. ((A public agency will be)) The following applicants are exempt from paying the fees set forth in WAC 332-10-170 and 332-10-180:

(1) Any agency, political subdivision or municipal corporation of this state, or any agency of the United States;

(2) Any lease or sale of land, valuable materials, minerals, coal, oil or gas, which is initiated by the Department;

(3) Applicants for a coal mining option contract who shall instead pay the fees required by RCW 79.01.656.

(4) Assignment transferring contract or leasehold interest by operation of law.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 332-10-150 PROMULGATION.
- (2) WAC 332-10-160 DEFINITION.

WSR 83-20-081
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
 [Order 403—Filed October 5, 1983]

I, Brian Boyle, director of the Department of Natural Resources, do promulgate and adopt at Room 201, Public Lands Building, Olympia, Washington 98504, the annexed rules relating to this order adds several new sections to chapter 332-30 WAC, aquatic land management. These rules establish regulations for determining rental rates, credits and refunds for leases of aquatic lands, as required under ESSB 3290 (chapter 2, Laws of 1983 2nd ex. sess.). The rules set the methods by which a 6 percent per year limit on rental rate increases, overpayment credits and refunds will be applied to existing leases, re-leases, lease renewals and new leases from April 3, 1982, to September 30, 1984.

I, Brian Boyle, find that an emergency exists and that this 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 the emergency is the 1983 legislature required that the Department of Natural Resources adopt rules to implement ESSB 3290 within ninety days of the effective date of the act. For this reason, I adopted emergency rules to take effect August 22, 1983, and am filing notice of intention to adopt permanent rules October 5, 1983. I am adopting emergency rules at this time and will adopt permanent rules within ninety days under adoption of permanent rules procedures.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 79.01.525 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 4, 1983.

By Brian J. Boyle
 Commissioner of Public Lands

NEW SECTION

WAC 332-30-200 PURPOSE—LEASE RATE RULES. WAC 332-30-200 through 230 establishes regulations for determining rental rates, credits and refunds for leases of aquatic lands to the first due date following September 30, 1984, as required under ESSB 3290 (Ch. 2, Laws of 1983, 2nd ex. sess.). If there is conflict between these regulations and WAC 332-30-125, these regulations will apply.

NEW SECTION

WAC 332-30-205 SCOPE—LEASE RATE RULES. WAC 332-30-200 through 230 will apply to existing leases, re-leases, lease renewals and new leases. They will not apply to the following: (1) shellfish agreements with rental rates established by competitive bid, (2) material removal agreements, (3) use and occupancy permits, (4) easements, (5) deep water disposal permits, (6) mineral mining contracts and prospecting leases, and (7) leases issued for filled tide/shorelands with nonwaterfront upland characteristics.

NEW SECTION

WAC 332-30-210 DEFINITIONS—LEASE RATE RULES. The following definitions shall apply in WAC 332-30-200 through 230. Additional definitions may be found in WAC 332-30-106.

(1) "Adjustment factor" is .0001644 and is equal to .06 ÷ 365 days.

(2) "Date of issuance" shall mean the date the lease commences as specified in the contract.

(3) "Due date" shall mean that day each year when the rent is to be paid, as specified in the contract.

(4) "Overpayment" shall mean that portion of the rent paid after April 3, 1982, that is more than the rent permitted under this law.

(5) "Prevailing Rent" shall mean the annual rent in effect for that particular lease on January 1, 1981, including stairstepped or other incremental payments, adjusted in proportion to any changes in the acreage under lease, but not including the leasehold tax. If the lease was not in effect on January 1, 1981, the "Prevailing Rent" shall be the average of the prevailing rents per acre for similar leases.

(6) "Similar Leases" shall mean leases of comparable public tidelands, shorelands, beds of navigable waters, and harbor areas for like uses within the same general area, considering the access, zoning, size, shape and topography.

(7) "Termination" shall mean the expiration or conclusion of a lease agreement. It shall occur on the last day of the lease term or on a mutually agreed upon day, unless otherwise provided in the lease document. As used in these rules, it shall not apply to: involuntary forfeiture, voluntary forfeiture that is not mutually agreeable to the lessee and the lessor, the cessation of payment for use of aquatic lands by owners of private docks used for personal recreational purposes as provided for by section two of ESSB 3290. The effective date of the termination shall be that of the expiration date or the Department Order, whichever is earlier.

NEW SECTION

WAC 332-30-215 RENTAL RATES—LEASES ISSUED PRIOR TO APRIL 3, 1982. The annual rental rate from April 3, 1982 until the following due date shall be the sum of: (1) the prevailing rent plus (2) the prevailing rent (times) the adjustment factor (times) the number of days from January 1, 1981 to April 3, 1982. On the due date following April 3, 1982 the annual rental rate shall be increased to the sum of: (1) the rent effective on April 3, 1982 plus (2) the prevailing rent (times) the adjustment factor (times) the number of days between April 3, 1982 and the following due date. Rental rates for each year thereafter shall be increased to the sum of: (1) the previous year's rent plus (2) the prevailing rent (times) 6 percent. **PROVIDED**, however, that no lease will have its rental rate increased above any rates previously set for the period from April 3, 1982 to September 30, 1984.

NEW SECTION

WAC 332-30-220 RENTAL RATES—LEASES ISSUED AFTER APRIL 3, 1982. The first year's rent shall be the sum of: (1) the prevailing rent plus (2) the adjustment factor (times) the number of days from January 1, 1981 to the date of issuance (times) the prevailing rent. Rental rates for each year thereafter shall be increased to the sum of: (1) the previous year's rent plus (2) the prevailing rent (times) 6 percent. **PROVIDED**, however, that no lease will have its rental rate increased above any rates previously set for the period from April 3, 1982 to September 30, 1984.

NEW SECTION

WAC 332-30-225 OVERPAYMENT CREDIT. If the lessee has paid more rent for the period after April 3, 1982 than the rent allowed under WAC 332-30-215 and 220, the overpayment will first be applied by the Department to the lease from which it was earned (up to the first due date following September 30, 1984) then to other leases held by the same lessee.

NEW SECTION

WAC 332-30-230 OVERPAYMENT REFUND. If a lease terminates between June 13, 1983, (the effective date of Ch. 2, Laws of 1983, 2nd ex. sess.) and before September 30, 1984, without full credit being granted, a refund will be paid to the lessee provided that the lease is paid up, the lessee is in compliance with the terms, and this provision of the Act is not declared invalid. At the request of the lessee a refund will be applied by the Department to other leases held by the same lessee.

WSR 83-20-082

**NOTICE OF PUBLIC MEETINGS
FORT STEILACOOM
COMMUNITY COLLEGE**
[Memorandum—September 28, 1983]

The student senate meetings for the college, for fall quarter 1983, are as follows: October 6, 13, 20, 27; November 3, 10, 17; and December 1 and 8, 1983, at 2:00 p.m. at Fort Steilacoom Community College, Portable 12-Boardroom, 9401 Farwest Drive S.W., Tacoma, WA 98498.

WSR 83-20-083

**NOTICE OF PUBLIC MEETINGS
OLYMPIC COMMUNITY COLLEGE**
[Memorandum—October 3, 1983]

Regular meetings. One regular meeting of the board of trustees shall be held each month. This meeting shall be held on the fourth Tuesday of each month and begin at 7:30 p.m., in the Art Lecture Room A-103, Olympic College Campus, Chester Street, Bremerton, Washington, or at such other time and place as the board may direct from time to time and as published in the state register. The location of each meeting is available in the Office of the President, Olympic College, 16th and Chester Streets, Bremerton, Washington. The chairman of the board with the concurrence of a majority of the members of the board, may cancel any regular meeting. All such regular meetings will be conducted in conformance with the laws of the state of Washington governing such meetings.

The regular meeting date schedule for Olympic College for 1984 is as follows:

January 24
February 28
March 27
April 24
May 22
June 26
July 24
August 28
September 25
October 23
November 27
December 25

WSR 83-20-084

**PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**
[Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning risk classification rules and definitions applicable to workers' compensation insurance underwritten

by the Department of Labor and Industries, basic premium rates for each such classification, and experience-rating rules and parameters for workers' compensation insurance underwritten by the Department of Labor and Industries;

that the agency will at 9:00 a.m., Wednesday, November 9, 1983, in the DSHS Conference Room, Office Building #2, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1983.

The authority under which these rules are proposed is RCW 51.04.020(1).

The specific statute these rules are intended to implement is RCW 51.16.035.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 9, 1983.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written and/or oral comments thereon received prior to or during the public hearing. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW. Correspondence relating to this notice and proposed rules attached should be addressed to:

Sam Kinville, Director
Department of Labor and Industries
General Administration Building
Olympia, Washington 98504

Dated: October 5, 1983

By: Sam Kinville
Director

STATEMENT OF PURPOSE

The proposals for rule changes which follow amend portions of chapter 296-17 WAC. This chapter pertains to the calculation, reporting and collection of premiums for workers' compensation insurance coverage provided by the Department of Labor and Industries.

The Purpose of These Proposed Rules is to Make the Following Substantive Changes in Title 296 WAC as Previously Enacted: Establish 1984 basic premium rates by risk classification; revise experience rating parameters to reflect the new experience period, loss valuations and relativities of classification rates as proposed for 1984; and change definitions of selected risk classifications as indicated by review of loss and exposure data and related facts.

Statutory Authority: RCW 51.04.020 and 51.16.035.

In Summary, the Following Changes are Accomplished by the Proposed Rules: Overall average premium rates are revised in accordance with actuarial analysis of past and prospective condition, performance and requirements of the accident, medical aid and supplemental pension funds. These revisions represent an average increase of approximately 60.5 percent in accident fund rates, and an increase of approximately 73.5 percent in medical aid fund rates. Supplemental pension fund rates are unchanged from 1983 levels. In the case of accident fund and medical aid fund rates, revisions in rates for specific risk classifications vary from these overall averages according to experience attributable to each classification; experience rating parameters are revised to maintain actuarial balance in the determination of industrial insurance rates for individual employers; and risk classification definitions are revised in respect to certain businesses or occupations, as deemed appropriate by actuarial and/or underwriting review of existing definitions and their experience.

The Agency Personnel Responsible for Drafting: Richard A. Slunaker, Marjorie J. Shavlik and Bill White, General Administration

Building, Olympia, Washington, Phone: (206) 753-6308; Implementation: Richard A. Slunaker and other industrial insurance personnel; and Enforcement: Richard A. Slunaker, Marjorie J. Shavlik and other industrial insurance personnel.

These rule changes are proposed by the Department of Labor and Industries, an agency of the state of Washington.

For additional comments regarding fiscal implications of these proposed rules, see the small business economic impact statement below.

The proposing agency has no comments regarding statutory language, implementation or enforcement beyond those appearing above.

These rules are not necessitated by any federal law or federal or state court action.

Small Business Economic Impact Statement: This statement pertains to revisions in chapter 296-17 WAC, proposed by the Department of Labor and Industries to become effective January 1, 1984, and is prepared to conform with section 3(2) and section 4 of the Regulatory Fairness Act (chapter 6, Laws of 1982).

Existing Rules: Chapter 296-17 WAC presently defines 257 risk classifications for purposes of reporting exposures and computing premiums for workers' compensation insurance. Base rates are established separately for industrial insurance and medical aid coverage in each risk classification within these rules, and an assessment rate for all risk classes is prescribed for the supplemental pension fund. An "experience rating plan" is also established, which provides adjustment of the base industrial insurance rate by class up or down to a "merit rate" based upon past reporting experience of each individual employer.

Treatment of Small Business Under Existing Rules: Class definitions are keyed to the nature of an employer's business and/or employment, and are independent of business size. Once applicable classes are determined, base rates are identical for all employers within each class. Experience-rating increases or decreases individual employer's industrial insurance rates, providing rate reductions for favorable past experience and rate increases for unfavorable past experience. Within the experience-rating plan, small employers with loss-free records in the rating experience period are allowed rate credits in excess of those initially computed by the rating plan based on risk size, by imposing a maximum modification for loss-free firms of various sizes in WAC 296-17-890.

Effect of Proposed Revisions: Numerous class definitions have been modified to clarify existing policies with respect to application of these classes to various types of businesses. The following substantive class changes which will alter class assignments are proposed: cross-country pipelines are removed from 1-8 and assigned to 1-7, pump installation and repair is removed from 6-3 and assigned to 3-6, planing and moulding mills are removed from 10-2 and assigned to 29-3, stove manufacturing from material heavier than 9 gauge is removed from 34-4 and assigned to 52-9, and animal shelters, pounds and humane societies are removed from 61-7 and given a new class, 73-8. The revised definitions remain independent of employer size. New class base rates are established for industrial insurance and medical aid commensurate with past experience in each class and overall financial requirements of the department's funds. These base rates continue to apply uniformly to all employers in any given class. Experience-rating parameters are adjusted to be compatible with the most recent available employer experience to be used as a basis for 1984 rating. The special treatment of loss-free small employers under WAC 296-17-890 is retained.

Analysis of Cost of Proposed Revisions: The economic impact of proposed changes will vary for each employer according to the nature of their business (risk classification) and individual loss experience in past years (for experience-rating adjustments). For employers in the same risk class with experience records producing equal experience rating adjustments, the premium cost of proposed revisions per hour of labor will be independent of the employer's size. Administrative costs of recordkeeping and reporting will not generally be directly affected by the proposed revisions, as the required records and forms are unchanged.

Overall, the average hourly premium rate for 1983 is \$2468. The proposed revisions produce an average hourly rate of \$.3829, an increase of \$.1361 per hour or 55.1% over 1983 levels.

Chapter 296-17 WAC
MANUAL OF RULES, CLASSIFICATIONS, RATES, AND
RATING SYSTEM FOR WASHINGTON ((WORKMEN'S))
WORKERS' COMPENSATION INSURANCE

WAC

296-17-310

General rules and instructions.

296-17-320	General definitions.	296-17-566	Classification 22-2.
296-17-350	Minimum premiums—Assumed ((<u>workman</u>)) <u>work-</u> <u>er</u> hours.	296-17-568	Classification 29-3.
296-17-360	Assignment of classification by analogy.	296-17-569	Classification 29-4.
296-17-370	Governing classification.	296-17-57002	Classification 29-8.
296-17-375	Work done by contract.	296-17-571	Classification 31-1.
296-17-380	Single enterprise.	296-17-575	Classification 31-5.
296-17-390	Multiple enterprises.	296-17-576	Classification 33-1.
296-17-410	Division of single employee's ((<u>workman</u>)) <u>worker</u> hours.	296-17-579	Classification 34-1.
296-17-420	General inclusions.	296-17-580	Classification 34-2.
296-17-430	General exclusions.	296-17-581	Classification 34-3.
296-17-440	Standard exceptions.	296-17-582	Classification 34-4.
296-17-450	Special agricultural class interpretations.	296-17-583	Classification 34-6.
296-17-460	Classification phraseology.	296-17-584	Classification 34-7.
296-17-470	Penalty assessments for employers who fail to regis- ter under Title 51 RCW.	296-17-585	Classification 34-8.
296-17-480	Penalty assessment for failure to keep records, or file quarterly reports <u>and pay premiums</u> under Title 51 RCW.	296-17-58501	Classification 34-9.
296-17-501	Classification 1-1.	296-17-586	Classification 35-1.
296-17-502	Classification 1-2.	296-17-587	Classification 35-3.
296-17-503	Classification 1-3.	296-17-590	Classification 35-6.
296-17-504	Classification 1-4.	296-17-594	Classification 36-2.
296-17-505	Classification 1-5.	296-17-595	Classification 36-3.
296-17-506	Classification 1-6.	296-17-598	Classification 36-6.
296-17-50601	Classification 1-7.	296-17-599	Classification 37-1.
296-17-50602	Classification 1-8.	296-17-600	Classification 37-2.
296-17-507	Classification 1-9.	296-17-604	Classification 37-8.
296-17-508	Classification 2-1.	296-17-606	Classification 38-2.
296-17-509	Classification 2-2.	296-17-614	Classification 39-1.
296-17-50904	Classification 2-6.	296-17-615	Classification 39-2.
296-17-510	Classification 3-1.	296-17-618	Classification 39-5.
296-17-511	Classification 3-2.	296-17-61801	Classification 39-6.
296-17-512	Classification 3-6.	296-17-619	Classification 40-2.
296-17-513	Classification 3-7.	296-17-620	Classification 41-1.
296-17-514	Classification 4-1.	296-17-622	Classification 41-3.
296-17-516	Classification 4-3.	296-17-626	Classification 41-7.
296-17-517	Classification 5-2.	296-17-627	Classification 41-8.
296-17-518	Classification 5-3.	296-17-628	Classification 41-9.
296-17-519	Classification 5-4.	296-17-634	Classification 43-5.
296-17-520	Classification 5-5.	296-17-640	Classification 45-4.
296-17-52001	Classification 5-6.	296-17-643	Classification 48-2.
296-17-52002	Classification 5-7.	296-17-644	Classification 48-3.
296-17-521	Classification 5-8.	296-17-645	Classification 48-4.
296-17-52101	Classification 5-9.	296-17-646	Classification 48-5.
296-17-522	Classification 6-1.	296-17-647	Classification 48-6.
296-17-524	Classification 6-3.	296-17-648	Classification 48-7.
296-17-527	Classification 6-7.	296-17-649	Classification 48-8.
296-17-529	Classification 8-3.	296-17-64901	Classification 48-9.
296-17-530	Classification 8-4.	296-17-651	Classification 49-2.
296-17-532	Classification 9-1.	296-17-653	Classification 49-4.
296-17-534	Classification 10-2.	296-17-654	Classification 49-5.
296-17-535	Classification 10-3.	296-17-655	Classification 49-6.
296-17-53501	Classification 10-4.	296-17-659	Classification 50-1.
296-17-53502	Classification 10-5.	296-17-66001	Classification 50-3.
296-17-53504	Classification 10-7.	296-17-66002	Classification 50-4.
296-17-536	Classification 11-1.	296-17-661	Classification 51-1.
296-17-537	Classification 11-2.	296-17-669	Classification 51-9.
296-17-538	Classification 11-3.	296-17-670	Classification 52-1.
296-17-53801	Classification 11-4.	296-17-675	Classification 52-6.
296-17-53803	Classification 11-6.	296-17-67602	Classification 52-9.
296-17-539	Classification 13-1.	296-17-677	Classification 53-1.
296-17-540	Classification 13-3.	296-17-678	Classification 53-5.
296-17-541	Classification 13-4.	296-17-67901	Classification 53-7.
296-17-54101	Classification 13-5.	296-17-680	Classification 61-3.
296-17-542	Classification 14-1.	296-17-681	Classification 61-4.
296-17-544	Classification 14-4.	296-17-682	Classification 61-5.
296-17-545	Classification 15-1.	296-17-684	Classification 61-7.
296-17-546	Classification 15-7.	296-17-685	Classification 61-8.
296-17-555	Classification 20-2.	296-17-686	Classification 61-9.
296-17-557	Classification 20-4.	296-17-687	Classification 62-1.
296-17-558	Classification 20-5.	296-17-689	Classification 62-3.
296-17-561	Classification 20-8.	296-17-690	Classification 62-4.
296-17-563	Classification 21-2.	296-17-691	Classification 62-5.
296-17-564	Classification 21-4.	296-17-692	Classification 62-6.
296-17-565	Classification 22-1.	296-17-695	Classification 62-9.
		296-17-696	Classification 63-1.
		296-17-697	Classification 63-2.
		296-17-698	Classification 63-3.
		296-17-699	Classification 63-4.
		296-17-700	Classification 63-5.

296-17-701	Classification 63-6.
296-17-703	Classification 63-8.
296-17-704	Classification 63-9.
296-17-706	Classification 64-2.
296-17-707	Classification 64-3.
296-17-708	Classification 64-4.
296-17-710	Classification 64-6.
296-17-711	Classification 64-7.
296-17-712	Classification 64-8.
296-17-713	Classification 64-9.
296-17-714	Classification 65-1.
296-17-715	Classification 65-2.
296-17-716	Classification 65-3.
296-17-718	Classification 65-5.
296-17-719	Classification 65-6.
296-17-721	Classification 65-8.
296-17-723	Classification 66-1.
296-17-724	Classification 66-2.
296-17-725	Classification 66-3.
296-17-726	Classification 66-4.
296-17-730	Classification 66-8.
296-17-736	Classification 67-5.
296-17-737	Classification 67-6.
296-17-738	Classification 67-7.
296-17-740	Classification 67-9.
296-17-744	Classification 68-4.
296-17-745	Classification 68-9.
296-17-746	Classification 69-1.
296-17-747	Classification 69-2.
296-17-750	Classification 69-5.
296-17-751	Classification 69-6.
296-17-755	Classification 71-2.
296-17-756	Classification 71-3.
296-17-757	Classification 71-4.
296-17-758	Classification 71-5.
296-17-759	Classification 71-6.
296-17-760	Classification 71-7.
296-17-761	Classification 71-8.
296-17-762	Classification 71-9.
296-17-763	Classification 72-1.
296-17-764	Classification 72-2.
296-17-765	Classification 72-3.
296-17-766	Classification 72-4.
296-17-772	Classification 73-1.
296-17-773	Classification 73-2.
296-17-778	Classification 73-8.
296-17-855	Experience modification.
296-17-87305	Change in ownership.
296-17-875	Table I.
296-17-880	Table II.
296-17-885	Table III.
296-17-890	Table IV.
296-17-895	Industrial insurance accident fund base rates and medical aid rates by class of industry.
296-17-920	Assessment for supplemental pension fund.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-310 GENERAL RULES AND INSTRUCTIONS. This section constitutes general rules and instructions for chapter 296-17 WAC. (1) Purposes. This chapter of the Washington Administrative Code, including classifications of risk, premium rates, the experience rating plan, and all other rules contained herein governing the use thereof, is herein referred to as the manual. This manual is promulgated by the department of labor and industries pursuant to RCW 51.16.035. This manual contains a formulation of the rules and regulations providing for occupational classifications, rates of premium, method of premium calculation and collection, and a rating system, consistent with recognized principles of ((workmen's)) workers' compensation insurance. This manual governs the department's underwriting of ((workmen's)) workers' compensation insurance and assessment of other monetary obligations, under the Industrial Insurance Law of the state of Washington, Title 51 RCW.

(2) Premium payments - Quarterly reports. Each employer shall, upon such forms as prescribed by the department, prior to the last day of January, April, July and October of each year, pay to the department for the preceding calendar quarter, for the accident fund, and for

the medical aid fund, a certain number of cents for each ((man)) worker hour or fraction thereof worked by the ((workman)) worker in ((his)) their employ except when the rules of this manual provide for a different method of premium computation. The director may promulgate, change and revise such rates at such times as necessary, according to the condition of the accident and medical aid funds, and assign rates as appropriate to employers who voluntarily seek coverage under the elective adoption provisions of the law.

(3) Determining accident fund premium. The amounts to be paid into the accident fund shall be determined as follows: The department shall determine a manual premium rate for each classification which shall not be inadequate, excessive or unfairly discriminatory, taking into consideration past and prospective costs in each classification and the financial condition of the accident fund as a whole.

Every employer shall pay into the accident fund at the manual premium rate unless such employer meets the requirements for the experience rating plan provided elsewhere in this manual, in which event such employer's premium rate for the accident fund shall be paid according to ((his)) their experience modification as determined under the experience rating plan.

(4) Basis for determining medical aid premium. The amounts to be paid into the medical aid fund shall be determined as follows: The department shall determine a basic medical aid rate for each classification which shall not be inadequate, excessive or unfairly discriminatory, taking into consideration past and prospective costs in each classification and the financial condition of the medical aid fund as a whole.

Every employer shall pay into the medical aid fund at the basic premium rate only, and the experience rating plan shall not apply to medical aid rates.

(5) All section captions or titles or catch lines used in this manual, chapter 296-17 WAC, do not constitute any part of these rules.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-320 GENERAL DEFINITIONS. For the purpose of interpretation of this manual, chapter 296-17 WAC, the following terms shall have the meanings given below:

(1) "((Workmen's)) Workers' compensation" shall mean the obligation imposed upon an employer by the Industrial Insurance Laws of the state of Washington, to insure the payment of benefits prescribed by such laws.

(2) "Risk" shall mean and include all insured operations of one employer within the state of Washington.

(3) "Classification" means a classification of occupations, employments, industries and businesses contained in the listing of classifications contained in this manual.

(4) "Exposure" means ((workman)) worker hours, ((workman)) worker days, payroll or other measure of the extent to which an employer's ((workmen)) workers have been exposed to the hazards of a particular classification of employment.

(5) "Rate" means the amount of premium for each unit of exposure. All rates are rates per ((workman)) worker hour except where specifically provided otherwise in this manual.

(6) "Premium" means the sum derived from the application of the rates to the exposures in each classification, after application of any duly authorized experience modification, except where the rules of this manual indicate otherwise.

(7) Unless the context indicates otherwise, the words used in this manual shall have the meanings given in Title 51 RCW.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-350 MINIMUM PREMIUMS—ASSUMED ((WORKMAN)) WORKER HOURS. A minimum premium is the lowest amount of premium to be paid by an employer and is also the basis for determining premium computation for ((workmen)) workers for whom an assumed number of ((workmen)) worker hours must be, and hereby, is established:

(1) Minimum premium. Except as otherwise provided in this chapter, every employer shall be liable for a premium not less than ten dollars for any calendar quarter regardless of number of ((workman)) worker hours reported.

(2) Minimum premium for elective adoption. Any employer having in ((his)) their employ any person exempt from mandatory coverage under the provisions of RCW 51.12.020 and whose application for

coverage under the elective adoption provisions of RCW 51.12.110 is accepted by the director, shall have a minimum premium rate for such employer's applicable class based upon not less than 40 ((workman)) worker hours for each month, until such time as elective adoption coverage is cancelled: PROVIDED, That the minimum premium rate as specified above shall not apply to ((agricultural workers)) executive officers obtaining coverage under this rule and the elective adoption provisions of RCW 51.12.110.

(3) Apartment house, apartment hotel, motor court and similar operations. Resident managers, caretakers or other similar occupations who are employed for irregular periods and whose compensation is for a stipulated sum in money or a substitute for money shall be reported for the purpose of calculation of premiums, each four dollars of compensation in money or a substitute for money shall represent one ((workman)) worker hour: PROVIDED, That the employer shall not be required to report in excess of 40 hours per week for each person so employed.

(4) Commission ((salesman)) personnel. Commission personnel are persons whose compensation is based upon a percentage of the amount charged for the commodity or service rendered. Commission ((salesmen)) sales personnel are to be reported for premium purposes at a minimum of assumed ((workman)) worker hours of not less than eight ((workman)) worker hours a day for part-time employment, or not less than 40 ((workman)) worker hours per week for full-time employment: PROVIDED, That the assumed eight ((workman)) worker hours daily for part-time employment will apply only if the employer's books and records are maintained so as to show separately such person's actual record of employment.

(5) Salaried personnel. Salaried personnel for the purposes of this chapter means persons whose compensation is not governed by the number of hours devoted to employment for ((his)) their employer. Employers having salaried personnel in their employ shall for the purpose of premium calculation report assumed ((workman)) worker hours based upon 40 ((workman)) worker hours for each week in which any duties of salaried personnel are performed: PROVIDED, That salaried personnel, as defined by the foregoing, who are not regularly and continuously employed by the employer may for the purpose of premium calculation compute premiums in accordance with the piece worker rule, subsection (6) of this section: PROVIDED FURTHER, The 40 hours per week may be substituted on behalf of all salaried employees by assuming 160 hours per month for each month in which employees are on salary: PROVIDED FURTHER, That the department may, at its discretion, authorize some other method in assuming workers hours for premium calculating purposes in the case of contract teachers employed by schools.

(6) Piece workers. Employees whose compensation is based upon the accomplishment of a number of individual tasks whether computed on the number of pounds, items, pieces, or otherwise, the employer shall for the purpose of premium calculation assume each two dollars of earnings of each employee as representing one ((workman)) worker hour: PROVIDED, That if the average rate of compensation for the applicable classification is at least \$3.00 but less than \$3.50 per ((workman)) worker hour the assumed amount shall be \$3.00 of earnings as representing one ((workman)) worker hour, and on a progressive basis, if the average compensation is at least \$3.50 but less than \$4.00 the assumed amount shall be \$3.50 of earnings as representing one ((workman)) worker hour, etc. The records of the department as compiled for the preceding fiscal year ending June 30, shall be the basis for determining the average rate of compensation for each classification: PROVIDED FURTHER, That if the employer maintains books and records to show separately the hours employed for each ((workman)) worker in ((his)) their employ engaged in piece work then such actual ((workman)) worker hours shall be reported for the purpose of premium calculation.

(7) Noncontact sports teams. All employers having personnel in their employ as defined under WAC 296-17-745 shall for the purpose of premium calculations, report assumed ((workman)) worker hours based upon 40 ((workman)) worker hours for each week in which any duties are performed.

(8) All employers having personnel in their employ as defined under WAC 296-17-739 shall, for the purpose of premium calculations, report assumed ((workman)) worker hours based upon ((two)) ten hours for each mount in each horse race; professional drivers shall report ((workman)) worker hours based upon ((two)) ten hours for each heat or race of any racing event: PROVIDED, That any day such personnel do not ride or drive in a race, the premium calculation shall be made

by assuming ((six)) ten worker hours for any day in which duties are performed.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-360 ASSIGNMENT OF CLASSIFICATION BY ANALOGY. The classification section of this manual contains a listing of classifications for most occupations, employments, industries and businesses.

Any enterprise or operation which is not described by such classifications shall be assigned to the classification or classifications most analogous from the standpoint of process and hazard.

The alphabetical index section of the manual includes a number of occupations, employments, industries, and businesses that are not contained in the rule part of this manual and are identified by the letter "A" standing for analogy. It is the intended purpose of this symbol and listing of such employments in the index to be included in the same manner as if such employments were contained in the rule part of this manual.

The limitations and conditions of the classification or classifications so assigned and all manual rules pertaining thereto shall be applicable.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-370 GOVERNING CLASSIFICATION. The governing classification of a risk is defined as that classification, other than ((the standard exception)) classifications 48-6, 49-4, 52-6, 63-1, 63-2, 63-3, 71-1 or temporary help classifications 71-4 through 71-9, which carries the largest number of ((workman)) worker hours.

NEW SECTION

WAC 296-17-375 WORK DONE BY CONTRACT. In the case of work done by contract will be assigned a classification in accordance with the Single Enterprise rule (WAC 296-17-380). All work performed by employees of the prime contractor is subject to the classification(s) assigned to the contract. Work performed by employees of subcontractors will be subject to the classification(s) applicable to that phase of work performed by the subcontractor.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-380 SINGLE ENTERPRISE. If the employer's business, conducted at one or more locations, consists of a single operation or a number of separate operations which normally prevail in the business described by a single manual classification, that single classification which most accurately describes the entire enterprise shall be applied. Division of ((workman)) worker hours shall be made as provided hereinafter in respect to standard exceptions ((and)), general exclusions and special exceptions. No division of ((workman)) worker hours shall be permitted in respect to any other operation even though such operation may be specifically described by some other classification, unless the applicable classification phraseology or other manual provision specifically provides for such division of ((workman)) worker hours.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-390 MULTIPLE ENTERPRISES. If the employer's business includes a separate operation which does not normally prevail in the business described by the governing classification, such operation shall be separately rated in accordance with the following rules:

(1) If such separate operation is described by a classification which carries a rate either equal of or higher than the rate for the governing classification, division of ((workman)) worker hours shall be required, provided that:

- (a) The operation is not described by any of the general inclusions;
- (b) The division is not contrary to the classification phraseology;
- (c) The division is not contrary to the provisions of any other rules of the manual.

(2) If such separate operation is described by a classification which carries a rate lower than the rate for the governing classification, division of ((workman)) worker hours shall be permitted only when the

conditions as provided above in subdivisions (a), (b) and (c), of subsection (1) are met.

AMENDATORY SECTION (Amending Order 75-28, filed 8/29/75, effective 10/1/75)

WAC 296-17-410 DIVISION OF SINGLE EMPLOYEE'S ((WORKMAN)) WORKER HOURS. The ((workman)) worker hours of any one employee may be divided between two or more classifications, provided the employer has maintained complete and accurate records supported by original time cards or time book entries which show separately both by individual employee and in summary by operations performed the ((workman)) worker hours of such employees, except such division SHALL NOT BE ALLOWED:

(1) In connection with the standard exception classifications which must be rated in accordance with the specific rules under WAC 296-17-440.

(2) If the division is contrary to the classification phraseology.

If the employer fails to keep complete and accurate records as provided in this rule, the entire number of ((workman)) worker hours of the employee shall be assigned to the highest rated classification representing any part of ((his)) their work. Division of ((workman)) worker hours by means of percentages, averages, estimates, or any basis other than specific time records, shall not be accepted by the department.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-420 GENERAL INCLUSIONS. The classifications in this manual, other than standard exceptions, include the operations listed in this section and referred to as general inclusions, unless specifically excluded by the language of the manual classification.

(1) Aircraft travel by employees, other than members of the flying crew, including employees whose ((workman)) worker hours are assigned to the standard exception classifications.

(2) Commissaries and restaurants except in connection with construction, erection, lumbering or mining operations.

(3) Manufacture of containers, such as bags, barrels, bottles, boxes, cans, cartons or packing cases.

(4) Plant hospitals or dispensaries.

(5) Maintenance or ordinary repair of employer's buildings or equipment when performed by employees of the employer.

(6) Printing or lithographing.

(7) Drivers.

(8) In house sales of goods or products being manufactured by the employer.

(9) Transportation of equipment and material by job contractor.

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-430 GENERAL EXCLUSIONS. Subject to division of ((workman)) worker hours rules, all classifications, including standard exceptions, exclude the following operations referred to as general exclusions, unless specifically included by the language of the manual, or the employer is a political subdivision. Operations described by general exclusions shall require division of ((workman)) worker hours notwithstanding that the classification wording may include the term "all" as in such phrases as "all employees", "all operations", etc.:

(1) Aircraft operation — all members of the flying crew.

(2) Maintenance or repair work if performed by contractors and all new construction or alteration work whether done by the employer's ((workmen)) workers or by contractors.

(3) Musicians and entertainers having no other duties.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-440 STANDARD EXCEPTIONS. The following operations referred to as standard exceptions are subject to division of ((workman)) worker hours in connection with all other classifications regardless of directional phrases beginning with "all employees" or "all operations" except those which specifically provide for the inclusion of certain standard exceptions. (Use of the words "clerical office" shall also include draftsmen and use of the words ((salesmen)) sales personnel shall also include collectors and messengers.) The standard exceptions are:

(1) Clerical office employees are defined as those employees whose duties are confined to keeping the books or records of the employer, or conducting correspondence or who are engaged wholly in office work where such books or records are kept or where such correspondence is conducted, having no other duty of any nature in or about the employer's premises. If any clerical office employee is exposed to any operative hazard of the business, ((his)) their entire worker hours shall be assigned to the highest rated classification of work to which ((he-is)) they are exposed. The classification shall be applied only to persons as herein described who are employed exclusively in separate buildings or on separate floors of buildings or in departments on such floors which are separated from all other work places of the employer by structural partitions and within which no work is performed other than clerical office duties as defined in this paragraph.

(2) Draftsmen will be considered to be clerical office employees and are defined as those employees whose duties are limited to office work only and who are engaged strictly as draftsmen in such a manner that they are not exposed to the operative hazard of the business. If any draftsman is exposed to any operative hazard of this business, ((his)) their entire worker hours shall be assigned to the highest rated classification of work to which ((he-is)) they are exposed.

(3) ((Salesmen)) Sales personnel, collectors, messengers, appraisers—outside are defined as those employees engaged principally in any such duties away from the premises of the employer. It does not apply to any such employee whose duties include delivery, even though they may also collect or solicit.

(4) Executive officers as defined in WAC 296-17-330.

With the exceptions of occupations falling within any ((class)) classification that specifically includes clerical office, inside draftsmen or ((salesmen)) sales personnel, the following designated ((occupation classes)) occupational classifications shall apply.

((Class)) Classification 49-4 Clerical office employees(;) including inside draftsmen.

((Class)) Classification 63-3 ((Salesmen)) Sales personnel: Defined as outside or away from the premises and including collectors, messengers, appraisers, solicitors, and claims adjusters.

((Class)) Classification 63-1 Automobile ((salesmen)), truck, camper, trailer, mobile home, motorcycle and pleasure craft sales personnel.

((Class)) Classification 63-2 All door to door ((salesmen)) sales personnel.

Classification 71-1 Executive officers.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-450 SPECIAL AGRICULTURAL CLASS INTERPRETATIONS. Farming in classifications 48-2 through 48-6, 48-8, 48-9, 73-1, 73-2, and 73-7 will include farm labor by contractors and farm machinery operations by contractors.

((Any employee not regularly and continuously employed by an employer in agricultural labor whose cash remuneration paid by or due from any one employer in that calendar year for agricultural labor is less than one hundred fifty dollars is not within the mandatory coverage of Title 51 RCW. The department will consider an agricultural employee as being "regularly and continuously employed" as those terms are used in RCW 51.12.020, subsection (6) in the case of any employee who as of January 1 of any calendar year is carried on the payroll of the employer and who is employed by the employer in agricultural labor and was carried on the employer's payroll as of December 31 of the preceding calendar year and has exceeded one hundred fifty dollars, of earnings during such preceding calendar year. Coverage for all exempt agricultural employees is available upon request as provided under RCW 51.12.110.))

To qualify for a separate rating of ground hand-picking or any other separation of agricultural ((classes)) classifications, separate and distinct payroll records of such operations will be required.

If a single establishment or work comprises more than one of classifications 48-2 through 48-6, 48-8, 48-9, 73-1, 73-2, and 73-7 the premiums shall be computed according to the payroll for operations of each classification. The department in its discretion may assess a single rate of premium for an agricultural establishment when a substantial portion of the operation falls within one classification, and in such cases, the entire operation will be required to be reported in such largest classification: PROVIDED, That under no circumstances will the hand-picking classification (48-6) apply for the purpose of single rating of an entire establishment.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-460 CLASSIFICATION PHRASEOLOGY. (1) N.O.C. This expression is an abbreviation of the words "not otherwise classified." No classification so qualified shall be applied in any case where any other manual classification more accurately describes the enterprise or where the language of any manual classification so qualified prescribes other treatment.

(2) Including. If a classification carries a descriptive phrase "including" certain operations, division of ((workman)) worker hours shall not be made for such operations even though they may be specifically described by some other classification of this manual or may be conducted at a separate location.

(3) All. If a classification carries a descriptive phrase beginning with "all" as in the expression "all employees," "all other employees," "all operations," "all work to completion," division of ((workmen)) worker hours shall not be made for any employees or operation (other than the standard exceptions ((or)), general exclusions or special exceptions), without regard to the location of such operations, except for an operation not incidental to and not usually associated with the enterprise described by such a classification.

(4) Or. The word "or" when used in the classification phraseology shall be understood to have the same meaning as though expressed "and/or."

(5) And. The word "and" when used in the classification phraseology shall be understood to have the same meaning as though expressed "and/or."

AMENDATORY SECTION (Amending Order 83-5, filed 2/9/83)

WAC 296-17-470 PENALTY ASSESSMENTS FOR EMPLOYERS WHO FAIL TO REGISTER UNDER TITLE 51 RCW. Any employer who has failed to secure payment of compensation for ((his or her)) their workers covered under this title will be liable, subject to RCW 51.48.100, to a maximum penalty in a sum of two hundred dollars or in a sum double the amount of premiums due for the four quarters prior to securing payment of compensation under this title, whichever is greater, for the benefit of the medical aid fund.

If an injury or occupational disease is sustained by a worker of an employer who has failed to secure payment of compensation under this title that employer may be liable for a penalty of not less than fifty percent nor more than one hundred percent of the cost of such injury or occupational disease.

For the purposes of this section only the cost of such claim will be determined as follows:

At the time the claim for benefits is filed and the employer is found to have failed to register with the department as required by RCW 51.16.110, a penalty in an amount equal to the average cost of such claim as determined by the nature of the injury or illness and the part of the body affected will be assessed for the benefit of the medical aid fund.

The first day of the seventh month after the date of receipt of the claim, the claim's status will be evaluated. If the claim is closed as of that date the paid loss value will be used as the cost of the claim. If the claim is still open as of that date, a case reserve value will be set and used as the cost of the claim.

If the initial penalty assessed is less than fifty percent of the cost of the claim an additional penalty will be assessed the employer to bring the penalty up to fifty percent. If the initial penalty assessed exceeds the cost of the claim, the difference between the cost of the claim and the initial penalty will be credited to employers account.

For the purposes of this section, no further adjustments or evaluation on the cost of the claim will be made.

AMENDATORY SECTION (Amending Order 83-5, filed 2/9/83)

WAC 296-17-480 PENALTY ASSESSMENT FOR FAILURE TO KEEP RECORDS, OR FILE QUARTERLY REPORTS AND PAY PREMIUMS UNDER TITLE 51 RCW. Every employer who fails to keep the records required by Title 51 RCW or fails to make the reports and pay premiums provided in this title shall be subject to a penalty of not to exceed two hundred percent of the quarterly premium for such offense.

Penalties for failure to make reports and pay premiums will be assessed according to the following schedule subject to RCW 51.48.100: In no case will the penalty be less than \$10.00.

Days delinquent	Percent of premiums due
1 - 10	10%
11 - 20	15%
21 - 30	20%
31 - 40	25%
41 - 50	30%
51 - 60	35%
61 - 75	40%
76 - 90	45%
91 - 180	50%
181 - 270	75%
271 - 365	100%
366 - days and over	200%

In case of late report indicated "no payroll," a \$10.00 penalty will be assessed.

Days delinquent will be computed by counting the number of calendar days elapsed since the quarter due date until and including the date report and payment were received by the department and then subtracting five days. It is the responsibility of the employer or employer's representative to prepare and send the required reports and payments allowing sufficient time for delivery by the United States mail or any other delivery service.

Approved payment plans entered into by the department and employers who fail to remit required premium payments will constitute good-faith intent to comply with the reporting requirements of Title 51 RCW and the received date of such payment agreement will be considered as the date the report and payment were received for purposes of computing days delinquent under this section. Approved payment plans under this section shall be subject to a penalty of not less than twenty-five percent of the outstanding premium balance, nor more than the percentage indicated in the above schedule for the number of days from the due date to the date of agreed payment.

Where the employer fails to keep records required by Title 51 RCW the quarterly premiums will be estimated by the department and penalties assessed according to the schedule outlined in this section.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-501 CLASSIFICATION 1-1.

Highway, street and road construction, N.O.C., includes all operations such as grading, grubbing, clearing, surfacing, striping, guard rails, highway dividers, highway lighting and highway signs installation, excludes bridges and logging roads. See ((class)) risk classification 2-1 (WAC 296-17-508) and/or ((class)) risk classification 69-2 (WAC 296-17-747)

Alley and parking lot construction

Airports, landing strips, runways and taxi ways, construction and repair

Excavation, N.O.C.

Grading, N.O.C. - including land leveling and grading of farm lands by contractor

Land clearing, N.O.C. including slope grooming and forest trail construction, firefighting, and slash burning, N.O.C.

Diking, N.O.C. including oil spill clean-up involving diking and/or ditching work

Pit, crusher and bunker operations in connection with road, street and highway construction

Railroads, construction, maintenance and repair, N.O.C., including dismantling. Excludes bridges and log railroads

Retaining walls with road, street and highway construction, N.O.C.

Tunnels and approaches including lining, cofferdam work, shaft sinking, and well digging with caisson except where subject to dam construction rated under risk classification 7-1 (WAC 296-17-528)

Humus or peat digging - including humus or peat dealers

Sand or gravel, or shale digging

~~((Oil spill clean-up involving diking and/or ditching work will be rated with diking, N.O.C.~~

~~Slope grooming and forest trail construction will be rated with land clearing~~

~~Cofferdam work and shaft sinking and well digging with caisson will be rated under tunnels and approaches, except where subject to dam construction classification)~~

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-502 CLASSIFICATION 1-2.

Concrete and asphalt construction, N.O.C. - including concrete sawing, drilling and pumping

Concrete culverts or other types with span of 12 feet or less

This classification will include house foundations and flatwork such as sidewalks and residential driveways. Larger concrete construction projects will be rated under risk classification 2-6 (WAC 296-17-50904)

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-503 CLASSIFICATION 1-3.

Drilling, N.O.C.

For drilling done in connection with construction work, see construction ((class)) classification applicable to work being done

Geophysical exploration, seismic detection of the mechanical properties of the earth

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-504 CLASSIFICATION 1-4.

Dredging, N.O.C.

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-505 CLASSIFICATION 1-5.

Parking meter installation

Fence, all types, erection and repair - including wire mesh installation for slope protection

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-506 CLASSIFICATION 1-6.

Tree topping and pruning, N.O.C., includes spraying or fumigating in connection with tree topping, repairing or trimming

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-50601 CLASSIFICATION 1-7.

Coaxial cable and conduit underground construction, maintenance and repair - including use of automatic cable laying equipment and including television cable, N.O.C.

Pipelaying, N.O.C.

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-50602 CLASSIFICATION 1-8.

Ditches and canals, N.O.C.

Sewer construction

((Cross-country pipelines))

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-507 CLASSIFICATION 1-9.

Reinforcing steel installation - placing for concrete construction
Reinforcing steel installation in connection with the construction of tunnels, cofferdams, caissons, dams, bridges, and steel erection shall be assigned to the classification describing the construction with which such reinforcing steel installation is connected

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-508 CLASSIFICATION 2-1.

Bridge, trestle, overhead crossing, viaducts, construction, maintenance and repair including the foundations and approaches

Breakwater, jetty, levee, construction, maintenance and repair

Bulkhead retaining walls, construction, maintenance and repair, rapping - all water hazard

Concrete culverts or other types over 12 feet

Undercrossings and approaches - including lining

Debris removal and other work with water hazard, N.O.C., will be rated under bulkhead construction with water hazard

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 76-36, filed 11/30/76)

WAC 296-17-509 CLASSIFICATION 2-2.

Pile driving, concrete piles, N.O.C.

Wharf, pier, dock and marine railway, construction, maintenance and repair and subaqueous work, N.O.C.

Diving operations will be rated with subaqueous work, N.O.C.

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-50904 CLASSIFICATION 2-6.

Sewage disposal ((plants construction)), swimming pool, fish hatchery and water purification plant construction

This classification will be used to report larger concrete construction projects other than projects residential in nature which are enumerated in risk classification 1-2 (WAC 296-17-502)

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operation.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-510 CLASSIFICATION 3-1.

Chemical spraying and fumigating. Excludes crop dusting by air craft rated under risk classification 69-3 (WAC 296-17-748)

Landscaping and lawn yard care

Landscape gardening will also include sodding, seeding, planting, and related landscape work necessary for the beautification of median strips and road sides

Lawn-type sprinkler systems installation. Agricultural-type sprinkler and irrigation system installation. Excludes ditches and canals ((subject to Class)) rated under risk classification 1-8 (WAC 296-17-50602).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-511 CLASSIFICATION 3-2.

Brick and slate work, N.O.C.

Masonry, N.O.C., including chimney and fireplace construction

See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-512 CLASSIFICATION 3-6.

Plumbing, N.O.C., sewer pipe cleaning
Boilers, N.O.C., installation, service and repair
Sprinkler installation - automatic
Steam pipe, boiler, etc., covering insulation
Boiler scaling and tank erection within buildings will be rated with boilers, N.O.C. installation
Roto roter service companies will be rated under sewer pipe cleaning
Pump installation ((or repair (residential)
This class includes shop operations)), service or repair, N.O.C.
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-513 CLASSIFICATION 3-7.

Ventilating, air conditioning and refrigeration systems, installation, service and repair, N.O.C.
Furnaces, installation, service and repair including duct work cleaning
Heating systems, installation, service and repair including solar heating systems
Wood stove installation excluding masonry work rated under risk classification 3-2 (WAC 296-17-511)
See ((class)) risk classification 34-4 (WAC 296-17-582) for sheet metal shop work.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-514 CLASSIFICATION 4-1.

Cleaning, washing, sand blasting buildings, including shop operations. Excludes portable washing and cleaning operations enumerated under ((class)) risk classification 66-2 (WAC 296-17-724).

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-516 CLASSIFICATION 4-3.

Erection, painting, repair and maintenance or removal of signs, including shop operations
Sign painting or lettering outside buildings or structures, N.O.C., including shop operations
Street and building decorating, hanging flags or bunting.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-517 CLASSIFICATION 5-2.

Rug, linoleum, tile and other types of floor or drainboard covering installation excluding hardwood floor installation rated under risk classification 5-5 (WAC 296-17-520).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-518 CLASSIFICATION 5-3.

Chimney cleaning - residential/commercial
((Chimney cleaning - not residential)).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-519 CLASSIFICATION 5-4.

Wallboard taping and texturing, excluding wallboard installation rated under risk classification 5-5 (WAC 296-17-520)
Painting bridges, including incidental preparation work
Painting, decorating or paperhanging, N.O.C., including incidental preparation, including shop
Waterproofing, N.O.C. Excludes roofing or subaqueous work

Painting, coating or cleaning oil or gas storage tanks and beer vats
Painting towers, smokestacks and steel or iron structures
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-520 CLASSIFICATION 5-5.

Construction, erection, alteration or repair of private residences
Construction, erection, alteration or repair of buildings, N.O.C.
Gutters - installation, service or repair - on structures
Glass installation away from shop
Wallboard installation, plastering, stuccoing and lathing
Insulation or soundproofing materials installation, N.O.C.
Fixtures - cabinets, counters, drainboards, mantels, etc. installation
Weather strip installation
Hardwood floor installation and refinishing
Door, door frame, sash, overhead door, siding installation framing and carpentry, N.O.C.
Elevator door bucks - installation
Mobile home set up including installation of skirting and awnings by contractor. Excludes mobile home set up by mobile home dealer rated under risk classification 34-1 (WAC 296-17-579)
Fire escapes and awnings - installation, erection, repair and removal outside buildings
Decorative metal shutters - installation, erection and removal - no buntings
Scaffolds, hod hoists, concrete and cement distributing towers, sidewalk bridges and construction elevators, installation or removal
Debris cleaning and removal and building clean-up after construction
All building industry operations, which include all field activities in connection with excavating and backfilling, erection, alteration, repair, or demolishing of any building or buildings, or part thereof or appurtenance thereto. This ((class)) classification will apply to all work performed by the prime building contractor. Work performed by contractors other than the prime contractor is subject to this ((class)) classification, with the exception of the excavating contractors, electrical contractors, plumbing contractors, heating contractors, painting contractors, steel erection contractors, masonry contractors, and concrete contractors, roofing contractors, building raising, moving, and underpinning contractors, and building wrecking or demolition contractors. ((This class excludes a person employing help by day labor to perform work on his own home. See class 48-7 (WAC 296-17-648))
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-52001 CLASSIFICATION 5-6.

Building raising or moving and underpinning
Wrecking or demolition of buildings
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-52002 CLASSIFICATION 5-7.

Roofwork, all types, construction and repair
This classification excludes roof cleaning and moss removal rated under risk classification 66-2 (WAC 296-17-724) not incidental to or part of a roofing contract
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-521 CLASSIFICATION 5-8.

Erection, maintenance and repair radio, television, water towers, poles and towers, N.O.C.
Smokestacks, structural iron or steel framework, erection, maintenance and repair

Windmills, all types, erection, maintenance and repair, silo erection
Crane or derrick installation
Oil still or refinery construction. Excludes plant maintenance by contractor rated under risk classification 6-3 (WAC 296-17-524)
Blast furnace and metal burners construction
Exterior tanks - all types - erection
Elevated railway, tram, lift, etc., construction, maintenance and repair
This ((class)) classification includes erection of skeletons for pillars, posts and like columns
This ((class)) classification includes all excavations, foundation work, and includes dismantling, and repairing of above types of structures
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-52101 CLASSIFICATION 5-9.

Overhead transmission ((lines)), telephone, telegraph, and cable television lines, new construction or extension of lines, including poles or towers, erection, maintenance, repair by contractor
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-522 CLASSIFICATION 6-1.

Electrical wiring in buildings, and electrical wiring, N.O.C.
Intercom or audio call box, installation, service or repair
Telecommunication and PBX equipment installation in buildings by contractor including wiring of new construction or rewiring existing structure for such services
Meat slicer or grinder - service and repair
Electrical alarm systems, business machine systems including computer mini and mainframe systems - installation in buildings
Electrical machinery and auxiliary apparatus installation and repair - including incidental wiring
Erection of temporary floodlights - search light operation mounted on and generated by truck
Permanent flood lighting stadiums and parks
Television cable installation in buildings by contractor including drop line connection (pole to house hook-up)
See ((class)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-524 CLASSIFICATION 6-3.

Machinery installation, dismantle and repair and millwright work, including installation and repair of x-ray machinery, escalator and conveyor systems, and commercial laundry equipment N.O.C.
~~((Pump installation or repair, N.O.C.))~~
Engines and gas machines installation and belts, erection of shafting
Dynamos, installation, service and repair including electrical generators and turbines
This classification will also include plant maintenance by contractor which will be rated as millwright work.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-527 CLASSIFICATION 6-7.

Household appliances electrical installation, service and repair
Television antenna or satellite disc installation and repair
Safes and vaults, installation and removal
Venetian blinds and shades, installation
Advertising display service for stores
Drapes or curtain installation
This ((class)) classification will include installation, service and repair of radio and television receiving sets ((and)), two-way radio, car stereo systems and radio-television repair.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-529 CLASSIFICATION 8-3.

Cities and towns, all operations, except municipal power and transit systems, law enforcement officers and fire fighters
This ((class)) classification excludes clerical office and white collar employees rated under risk classification 53-5 (WAC 296-17-678).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-530 CLASSIFICATION 8-4.

Commercial production of sand, gravel and processing clay and stone products
~~((Clay pits))~~
This ((class)) classification does not include quarry operations rated under risk classification 17-4 (WAC 296-17-551).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-532 CLASSIFICATION 9-1.

Boat or ship building and dismantling metal hulls in excess of 35 feet, this ((class)) classification includes all shop and yard operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-534 CLASSIFICATION 10-2.

Sawmills, operation and maintenance
~~((Planing and moulding mills, operation and maintenance))~~
This classification excludes operations conducted in the woods ((subject to)) rated under risk classification 50-1 (WAC 296-17-659) logging, N.O.C.
~~((Sec class 50-1 (WAC 296-17-659);))~~

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-535 CLASSIFICATION 10-3.

Creosote works, pile and pole treating - yard operations only
Pole yard
Masts and spars yards.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-53501 CLASSIFICATION 10-4.

Log storage and log sorting yards independent from logging operations
~~((subject to class))~~ rated under risk classification 50-1 (WAC 296-17-659)

This ((class)) classification does not include any log trucking operations that are outside of the log storage and log sorting yards.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-53502 CLASSIFICATION 10-5.

Shingle mills, operations and maintenance
Shake mills, operations and maintenance
This classification excludes operations conducted in the woods
~~((Subject to logging, N.O.C.))~~
See class 50-1 (WAC 296-17-659);) rated under risk classification 50-1 (WAC 296-17-659) logging, N.O.C.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-53504 CLASSIFICATION 10-7.

Lumber inspectors
Foresters, forest rangers, timber cruisers and surveyors
Log scaling and grading bureaus
Shingle and shake inspection and grading bureaus
Inspection and grading bureaus, N.O.C.

Geophysical exploration, N.O.C., no core drilling
 Weather stations
 Testing and inspecting of pipe lines - radiographers
 Weigh scale attendants
 Prospectors
 X-raying by contractor at industrial plants or construction sites
 Rainmaking - not by aircraft.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-536 CLASSIFICATION 11-1.

Automobile delivery drive away, automobile repossessing
 Drivers of sound trucks, street vending vehicles
 Delivery by retail, wholesale, combined wholesale and retail stores and distributors, N.O.C.
 Delivery companies, deliver parcels and packages, no bulk merchandise
 Septic tank and cesspool cleaning, excludes installation or repair
 Street sweeping, parking lot sweeping, portable chemical toilets servicing
 Anhydrous ammonia delivery
 News agents or distributors of magazines, periodicals and telephone books, no retail dealer
 Distribution of sample merchandise by vehicle
 Armoured car service
 ((This class to include all maintenance and repair of firm's equipment by firm's employees)).

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-537 CLASSIFICATION 11-2.

((Express companies and)) Auto towing companies
 Interstate and Intrastate trucking including transport companies, express companies, freight hauling and trucking, N.O.C.
 ((This class includes maintenance and repair of firm's equipment by firm's employees.))

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-538 CLASSIFICATION 11-3.

Coal merchants, solid fuel yards, firewood dealers, excludes operations subject to ((class)) risk classification 10-4 (WAC 296-17-53501), ((class)) risk classification 17-2 (WAC 296-17-549), ((class)) risk classification 17-3 (WAC 296-17-550), ((class)) risk classification 50-1 (WAC 296-17-659)
 Lumber yards, building material dealers, not done in connection with or incidental to a manufacturing or processing plant operation also excluding yard operations ((subject to class)) rated under risk classification 10-2 (WAC 296-17-534)
 Monument dealers, N.O.C.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-53801 CLASSIFICATION 11-4.

Automobile or truck wrecking all operations including over counter sales of new or used parts and tow truck operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-53803 CLASSIFICATION 11-6.

((Foot)) Rental stores N.O.C. all operations including clerical office and sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-539 CLASSIFICATION 13-1.

Electric light and power plants, cities, towns and counties
 Electric light and power cooperatives
 Electric light and power public utility districts
 Electric systems, N.O.C.
 Steam heat and power plants

Bridge tenders, electrically operated bridges, vehicular tunnels operation
 ((The operation of electric and steam plants)) This classification includes extension of lines and meter readers when done by employees of firms operating such facilities subject to this classification.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-540 CLASSIFICATION 13-3.

Telephone companies, all other employees, operation and maintenance, extension of lines
 Telegraph companies, all other employees, operation and maintenance, extension of lines
 This ((class)) classification includes new construction and extension of lines when done by employees of firms subject to this ((class)) classification
 This classification excludes contractors subject to risk classification 1-7 (WAC 296-17-50601) engaged in underground line construction, maintenance or repair; risk classification 5-9 (WAC 296-17-52101) engaged in overhead line construction, maintenance or repair; and risk classification 6-1 (WAC 296-17-522) engaged in building wiring and telecommunication hookups within buildings.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-541 CLASSIFICATION 13-4.

Telephone companies, exchange operators, clerical office and ((salesmen)) sales personnel
 Telegraph companies, clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-54101 CLASSIFICATION 13-5.

Television cable companies, operation and maintenance, extension of lines
 This classification includes new construction and extension of lines when done by employees of firms subject to this classification
 This classification excludes contractors subject to risk classification 1-7 (WAC 296-17-50601) engaged in underground line construction, maintenance or repair; risk classification 5-9 (WAC 296-17-52101) engaged in overhead line construction, maintenance, or repairs; and risk classification 6-1 (WAC 296-17-522) engaged in building wiring and telecable hookups within buildings.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-542 CLASSIFICATION 14-1.

Ambulance services including mobile medic and patient transport services
 Taxicab companies
 Chauffeurs, N.O.C. - commercial
 Pilot cars
 Escort service
 ((This class includes maintenance and repair of firm's equipment by firm's employees)).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-544 CLASSIFICATION 14-4.

Bus or limousine companies, transit systems, contract bus driving
 Vessels, ferries, tugs and steamboats operation, N.O.C. including dock employees, not maritime
 ((This class includes maintenance and repair of firm's equipment by firm's employees)).

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-545 CLASSIFICATION 15-1.

Counties and taxing districts, N.O.C., all other employees

Housing authorities, local public, all other employees including meter readers

Indian Tribal Councils, all other employees

This ((class)) classification excludes hospital districts(;) subject to risk classification 61-5 (WAC 296-17-681); library districts, museum districts(;) and school districts subject to risk classifications 61-3 (WAC 296-17-680) and 61-4 (WAC 296-17-681); port districts(;) subject to risk classification 42-1 (WAC 296-17-629); public utility districts(;) subject to risk classification 13-1 (WAC 296-17-539) and 15-7 (WAC 296-17-546); ((school districts,)) law enforcement officers subject to risk classification 69-5 (WAC 296-17-750); and fire fighters subject to risk classification 69-4 (WAC 296-17-749)

This ((class)) classification also excludes clerical office and white collar employees.

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-546 CLASSIFICATION 15-7.

Waterworks all operations, including extension of lines and meter readers

Irrigation ditches, operation, repair and maintenance.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-555 CLASSIFICATION 20-2.

Freight handlers - packing, handling or shipping merchandise N.O.C.

Refrigeration car, loading, unloading or icing

This ((class)) classification also includes employees engaged in repackaging of goods from damaged containers. This ((class)) classification also includes sky caps, red caps and baggage handlers employed by a contractor operating a railroad, bus or airline terminal.

This ((class)) classification excludes drivers which are to be separately rated under risk classification 11-2 (WAC 296-17-537).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-557 CLASSIFICATION 20-4.

Iron or steel merchants, not junk or scrap dealers

This ((class)) classification also includes wire rope and cable dealers.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-558 CLASSIFICATION 20-5.

Plumber(~~s~~supplies) and pipe supply dealers, wholesale or retail, gas, steam or hot water equipment.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-561 CLASSIFICATION 20-8.

Warehouses-field bonded, including clerical office at such location

This ((class)) classification excludes drivers which are to be separately rated under risk classification 11-2 (WAC 296-17-537).

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-563 CLASSIFICATION 21-2.

Warehouses - general merchandise. Wholesale dealers to be separately rated. Drivers will be separately rated under ((class)) risk classification 11-2 (WAC 296-17-537) ((truckmen)) trucking, N.O.C.

Recycle, collection and receiving stations, and dealers of rags, bottles, paper and metal containers, N.O.C., no junk dealers. Drivers will be separately rated under ((class)) risk classification 11-2 (WAC 296-17-537) ((truckmen)) trucking, N.O.C.

Grocery, fruit or produce distributors, wholesale or combined wholesale and retail. Drivers will be separately rated under ((class)) risk classification 11-1 (WAC 296-17-536) delivery by combined wholesale and retail stores

Anhydrous ammonia, fertilizer and agricultural chemical dealers.

Drivers will be separately rated under ((class)) risk classification 11-1 (WAC 296-17-536) anhydrous ammonia delivery

Wool or cotton merchants. Drivers will be separately rated under ((class)) risk classification 11-2 (WAC 296-17-537) ((truckmen)) trucking, N.O.C.

All operations, including handling or packaging materials at warehouse.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-564 CLASSIFICATION 21-4.

Vegetable packing

Fruit packing

This ((class)) classification includes cold storage operations if a part of packing operations; if a separate distinct operation or business, it is to be separately rated

This ((class)) classification does not include canning or freezing operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-565 CLASSIFICATION 22-1.

Laundries and dry cleaning establishments all operations including drop off stations operated by such establishments

Cleaning and dyeing

Use of this classification will be limited to establishments providing services primarily to retail walk in customers.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-566 CLASSIFICATION 22-2.

Carpet, rug and upholstery cleaning, shop or outside

Laundries(~~, N.O.C.~~) - commercial or industrial, N.O.C., including linen, uniform and diaper service.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-568 CLASSIFICATION 29-3.

Excelsior, kindling wood, hog fuel, particle board, lumber re-manufacturing including planing and molding operations

Fishing pole manufacturing, wood, rattan or willow ware manufacturing

Coffin or casket manufacturing or assembly - wood

Pencil or furniture stock manufacturing

Furniture manufacturing, wood - including assembly

Sash, door or assembled millwork manufacturing

Assembly of other wood products from manufactured parts, N.O.C.

Box or shook, pallet, lath manufacturing, wood

Cabinet shop, barrel stock manufacturing and assembly

Wood products manufacturing and assembly, N.O.C.

Veneer products manufacturing

Pipe or tube manufacturing, wood only

Door, door frames or sash manufacturing - wood covered with metal

Fibre ware manufacturing, N.O.C.

Counter tops manufacturing other than metal

Wooden gun stock manufacturing, woodenware manufacturing, N.O.C.

Sawmill operations to be separately rated under ((class)) risk classification 10-2 (WAC 296-17-534). Veneer manufacture to be separately rated under ((class)) risk classification 29-4 (WAC 296-17-569)

Physically separated upholstery departments of firms engaged in furniture, coffin or casket manufacturing, assembly, or finishing, may be separately rated under ((class)) risk classification 38-8 (WAC 296-17-612), and in accordance with WAC 296-17-410.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-569 CLASSIFICATION 29-4.

Veneer, commercial production

Plywood manufacturing

This ((class)) classification includes all types of veneer production.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-57002 CLASSIFICATION 29-8.

Truck canopy manufacturing – shop only

Housing, residential, factory-built, shop only

Mobile homes, campers and travel trailers manufacturing – shop only.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-571 CLASSIFICATION 31-1.

Ready mix concrete dealers – all operations

This ((class)) classification to include any miscellaneous operations made up of tools, equipment and building materials sales which is less than twenty-five percent of the dollar volume of ready mix concrete sales.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-575 CLASSIFICATION 31-5.

Concrete blocks, bricks, poles, piles, tile and beam manufacturing

Concrete sewer and irrigation pipes, concrete septic tanks and concrete products, N.O.C. manufacturing.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-576 CLASSIFICATION 33-1.

Fish canneries, fish freezing and processing, fish curing

Fish trap operation, oystermen, oyster raising, fish rearing

Oyster, crab, clam, canning or cold packing

Sea foods products, N.O.C., canning or manufacturing

Fish oil manufacturing

Marine life, nonedible, processing

This ((class)) classification excludes diving operations which will be separately rated under risk classification 2-2 (WAC 296-17-509) ((Sec class 2-2 (WAC 296-17-509) for divers)).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-579 CLASSIFICATION 34-1.

Automobile, truck service specialty shops including sales, installation and repair of air conditioning systems, electrical systems, cruise controls, mufflers, and sun roofs

Automobile, truck, mobile home, camper, canopy, and trailer sales and/or rental agency, including repair shops

Boat dealers, including repair shops

Marinas and boat house operations, including repair shops

Automobile, truck, body and fender repair shops, ((~~automobile, truck, paint~~)) including painting and incidental upholstery and glass repair

Automobile, truck, repair shops or garages

This classification will include mobile home delivery and set up when done by employees of the mobile home sales agency. Contractors doing set up and delivery of mobile homes who are not employees of the mobile home sales agency will be rated under risk classification 5-5 (WAC 296-17-520).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-580 CLASSIFICATION 34-2.

Air compressor manufacturing, elevator manufacturing, gear grinding or manufacturing

Printing or bookbinding machinery manufacturing

Pump manufacturing, safe manufacturing, scale manufacturing or repair shop, auto jack manufacturing, water meter manufacturing and repair

Shoe machinery manufacturing, sprinkler head manufacturing, textile machinery manufacturing

Confectioners machinery manufacturing, food processing machinery manufacturing, precision machined parts, N.O.C., manufacturing Machine shops, N.O.C., including mobile shops, tool sharpening and marine engine repair

Power saw, lawn and garden equipment and small motor repair, N.O.C.

Furnace, heater or radiator manufacturing

Saw manufacturing

Heat treating metal

Nut, bolt, screw, nail, tack, rivet, eyelet, spike and needle manufacturing, N.O.C.

Abrasive wheel manufacturing

Welding or cutting, N.O.C.

Lead burning, metal spraying – copper

Automobile, truck, tractor radiator and heater core manufacturing and repair shops

Coppersmithing, shop

Office machinery manufacturing, N.O.C., cash register and sewing machine manufacturing

Small arms, speedometer and carburetor manufacturing

Sewing machine, commercial – repair and rebuild

Tool manufacturing, not hot forming or stamping, die manufacturing – ferrous

Auto body manufacturing – truck, trailer, bus body manufacturing, travel trailer body repair

Tool manufacturing, machine finishing

Auto or truck parts, machining or rebuild not in vehicle

Auto or truck engine manufacturing, aircraft engine manufacturing or rebuild, N.O.C.

Bed spring or wire mattress manufacturing

Valve manufacturing

Battery manufacturing and repair

Machinery manufacturing or assembly, N.O.C.

Auto or motorcycle manufacturing or assembly.

AMENDATORY SECTION (Amending Order 78-23, filed 11/27/78, effective 1/1/79)

WAC 296-17-581 CLASSIFICATION 34-3.

Aircraft manufacturing, including aircraft operations ((~~incident~~)) incidental thereto

This ((class)) classification includes all operations including clerical office and ((~~salesmen~~)) sales personnel.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-582 CLASSIFICATION 34-4.

Cans manufacturing

Galvanized iron works, manufacturing – not structural

Hardware manufacturing, N.O.C.

Metal stamping, including plating and polishing

Sign manufacturing other than wood – no installation

Metal goods manufacturing, N.O.C., from material lighter than 9 gauge

Aluminum ware manufacturing – from sheet aluminum

Coffin-casket manufacturing or ((~~assemble~~)) assembly, other than wood

Awning manufacturing – metal – no installation

Furniture, bedstead, shower-door, showcases – not wood – manufacturing

Stove manufacturing, ((~~water heater assembly~~)) excluding wood stove manufacturing and other stoves made from material 9 gauge or heavier rated under risk classification 52-9 (WAC 296-17-67602)

Water heater assembly

Electric or gas lighting fixtures, lampshades or lantern manufacturing – metal

Brass or copper goods manufacturing

Window, sash or door manufacturing – aluminum

Auto parts manufacturing, miscellaneous stamped parts

Ski manufacturing and toboggan manufacturing other than wood

Physically separate upholstery departments of firms engaged in furniture, coffin or casket manufacturing, assembly, or finishing may be separately rated under risk classification 38-8 (WAC 296-17-612), and in accordance with WAC 297-17-410.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-583 CLASSIFICATION 34-6.

((Auto)) Automobile or truck gas service stations, N.O.C.
 ((Auto)) Automobile or truck car washes. Excludes portable washes(~~Sec class~~) subject to risk classification 66-2 (WAC 296-17-724)
 ((Auto)) Automobile or truck storage garages - no repair.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-584 CLASSIFICATION 34-7.

Gas or oil dealers, wholesale or retail, including fuel oil, propane or butane
 Asphalt, bitumen dealers
 Oil refining-petroleum, including manufacturing of products obtained therefrom
Gasahol distilling or refining
 Asphalt or tar, distilling or refining
 Oil wells operation - oil or gas lease operators
 Oil or gas wells - cementing
 Oil or gas wells - specialty tool operation, N.O.C., by contractor
 Oil or gas wells - installation or recovery of casing
 Gas dealers, liquified petroleum gas, gas works, all operations
 Oil or gas lease work, N.O.C. - by contractors-not lease operation
 Oil or gas pipe line operation
 Synthetic rubber manufacturing
 Gasoline recovery from casing head or natural gas.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-585 CLASSIFICATION 34-8.

Gas companies - natural gas - all operations - including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-58501 CLASSIFICATION 34-9.

Self service gas stations
 This ((class)) classification applies to service stations that are completely self service with no employees performing a direct service of any kind to customer's vehicle. Service stations providing direct services of any kind to a customers vehicle will be rated under risk classification 34-6 (WAC 296-17-583) even though such establishments may also have self service gas facilities.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-586 CLASSIFICATION 35-1.

Brick or clay products manufacturing, N.O.C.
 Refractory products, fireproofing tile, flue lining and roofing tile manufacturing
 Sewer tile, drainage tile and tile, N.O.C., manufacturing
 Fireclay products manufacturing, foundry crucible
 Briquettes manufacturing, peat fuel manufacturing
 This ((class)) classification does not apply to the production of raw materials for use in the manufacture of the above articles.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-587 CLASSIFICATION 35-3.

Potteries, glazed or porcelain, earthenware manufacturing
 Chinaware, tableware, decorative or architectural terra cotta manufacturing
 Decorative tile, clay tobacco pipes, manufacturing
 Glassware manufacturing, N.O.C. including stained or leaded glassware manufacturing
 Glass manufacturing, N.O.C.
 Plastic feather or flower manufacturing
 Agate or enamel ware manufacturing

Plaster statuary or ornament manufacturing - relief map manufacturing
 Phonograph record manufacturing
 Mirror, glass sign manufacturing, etching or frosting glass
 This ((class)) classification does not apply to the production of raw materials for use in the manufacturing of the above articles.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-590 CLASSIFICATION 35-6.

Crane, hoisting service and rigging contractors. This ((class)) classification excludes operations incidental to ((classes)) risk classifications 2-1 (WAC 296-17-508), 2-2 (WAC 296-17-509), 5-5 (WAC 296-17-520), 5-6 (WAC 296-17-52001), 5-7 (WAC 296-17-52002), 5-8 (WAC 296-17-521), 5-9 (WAC 296-17-52101), 6-4 (WAC 296-17-525), 7-1 (WAC 296-17-528) and 50-1 (WAC 296-17-659) ((This class includes maintenance and repair of firm's equipment by firm's employees)).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-594 CLASSIFICATION 36-2.

Electronic products manufacturing; resistors, capacitors, chip and relays manufacturing
 ((Telephone;)) Telegraph or radio apparatus manufacturing, N.O.C.
Telephone set manufacturing or repair, N.O.C.
 Dental laboratories
 Jewelry manufacturing or engraving
Trophy engraving
 Electronic parts assembly
 Electrical cordset radio and ignition assembly
 Watch manufacturing
 Motion picture projectors and camera repair
 Fishing tackle manufacturing, N.O.C., including assembly
 Instrument manufacturing, scientific, medical or professional
 Sound recording equipment, thermometer and steam gauge manufacturing
 Incandescent lamp manufacturing, electric tube or transistor manufacturing
 Tag, button, zipper or fastener manufacturing, bottle cap manufacturing
 Silverware manufacturing, watch case manufacturing
 Magnetic tape manufacturing
 This ((class)) classification does not apply to the production of raw material for use in the manufacturing of the above articles
 All operations.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-595 CLASSIFICATION 36-3.

Furniture stripping and refinishing
 Metal plating or polishing, rustproofing - acid bath, N.O.C.
Painting in shop, N.O.C.
Electroplating and de-tinning, N.O.C.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-598 CLASSIFICATION 36-6.

Boat building or repair, all types, N.O.C. under 35 feet in length. All boat building or repair of boats in excess of 35 feet in length will be rated under risk classification 9-1 (WAC 296-17-532).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-599 CLASSIFICATION 37-1.

Ammonia, nitrogen and ammonium nitrate manufacturing
 Nitrate recovery from x-ray and photo films
 Manufacturing dye and chemicals for tinting candles
 Chemical manufacturing, N.O.C., by nitration, alkylation, oxidation, etc. process. This classification includes the manufacturing of chemicals involving, but not limited to, the following chemical processes:

nitration, alkylation, distillation, reduction, oxidation, sulphonation, compression of gasses, halogenation and amidation
 Chemical mixing, blending and repackaging only – no manufacturing of ingredients
 Cosmetics manufacturing, no manufacturing of ingredients
 Drug, medicine or pharmaceutical preparation manufacturing, no manufacturing of ingredients
 Oxygen or hydrogen manufacturing, acetylene gas or carbonic acid gas manufacturing
 Alcohol manufacturing, distilling, N.O.C.
 Polish, dressing, ink or mucilage manufacturing
 Extract manufacturing, including distillation of essential oils
 Perfumery manufacturing, including distillation of essential oils
 Flavoring manufacturing, including distillation of essential oils
 Mint distilling
 Salt, borax or potash producing or refining
 Serum, anti-toxin or virus manufacturing
 Paint, varnish or lacquer manufacturing
 Putty manufacturing, synthetic resin manufacturing
 Acid manufacturing
 Candle, crayon and paste manufacturing
 (~~islinglass manufacturing~~).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-600 CLASSIFICATION 37-2.

Breweries or malt houses
 Bottling – beverages, N.O.C.
 Spiritous liquor manufacturing
 Wine making
 This classification includes tour guides and tasting room employees.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-604 CLASSIFICATION 37-8.

Linoleum, oil cloth or imitation leather manufacturing
 Broom and brush manufacturing, or assembly
 Cordage, rope or twine manufacturing
 Match manufacturing
 Cotton cord or cotton twine manufacturing
 Textile manufacturing, N.O.C.
 Taxidermists and hide pelting
 Parachutes, suspenders, fur goods and bandages manufacturing
Nylon or synthetic goods manufacturing, N.O.C.
 Life preservers and canvas goods manufacturing, N.O.C.
 Braid, net, plush and velvet, thread, webbing and yarn manufacturing
 Spinning or weaving – natural or synthetic fibres, N.O.C.
 Pillow, quilt or cushion manufacturing including stuffed animal or doll manufacturing
 Mattress or box springs manufacturing – no manufacturing wire springs or excelsior
 Abrasive cloth preparation
 Bag or sack manufacturing or renovating – cotton, burlap ((~~or~~)), gunny, nylon, or textile
 Carpet or rug manufacturing
 Fire hose manufacturing from linen thread
 Cotton batting, wadding or waste manufacturing
 Felting manufacturing, shoddy manufacturing
 Wool combing or scouring
 Fishing rod wrappings, manufacturing
 Awning, tent, sail, flags, wind socks or sleeping bag manufacturing.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-606 CLASSIFICATION 38-2.

Lace, embroidery, cloth hats, umbrella and draperies manufacturing
 Clothing or cloth goods manufacturing, N.O.C.
 Gloves manufacturing, N.O.C.
 Millinery manufacturing, artificial feather or flower manufacturing, N.O.C.
 Wig making
 Hosiery manufacturing
 Fabric coating, impregnating or waterproofing, N.O.C., textiles bleaching, dyeing or finishing, new goods, not garments

Cloth printing
 Dressmaking or tailoring.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-614 CLASSIFICATION 39-1.

Bakeries- retail

All operations

This ((~~class~~)) classification applies only to those bakeries that sell ((~~all~~)) products ((~~on~~)) at retail primarily on the premises of the bakery and ((~~with no transporting goods from premises~~)) contemplates minimal delivery of products off premise such as delivery of wedding cakes.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-615 CLASSIFICATION 39-2.

Fruit and vegetable cannery and freezer operations
 Fruit and vegetable evaporating, preserving or dehydrating
 Fruit syrup manufacturing, fruit juice manufacturing, jam or jelly manufacturing, cider manufacturing
 Pea vining
 Corn products, chocolate and cocoa manufacturing
 Baking powder, dextrine, glucose, starch and yeast manufacturing
 Nut shelling, egg breaking, coconut shredding and peanut handling
 Food sundries manufacturing and food processing, N.O.C.
Peanut butter, honey, mayonnaise and instant potato manufacturing
 Pickle manufacturing, sauerkraut manufacturing
 Pet food manufacturing
 Butter substitutes manufacturing
 Breakfast food manufacturing
 Poultry canning and canneries, N.O.C.
 Vegetable oil manufacturing.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-618 CLASSIFICATION 39-5.

Restaurants and taverns

Cocktail and soft drink lounges

Food, drink, candy, etc. concessionaires at parks, tracks and exhibitions including vending concessionaires dispensing food, drink, candy, etc. at ball parks, race tracks, theatres and exhibitions. This classification is not applicable to street vendors who shall be rated under class 11-1 (WAC 296-17-536)

Commissaries and restaurants with construction, erection, logging or mine operations

Eating establishments, N.O.C., including public lunch counters in stores, cookie and doughnut shops, and ice cream parlors.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-61801 CLASSIFICATION 39-6.

Bakeries, cracker or potato chip manufacturing, N.O.C.
 Ravioli or tamale manufacturing
Pizza manufacturing, N.O.C.
 Macaroni manufacturing
 Confectionery and chewing gum manufacturing
 Cough drop manufacturing
 All operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-619 CLASSIFICATION 40-2.

Dairy products manufacturing, N.O.C.

Butter, cheese, ice cream and ice cream mix manufacturing

Creameries and dairies, operation

Condensed milk manufacturing

This ((~~class~~)) classification does not include operations subject to ((~~class 48-3~~)) risk classification 73-1 (WAC 296-17-644).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-620 CLASSIFICATION 41-1.

Printing, lithography, engraving, map printing, and silk screening, N.O.C.
 Rubber stamp manufacturing and assembling
 Bookbinding
 Photoengraving
 Linotype or hand composition
 Electrotyping.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-622 CLASSIFICATION 41-3.

Newspaper publishing
 Outside reporters, advertising or circulation solicitors and photographers shall be rated under ((class)) risk classification 63-3 (WAC 296-17-698)
 Editing, designing, proofreading, photographic composition and clerical office employees shall be rated under ((class)) risk classification 49-4 (WAC 296-17-653)
 This ((class)) classification excludes newspaper publishers with no printing operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-626 CLASSIFICATION 41-7.

Business machine service, adjustment, or repair, N.O.C. This ((class)) classification includes the installation of typewriters, adding machines and reproduction machines, either electric or manual, and micro computer systems but does not include installation of computer mini or main frame systems((;these)) which will be rated under ((class)) risk classification 6-1 (WAC 296-17-522)
 Piano tuning.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-627 CLASSIFICATION 41-8.

Letter service shops and mailing or addressing companies, ((includes)) all operations including clerical office employees and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-628 CLASSIFICATION 41-9.

Sign painting or lettering inside buildings
 Sign painting in shop
 This ((class)) classification does not include sign ((manufacture)) manufacturing rated under risk classification 29-3 (WAC 296-17-568) or risk classification 34-4 (WAC 296-17-582). Sign erection outside will be rated under risk classification 4-3 (WAC 296-17-516).

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-634 CLASSIFICATION 43-5.

Garbage works, landfill, reduction or incineration
Radioactive waste landfill
 Garbage, refuse or ashes collecting.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-640 CLASSIFICATION 45-4.

Theatres, all operations, including clerical office and ((salesmen)) sales personnel, excluding players, entertainers, musicians
 This ((class)) classification includes managers, stage hands, box office employees, parking lot attendants, ushers, motion picture operators and snack bar employees.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-643 CLASSIFICATION 48-2.

Truck gardening - farm-to-market fresh produce, excluding meats of any kind
 Berry farms
 Flower seed growing
 Bulb raising
 Vineyards including harvesting of fruit
 Picking of forest products, N.O.C.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-644 CLASSIFICATION 48-3.

Farms, N.O.C.
 Orchards and hop farms - applies to all tree crops, deciduous and fruits, nuts, and shall include all acreage devoted to the raising of such crops
 This ((class)) classification includes all operations incidental to the enterprises described above.

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-645 CLASSIFICATION 48-4.

Poultry raising, egg production and hatcheries
 Egg grading, candling and packing
 Fur bearing animals and rabbit raising
 This ((class)) classification applies to acreage devoted to the raising of poultry, rabbits and fur bearing animals.

AMENDATORY SECTION (Amending Order 78-23, filed 11/27/78, effective 1/1/79)

WAC 296-17-646 CLASSIFICATION 48-5.

Nurseries, including greenhouse operations incidental thereto
 Nursery applies to all acreage devoted to nursery operations and including tree nurseries and sod growing.

AMENDATORY SECTION (Amending Order 76-36, filed 11/30/76)

WAC 296-17-647 CLASSIFICATION 48-6.

Farms - hand harvest
 This ((class)) classification includes ground hand picking of vegetables, nuts, berries, asparagus, rhubarb, prunes, field flowers, and bulbs.
 Excludes pumpkin, squash, melon or potato harvesting.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-648 CLASSIFICATION 48-7.

((Construction;)) Remodel, or repair by homeowners employing ((workmen)) workers to perform work on or about a homeowner's personal residence. ((Mandatory coverage under this class is exempt until after 10 consecutive work days pursuant to RCW 51.12.020(2).))

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-649 CLASSIFICATION 48-8.

Alfalfa and clover seed growing
 Potato sorting and storage, N.O.C.
 Field crops - includes raising of all hay, cereal grains, sugar beets, and vegetables, N.O.C.
 This ((class)) classification applies to all operations incidental to the enterprises described above with the exception of asparagus harvesting.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-64901 CLASSIFICATION 48-9.

Wholesale florists, N.O.C.

Greenhouses, N.O.C.

Flowers - field growing (excludes bulb raising)

Mushroom raising

Sprouts growing for food, all operations.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-651 CLASSIFICATION 49-2.

State employees - clerical office and ~~((professional))~~ white collar employees, N.O.C.

This ~~((class))~~ classification includes all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government. See ~~((classes))~~ risk classifications 49-6 (WAC 296-17-655), 53-7 (WAC 296-17-67901), 71-3 (WAC 296-17-756) and 72-1 (WAC 296-17-763) for other state employees.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-653 CLASSIFICATION 49-4.

Clerical office, N.O.C.

Clerical office, information and reservation clerks and ticket sellers of air and bus lines and airports

Draftsmen

Hotel and motel desk clerks with no other duties

Parimutuel clerks and cashiers at race tracks.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-654 CLASSIFICATION 49-5.

Hotels, all operations - excluding restaurant and bar employees

Motels, all operations - excluding restaurant and bar employees

Apartment houses, all operations

Building and property management - all operations

Hotel and motel desk clerks with no other duties will be ~~((assigned class))~~ reported under risk classification 49-4 (WAC 296-17-653).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-655 CLASSIFICATION 49-6.

Academic and nonacademic employees of institutions of higher learning

All operations including clerical office and white collar employees.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-659 CLASSIFICATION 50-1.

Sawmill operations conducted in the woods in connection with logging operations

Shake, shingle bolt and post cutting - all woods operations

Firewood cutting - all woods operations

Logging operations, N.O.C.

Logging shall be considered the complete operation, including falling and bucking, skidding, yarding, loading, and maintenance of equipment except as otherwise provided. This ~~((class))~~ classification also includes aircraft operations incident thereto

See ~~((class))~~ risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-66001 CLASSIFICATION 50-3.

Log hauling by contractor

Log truck drivers, N.O.C.

See ~~((class))~~ risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-66002 CLASSIFICATION 50-4.

Tree planting and pre-commercial tree thinning—forestry type operations

Excludes any operations subject to ~~((class))~~ risk classification 50-1 (WAC 296-17-659).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-661 CLASSIFICATION 51-1.

Metal ejection molding

Pipe or tube manufacturing, iron or steel.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-669 CLASSIFICATION 51-9.

Heavy machinery and equipment manufacturing or repair - used in connection with construction, agriculture, logging, or mining

Heavy arms manufacturing or repair.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-670 CLASSIFICATION 52-1.

Electric power or transmission equipment

Electrical toasters, frying pans, and wire harnesses manufacturing

Vacuum cleaners and electrical appliances manufacturing, N.O.C.

Electric motors, generators, alternators, starters, convertors, solenoids and servomotors manufacturing and repair

This classification contemplates the manufacturing or repair of transformers, switchboards, circuit breakers, switches or switchboard apparatus, or incidental equipment.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-675 CLASSIFICATION 52-6.

Permanent yard or shop for maintenance or storage of firm's equipment or material

This ~~((class))~~ classification to be assigned only to operations incidental to ~~((classes))~~ risk classifications 1-1 (WAC 296-17-501), 1-2 (WAC 296-17-502), 1-3 (WAC 296-17-503), 1-4 (WAC 296-17-504), 1-5 (WAC 296-17-505), 1-6 (WAC 296-17-506), 1-7 (WAC 296-17-50601), 1-8 (WAC 296-17-50602), 1-9 (WAC 296-17-507), 2-1 (WAC 296-17-508), 2-2 (WAC 296-17-509), 2-6 (WAC 296-17-50904), 3-2 (WAC 296-17-511), 3-6 (WAC 296-17-512), 5-4 (WAC 296-17-519), 5-5 (WAC 296-17-520), 5-6 (WAC 296-17-52001), 5-7 (WAC 296-17-52002), 5-8 (WAC 296-17-521), 5-9 (WAC 296-17-52101), 6-1 (WAC 296-17-522), 50-1 (WAC 296-17-659), 50-3 (WAC 296-17-66001) and 69-2 (WAC 296-17-747) and is applicable only to a permanent yard or shop maintained by the employer for the storage of material, or the storage and maintenance of equipment. This ~~((class))~~ classification is applicable only to those employees regularly assigned to the shop or yard, and whose duties are solely incidental to the storage, repair or maintenance of the employer's equipment or material. No employee having any other duties during ~~((his))~~ their shift or work day will be rated in this ~~((class))~~ classification.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-67602 CLASSIFICATION 52-9.

Boilermaking, tank building (shop)

Wood stove manufacturing

Metal goods manufacturing, N.O.C., from material 9 gauge or heavier.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-677 CLASSIFICATION 53-1.

Computer software or word processing services
Accounting or bookkeeping firms
Secretarial or telephone answering services
Law firms
Credit bureaus
Employment or temporary help agencies
Court reporting firms
Management analyst firms
Travel agencies
All operations including clerical office and ((salesmen)) sales personnel
This classification is service oriented and does not include retailing or store operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-678 CLASSIFICATION 53-5.

Clerical office and white collar employees of cities and towns.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-67901 CLASSIFICATION 53-7.

State employees(~~(-Nonprofessional)~~), N.O.C.
 This ((~~class~~)) classification includes all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government
 For the purpose of this rule, (~~nonprofessional means persons having duties performing manual labor. Including persons having duties~~) this classification will include any state employee performing manual labor or having field supervision of a work crew performing manual labor such as custodial or maintenance, construction, and machinery or equipment operators. See ((~~classes~~)) risk classifications 49-2 (WAC 296-17-651), 49-6 (WAC 296-17-655), 72-1 (WAC 296-17-763), and 71-3 (WAC 296-17-756) for other state employees.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-680 CLASSIFICATION 61-3.

Schools - public - academic
Schools - private - academic
Schools - trade or vocational(~~(-N.O.C.)~~)
Schools, N.O.C. including dance, modeling, music and flight instructions classroom only
Libraries, N.O.C.
Churches
Museums, N.O.C.
Day nurseries or child care centers - public
Day nurseries or child care centers - private
 This ((~~class for~~)) classification includes professional and clerical office employees
 See ((~~class~~)) risk classification 61-4 (WAC 296-17-681) for other employees.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-681 CLASSIFICATION 61-4.

Schools - public - academic
Schools - private - academic
Schools - trade or vocational(~~(-N.O.C.)~~)
Schools, N.O.C. including dance, modeling, music
Libraries, N.O.C.
Churches
Museums, N.O.C.
Day nurseries or child care centers - public
Day nurseries or child care centers - private
All employees, N.O.C.

AMENDATORY SECTION (Amending Order 78-23, filed 11/27/78, effective 1/1/79)

WAC 296-17-682 CLASSIFICATION 61-5.

Hospitals - religious ((and)), charitable or nonprofit
Hospitals - private proprietary
Hospitals - ((other, not city or county)) N.O.C. including hospital districts
Nursing care, N.O.C.
All operations, including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-684 CLASSIFICATION 61-7.

Veterinary hospitals or clinics
((Humane societies
Dog pounds
Animal shelters
Dog grooming parlors))
All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-685 CLASSIFICATION 61-8.

Convalescent or nursing homes
Rest homes
Homes for the aged
All operations
 This ((~~class~~)) classification includes convalescent or nursing homes, rest homes or homes for the aged required to provide nursing care for the residents.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-686 CLASSIFICATION 61-9.

Psychologists and psychiatrists, N.O.C.
Physicians and surgeons, N.O.C.
Dentists, N.O.C.
Chiropractors, N.O.C.
Osteopaths, N.O.C.
Naturopaths, N.O.C.
Podiatrists, N.O.C.
Medical clinics, N.O.C.
Dental clinics, N.O.C.
Physical therapists, N.O.C.
Optometrists, N.O.C.
All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-687 CLASSIFICATION 62-1.

Funeral directors - mortuaries
Crematoriums
Excludes cemetery operations rated under risk classification 62-2 (WAC 296-17-688).

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-689 CLASSIFICATION 62-3.

YMCA/YWCA institutions
Boys or girls clubs
Excludes camp operations
All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-690 CLASSIFICATION 62-4.

Baths or saunas, N.O.C.
 Massage parlors.
 Health clubs
 Exercise or health institutes
 Gymnasiums
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-691 CLASSIFICATION 62-5.

Clubs, N.O.C.
 Fraternal clubs
 Tennis clubs
 Social clubs
 Beach clubs, N.O.C.
 All operations including food and beverage operations.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-692 CLASSIFICATION 62-6.

Fishing clubs
 Ski clubs
 Country clubs
 Golf clubs
 Swimming clubs - including swimming instructors
 Yachting clubs
 Golf courses, N.O.C., not miniature golf
 All operations including food and beverage operations.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-695 CLASSIFICATION 62-9.

Boy/Girl Scout Council Camp employees
 Trailer/Mobile home parks or camps
 Resorts or camp grounds
 Dude ranches - not cattle ranches
 Bath houses - beach
 Church camps
 Swimming pools - public
 YMCA/YWCA camp employees
 Camp operations, recreational or educational, N.O.C.
 All operations including food and beverage operations, clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-696 CLASSIFICATION 63-1.

Automobile ((salesmen)) sales personnel
 Truck ((salesmen)) sales personnel
 Camper ((salesmen)) sales personnel
 Trailer or mobile home ((salesmen)) sales personnel
 Motorcycle ((salesmen)) sales personnel
 Pleasurecraft ((salesmen)) sales personnel - no aircraft
 Instructors - driving school (Standard exception WAC 296-17-440 does not apply to this activity).

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-697 CLASSIFICATION 63-2.

Coffee, tea, grocery ((salesmen)) sales personnel
 Household furnishings ((salesmen)) sales personnel
 Wearing apparel ((salesmen)) sales personnel
 Vacuum cleaner ((salesmen)) sales personnel
 Book ((salesmen)) sales personnel
 Cosmetics ((salesmen)) sales personnel
 Magazine ((salesmen)) sales personnel

Door to door ((salesmen)) sales personnel, N.O.C.
 This ((class)) classification is for door to door ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-698 CLASSIFICATION 63-3.

((Salesmen)) Sales personnel, N.O.C. - outside
 Collectors, messengers, appraisers, estimators, public relations, counsellors, N.O.C.
 Insurance ((salesmen)) sales personnel and claims adjustors - outside
 Machinery ((salesmen)) sales personnel - outside - construction, mining, heavy equipment
 Farm machinery ((salesmen)) sales personnel - outside.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-699 CLASSIFICATION 63-4.

Department stores - including clerical office and ((salesmen)) sales personnel and installation of household furnishings
 This ((class)) classification excludes automotive repair and service and other outside installation or construction.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-700 CLASSIFICATION 63-5.

Clothing stores - retail
 Dry goods stores - retail
 Shoe stores - retail
 Concessions for hat and coat checking
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 76-36, filed 11/30/76)

WAC 296-17-701 CLASSIFICATION 63-6.

Furniture stores wholesale/retail
 Furniture rental stores
 Appliance stores wholesale/retail
 Piano or organ stores, N.O.C., wholesale/retail
 Office furniture stores - wholesale/retail
 This ((class)) classification will include installation of house furnishings, and household floor coverings, household appliances, service and repair of household appliances
 Excludes contract installation.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-703 CLASSIFICATION 63-8.

Jewelry stores - wholesale/retail, watch repair
 Hearing-aid stores - wholesale/retail
 Optical stores, no lens grinding - wholesale/retail
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-704 CLASSIFICATION 63-9.

Hardware stores - wholesale/retail
 Gunsmithing
 Bicycle stores - wholesale ((or))/retail
 Electrical hardware dealers - wholesale/retail
 Garden supply stores - wholesale ((or))/retail
 Locksmiths
 ((Auto)) Automobile, truck, motorcycle accessory or replacement parts stores, wholesale ((or)), retail - excludes repair
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-706 CLASSIFICATION 64-2.

Grocery and meat stores, combined – retail all operations including clerical office and ((salesmen)) sales personnel
Lunch counters and restaurant operations to be separately rated.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-707 CLASSIFICATION 64-3.

Grocery stores – retail, no fresh meat cutting
Coffee, tea or spice stores – retail
Dairy products stores – retail
Delicatessens – retail, no fresh meat
Fruit or vegetable stores – retail
All operations including clerical office and ((salesmen)) sales personnel
Lunch counters and restaurant operations to be separately rated.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-708 CLASSIFICATION 64-4.

Florists stores – retail
Balloon arrangement stores – retail
Christmas tree sales – from lot
All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-710 CLASSIFICATION 64-6.

Coin and stamp stores
Book, record, video stores – retail
Candy, cigarette and tobacco stores – retail
Retail store risks, N.O.C.
Telephone stores – retail
Camera/photo supplies stores – retail
Floor covering stores, carpet sample stores, excluding installation
Microwave oven and stereo component stores – retail
News butchers
Wood stoves and accessory stores – retail
Pawn shops
Pet shops
Sporting goods stores – retail
Paint/wallpaper stores – retail
Laundromats, ((self service,)) coin operated self service
((Penny)) Coin operated arcades, excluding repair rated under risk classification 6-6 (WAC 296-17-526)
Wine stores and retail liquor agencies; soft drink stores
Office ((equipment)) stationary stores, ((excluding repair)) and office machinery stores including microcomputer and copy machines excluding repair
Fabric and yardage stores, yarn and needle work stores – retail
Dry cleaning – coin operated self service
Musical instrument stores – retail, no pianos or organs
Sewing machine stores – retail
Drug stores – retail
Variety and five and ten cent stores
Includes clerical office and ((salesmen)) sales personnel. Excludes delivery drivers and outside installation
Lunch counters and restaurant operations to be separately rated.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-711 CLASSIFICATION 64-7.

Wholesale stores, N.O.C.
Barber and beauty supply houses
Paint and wallpaper dealers – wholesale
Welding supply dealers
Mill supply dealers
Stores, combined wholesale and retail, N.O.C.
Drug stores wholesale

Clothing, wearing apparel or dry goods stores – wholesale
Drivers to be separately rated under ((Class)) risk classification 11-1
(WAC 296-17-536), delivery by combined wholesale and retail stores.

AMENDATORY SECTION (Amending Order 74-40, filed 11/27/74, effective 1/1/75)

WAC 296-17-712 CLASSIFICATION 64-8.

Farm machinery/equipment dealers
Farm machinery rental dealers
((Operations away from premises other than demonstration or repair))
This classification includes demonstration of machinery or equipment and repair without regard to location. All other operations to be separately rated.

AMENDATORY SECTION (Amending Order 80-23, filed 11/13/80, effective 1/1/81)

WAC 296-17-713 CLASSIFICATION 64-9.

Machinery/equipment dealers, N.O.C.
Machinery rental dealers, N.O.C.
Oil or gas well supplies or equipment dealers
((Operations away from premises other than demonstration or repair))
This classification includes demonstration of machinery or equipment and repair without regard to location. All other operations to be separately rated.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-714 CLASSIFICATION 65-1.

Barber shops
Beauty parlors
Sun tanning parlors
Cosmetologists and electrolysis studios
All operations including clerical office and sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-715 CLASSIFICATION 65-2.

Banks
Loan companies
Savings and loan associations
Mortgage companies
Credit unions
Financial institutions, N.O.C.
Investment companies
Stock brokers and escrow companies
All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-716 CLASSIFICATION 65-3.

Labor unions or employee representative associations
This ((class)) classification includes all employees including any official representatives, clerical office and sales personnel.
((Clerical office to be separately rated.))

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-718 CLASSIFICATION 65-5.

Welfare special works program – all operations
Use of this classification will be limited to nonprofit organizations that administer special training block grant moneys which are used to provide eligible unemployable candidates work experience. "Work experience" for the purpose of this rule shall mean activities performed under direct and close supervision for a limited period of time, usually less than six months, wages or remuneration for which is paid by the referring or sponsoring organization without reimbursement from the person or entity in whose workplace the activities are performed.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-719 CLASSIFICATION 65-6.

Photograph studios
 Film print shops - including developing and printing
 Film exchanges
 Microfilming
 Includes clerical office ((salesmen)) and sales personnel
 Outside photographers to be separately rated subject to risk classification 63-3 (WAC 296-17-698)
 Drivers to be rated under ((class)) risk classification 11-1 (WAC 296-17-536), delivery by combined wholesale and retail stores.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-721 CLASSIFICATION 65-8.

Domestic servants employed in or outside private residences of homeowners.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-723 CLASSIFICATION 66-1.

Detective agencies
 Merchant police or patrol
 Security guard agencies
 Security guard at logging or construction sites as allowed for in WAC 296-17-441(1)
 All operations.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-724 CLASSIFICATION 66-2.

Janitorial service - does not include contract window cleaning
 Janitors, N.O.C. including swimming pool cleaning
 Termite control. This classification applies to operations involved in the control and extermination of termites and other wood-destroying pests or organisms by fumigation or spraying of poisonous insecticides. Does not include structural repair
 Pest control. This classification applies to operations involved in the control and extermination of pests by the use of pesticides, rodenticides and fumigants
 Kitchen exhaust, smoke hood cleaning
 Portable cleaning and washing, N.O.C. - includes auto and truck washing, recreational vehicles and mobile homes. This ((class)) classification will ((also)) include roof cleaning and washing of single story buildings, but only if the washing is not incidental to painting.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-725 CLASSIFICATION 66-3.

Auction sales
 Excludes livestock sales
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-726 CLASSIFICATION 66-4.

Lens manufacturing - ground and polished lenses
 Optical goods manufacturing, N.O.C.
 Telescope manufacturing - with lens grinding
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-730 CLASSIFICATION 66-8.

Motion picture production

All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-736 CLASSIFICATION 67-5.

Ski tows, ski patrols and ski instructors - includes operations incidental to the operation of the skiing facility such as parking lots but excludes food service operations, hotel or motel operations, ski rental or ski sales shops
 Wind sail board instructors
 Excursions - outdoor recreational N.O.C., includes river rides, pack trains, hiking and mountaineering, and including camping operations incidental thereto
 Athletic officials for amateur sports, N.O.C., such as umpires, and referees
 All operations.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-737 CLASSIFICATION 67-6.

Athletic teams - operation of premises and care of teams
 All employees other than players, umpires, ((playing)) coaches and managers.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-738 CLASSIFICATION 67-7.

Football teams, N.O.C.
 Hockey teams
 Roller derbies
 Contact sports, N.O.C.
 This ((class)) classification applies to professional contact sports and includes umpires, referees, ((playing)) coaches and managers.

AMENDATORY SECTION (Amending Order 73-22, filed 11/9/73, effective 1/1/74)

WAC 296-17-740 CLASSIFICATION 67-9.

Sheltered workshops
 All operations including clerical office and ((salesmen)) sales personnel.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-744 CLASSIFICATION 68-4.

Aircraft remanufacturing and/or rebuilding including modifications, conversions and repairs by firms not engaged in the original manufacturing of such aircraft
 Airport operations
 Aircraft ground crew operations, N.O.C.
 Aircraft companies, sales or service agencies - including aircraft salesmen
 Nonscheduled airlines - ground crew operations.

AMENDATORY SECTION (Amending Order 77-10, filed 5/31/77)

WAC 296-17-745 CLASSIFICATION 68-9.

Baseball teams
 Basketball teams
 Soccer teams
 Noncontact sports, N.O.C.
 This ((class)) classification applies to professional noncontact sports and includes umpires, referees, ((playing)) coaches and managers.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-746 CLASSIFICATION 69-1.

Volunteers

This ((~~class is to~~)) classification includes all volunteers performing services for any state agency, municipal corporation, political subdivision, or private nonprofit charitable organization.

This ((~~class~~)) classification excludes volunteer law enforcement officers which are to be separately rated.

AMENDATORY SECTION (Amending Order 75-38, filed 11/24/75, effective 1/1/76)

WAC 296-17-747 CLASSIFICATION 69-2.

Logging road construction or maintenance

All operations including grading, grubbing, clearing of right-of-way and including culverts and bridges. Does not include falling, bucking of right-of-way timber or any of the other logging activities as enumerated under ((~~class~~)) risk classification 50-1 (WAC 296-17-659). Logging roads are roads for which the primary or initial usage is for the transporting of logs by truck or rail and includes roads constructed on public lands in connection with timber sales or logging, such as roads being constructed in accordance with the state department of natural resources or the U.S. Forestry Service timber sales

See ((~~class~~)) risk classification 52-6 (WAC 296-17-675) for permanent yard operations.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-750 CLASSIFICATION 69-5.

Law enforcement officers - law enforcement officers of cities, towns ((~~or~~)), counties or Indian tribal councils

This ((~~class~~)) classification includes volunteer law enforcement officers, N.O.C.

AMENDATORY SECTION (Amending Order 77-27, filed 11/30/77, effective 1/1/78)

WAC 296-17-751 CLASSIFICATION 69-6.

Volunteer law enforcement officers

This ((~~class~~)) classification includes volunteer law enforcement officers in accordance with RCW 51.12.035.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-755 CLASSIFICATION 71-2.

Football teams. This ((~~class~~)) classification applies to football teams which are participants in the national football league and includes ((~~playing~~)) umpires, referees, coaches, and managers.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-756 CLASSIFICATION 71-3.

State employees—Law enforcement officers

This ((~~class~~)) classification includes all departments, agencies, boards, commissions and committees of either the executive, legislative or judicial branches of state government, including employees having arrest powers or such other powers common to law enforcement, such as state ((~~patrolmen~~)) patrol, ((~~game wardens~~)) wildlife agents, guards or correctional officers of inmates, fishery patrol officers, lottery officers.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-757 CLASSIFICATION 71-4.

Temporary help companies

This ((~~class~~)) classification applies to employees of temporary help companies, N.O.C., that are referred on a temporary basis to its customers. This ((~~class~~)) classification applies if the customer's business is by nature enumerated in this manual as being subject to any of the following ((~~classes~~)) risk classifications: 13-4 (WAC 296-17-541), 49-1 (WAC 296-17-650), 49-2 (WAC 296-17-651), 49-3 (WAC 296-17-652), 49-4 (WAC 296-17-653), 49-6 (WAC 296-17-655), 53-1 (WAC 296-17-677), 53-5 (WAC 296-

17-678), 53-6 (WAC 296-17-679), 61-3 (WAC 296-17-680), 61-9 (WAC 296-17-686), 63-3 (WAC 296-17-698), 65-1 (WAC 296-17-714), 65-2 (WAC 296-17-715), 65-6 (WAC 296-17-719), 72-2 (WAC 296-17-764).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-758 CLASSIFICATION 71-5.

Temporary help companies

This ((~~class~~)) classification applies to employees of temporary help companies, N.O.C., that are referred on a temporary basis to its customers. This ((~~class~~)) classification applies if the customer's business is by nature enumerated in this manual as being subject to any of the following ((~~classes~~)) risk classifications: 10-7 (WAC 296-17-53504), 11-6 (WAC 296-17-53803), 13-3 (WAC 296-17-540), 22-1 (WAC 296-17-565), 22-2 (WAC 296-17-566), 34-3 (WAC 296-17-581), 34-5 (WAC 296-17-58201), 34-6 (WAC 296-17-583), 34-8 (WAC 296-17-585), 36-2 (WAC 296-17-594), 37-1 (WAC 296-17-599), 37-7 (WAC 296-17-603), 37-8 (WAC 296-17-604), 38-1 (WAC 296-17-605), 38-2 (WAC 296-17-606), 38-8 (WAC 296-17-612), 39-5 (WAC 296-17-618), 39-9 (WAC 296-17-61804), 41-1 (WAC 296-17-620), 41-3 (WAC 296-17-622), 41-7 (WAC 296-17-626), 41-8 (WAC 296-17-627), 41-9 (WAC 296-17-628), 45-1 (WAC 296-17-637), 45-2 (WAC 296-17-638), 45-3 (WAC 296-17-639), 45-4 (WAC 296-17-640), 49-5 (WAC 296-17-654), 52-7 (WAC 296-17-676), 61-5 (WAC 296-17-682), 61-7 (WAC 296-17-684), 62-1 (WAC 296-17-687), 62-3 (WAC 296-17-689), 62-4 (WAC 296-17-690), 62-5 (WAC 296-17-691), 62-6 (WAC 296-17-692), 62-9 (WAC 296-17-695), 63-1 (WAC 296-17-696), 63-2 (WAC 296-17-697), 63-4 (WAC 296-17-699), 63-5 (WAC 296-17-700), 63-6 (WAC 296-17-701), 63-8 (WAC 296-17-703), 63-9 (WAC 296-17-704), 64-2 (WAC 296-17-706), 64-3 (WAC 296-17-707), 64-4 (WAC 296-17-708), 64-5 (WAC 296-17-709), 64-6 (WAC 296-17-710), 64-7 (WAC 296-17-711), 65-3 (WAC 296-17-716), 65-4 (WAC 296-17-717), 65-5 (WAC 296-17-718), 65-8 (WAC 296-17-721), 65-9 (WAC 296-17-722), 66-1 (WAC 296-17-723), 66-3 (WAC 296-17-725), 66-4 (WAC 296-17-726), 66-5 (WAC 296-17-727), 66-7 (WAC 296-17-729), 67-4 (WAC 296-17-735), 67-9 (WAC 296-17-740), 69-9 (WAC 296-17-75301).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-759 CLASSIFICATION 71-6.

Temporary help companies

This ((~~class~~)) classification applies to employees of temporary help companies, N.O.C., that are referred on a temporary basis to its customers. This ((~~class~~)) classification applies if the customer's business is by nature enumerated in this manual as being subject to any of the following ((~~classes~~)) risk classifications: 3-1 (WAC 296-17-510), 8-3 (WAC 296-17-529), 11-3 (WAC 296-17-538), 11-4 (WAC 296-17-53801), 13-1 (WAC 296-17-539), 14-4 (WAC 296-17-544), 15-1 (WAC 296-17-545), 15-7 (WAC 296-17-546), 20-2 (WAC 296-17-555), 20-3 (WAC 296-17-556), 20-4 (WAC 296-17-557), 20-5 (WAC 296-17-558), 20-7 (WAC 296-17-560), 20-8 (WAC 296-17-561), 21-1 (WAC 296-17-562), 21-2 (WAC 296-17-563), 21-4 (WAC 296-17-564), 33-9 (WAC 296-17-578), 34-1 (WAC 296-17-579), 34-7 (WAC 296-17-584), 35-1 (WAC 296-17-586), 35-3 (WAC 296-17-587), 35-8 (WAC 296-17-592), 37-2 (WAC 296-17-600), 39-1 (WAC 296-17-614), 39-6 (WAC 296-17-61801), 44-1 (WAC 296-17-635), 44-4 (WAC 296-17-636), 48-2 (WAC 296-17-643), 48-3 (WAC 296-17-644), 48-4 (WAC 296-17-645), 48-5 (WAC 296-17-646), 48-6 (WAC 296-17-647), 48-8 (WAC 296-17-649), 48-9 (WAC 296-17-64901), 53-7 (WAC 296-17-67901), 61-4 (WAC 296-17-681), 61-8 (WAC 296-17-685), 62-2 (WAC 296-17-688), 62-8 (WAC 296-17-694), 64-8 (WAC 296-17-712), 64-9 (WAC 296-17-713), 66-2 (WAC 296-17-724), 66-8 (WAC 296-17-730), 67-6 (WAC 296-17-737), 68-1 (WAC 296-17-741), 68-2 (WAC 296-17-742), 68-4 (WAC 296-17-744), 69-8 (WAC 296-17-753), 72-1 (WAC 296-17-763), 73-1 (WAC 296-17-772), 73-2 (WAC 296-17-773), 73-7 (WAC 296-17-777).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-760 CLASSIFICATION 71-7.

Temporary help companies

This ((class)) classification applies to employees of temporary help companies, N.O.C., that are referred on a temporary basis to its customers. This ((class)) classification applies if the customer's business is by nature enumerated in this manual as being subject to any of the following ((classes)) risk classifications: 3-6 (WAC 296-17-512), 3-7 (WAC 296-17-513), 5-3 (WAC 296-17-518), 6-1 (WAC 296-17-522), 6-2 (WAC 296-17-523), 6-3 (WAC 296-17-524), 6-6 (WAC 296-17-526), 6-7 (WAC 296-17-527), 11-8 (WAC 296-17-53805), 14-1 (WAC 296-17-542), 18-1 (WAC 296-17-552), 24-1 (WAC 296-17-567), 29-3 (WAC 296-17-568), 29-4 (WAC 296-17-569), 29-6 (WAC 296-17-570), 29-8 (WAC 296-17-57002), 31-1 (WAC 296-17-571), 31-2 (WAC 296-17-572), 31-3 (WAC 296-17-573), 31-4 (WAC 296-17-574), 31-5 (WAC 296-17-575), 33-1 (WAC 296-17-576), 33-2 (WAC 296-17-57601), 33-3 (WAC 296-17-57602), 34-2 (WAC 296-17-580), 34-4 (WAC 296-17-582), 36-3 (WAC 296-17-595), 36-4 (WAC 296-17-596), 36-5 (WAC 296-17-597), 36-6 (WAC 296-17-598), 39-2 (WAC 296-17-615), 39-3 (WAC 296-17-616), 40-2 (WAC 296-17-619), 42-1 (WAC 296-17-629), 43-1 (WAC 296-17-630), 43-2 (WAC 296-17-631), 43-3 (WAC 296-17-632), 43-4 (WAC 296-17-633), 44-2 (WAC 296-17-63501), 46-1 (WAC 296-17-641), 51-1 (WAC 296-17-661), 51-2 (WAC 296-17-662), 51-3 (WAC 296-17-663), 51-5 (WAC 296-17-665), 51-6 (WAC 296-17-666), 51-7 (WAC 296-17-667), 51-8 (WAC 296-17-668), 51-9 (WAC 296-17-669), 52-1 (WAC 296-17-670), 52-2 (WAC 296-17-671), 52-3 (WAC 296-17-672), 52-4 (WAC 296-17-673), 52-8 (WAC 296-17-67601), 52-9 (WAC 296-17-67602), 67-5 (WAC 296-17-736).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-761 CLASSIFICATION 71-8.

Temporary help companies

This ((class)) classification applies to employees of temporary help companies, N.O.C., that are referred on a temporary basis to its customers. This ((class)) classification applies if the customer's business is by nature enumerated in this manual as being subject to any of the following ((classes)) risk classifications: 1-1 (WAC 296-17-501), 1-2 (WAC 296-17-502), 1-3 (WAC 296-17-503), 1-4 (WAC 296-17-504), 1-5 (WAC 296-17-505), 1-6 (WAC 296-17-506), 1-7 (WAC 296-17-50601), 1-8 (WAC 296-17-50602), 1-9 (WAC 296-17-507), 2-6 (WAC 296-17-675), 3-2 (WAC 296-17-511), 4-1 (WAC 296-17-514), 4-2 (WAC 296-17-515), 4-3 (WAC 296-17-516), 5-2 (WAC 296-17-517), 5-4 (WAC 296-17-519), 5-5 (WAC 296-17-520), 5-8 (WAC 296-17-521), 5-9 (WAC 296-17-52101), 6-4 (WAC 296-17-525), 7-1 (WAC 296-17-528), 8-4 (WAC 296-17-530), 9-1 (WAC 296-17-532), 10-2 (WAC 296-17-534), 10-3 (WAC 296-17-535), 10-4 (WAC 296-17-53501), 11-1 (WAC 296-17-536), 11-2 (WAC 296-17-537), 17-3 (WAC 296-17-550), 17-4 (WAC 296-17-551), 21-5 (WAC 296-17-56401), 35-6 (WAC 296-17-590), 43-5 (WAC 296-17-634), 52-6 (WAC 296-17-675), 62-7 (WAC 296-17-693), 66-9 (WAC 296-17-731), 69-2 (WAC 296-17-747), 69-4 (WAC 296-17-749), 69-5 (WAC 296-17-750), 69-7 (WAC 296-17-752), 71-3 (WAC 296-17-756).

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-762 CLASSIFICATION 71-9.

Temporary help companies

This ((class)) classification applies to employees of temporary help companies, N.O.C., that are referred on a temporary basis to its customers. This ((class)) classification applies if the customer's business is by nature enumerated in this manual as being subject to any of the following ((class)) risk classifications: 2-1 (WAC 296-17-508), 2-2 (WAC 296-17-509), 5-6 (WAC 296-17-52001), 5-7 (WAC 296-17-52002), 10-5 (WAC 296-17-53502), 17-1 (WAC 296-17-548), 17-2 (WAC 296-17-549), 50-1 (WAC 296-17-659), 50-2 (WAC 296-17-660), 50-3 (WAC 296-17-66001), 50-4 (WAC 296-17-66002), 68-3 (WAC 296-17-743), 69-3 (WAC

296-17-748).

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-763 CLASSIFICATION 72-1.

State employees - health care facilities

This ((class)) classification applies to all employees of health care facilities who are assigned to and regularly employed at a health care facility.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-764 CLASSIFICATION 72-2.

Real estate agencies - all operations including clerical office and ((salesmen)) sales personnel

Excludes building management and/or property development.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-765 CLASSIFICATION 72-3.

Juvenile community service workers

This ((class-to)) classification includes all community service workers performing work for counties under the provisions of chapter 13.40 RCW.

AMENDATORY SECTION (Amending Order 81-30, filed 11/30/81, effective 1/1/82)

WAC 296-17-766 CLASSIFICATION 72-4.

Preferred workers

This ((class-to)) classification includes all preferred workers in accordance with the provisions of RCW 51.16.120(3) and WAC 296-16-010.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-772 CLASSIFICATION 73-1.

Dairy farms

This ((class)) classification includes all farm operations related and incidental to the ((dairy)) enterprise described and applies to all acreage devoted to the raising of these animals.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-773 CLASSIFICATION 73-2.

Livestock farms

Sheep ((and)) or goat raising((~~applies to all acreage devoted to raising of these animals~~))

This ((class)) classification includes all farm operations related and incidental to the enterprises described above and applies to all acreage devoted to the raising of these animals.

NEW SECTION

WAC 296-17-778 CLASSIFICATION 73-8.

Humane societies

Dog pounds

Animal shelters

Dog grooming parlors

All operations including clerical office and sales personnel.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-855 EXPERIENCE MODIFICATION. The basis of the experience modification shall be a comparison of the actual losses charged to an employer during the experience period with the losses which would be expected for an average employer reporting the same exposures in each classification. The comparison shall contain actuarial refinements designed to mitigate the effects of losses which may be considered catastrophic or of doubtful statistical significance,

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

$$\text{MODIFICATION} = \frac{\text{Ap} + \text{WAe} + (1-\text{W}) \text{Ee} + \text{B}}{\text{E} + \text{B}}$$

The components Ap, WAe, and (1-W) Ee are values which shall be charged against an employer's experience record. The component, E, shall be the expected value of these charges for an average employer reporting the same exposures in each classification. The meaning and function of each symbol in the formula is specified below.

"Ap" signifies "primary actual losses." For each claim the primary actual loss is defined as that portion of the claim which is considered completely rateable for all employers and which is to enter the experience modification calculation at its full value. For each claim in excess of ~~((3,043))~~ \$3,602, the primary actual loss shall be determined from the formula:

$$\text{Primary loss} = \frac{((7,608)) \ 9,004}{\text{Total loss} + ((4,565)) \ 5,402} \times \text{total loss}$$

Primary actual losses for selected claim values are shown in Table I. For each claim less than ~~((3,043))~~ \$3,602 the full value of the claim shall be considered a primary loss.

"Ae" signifies "excess actual losses." For each claim the excess actual loss is defined as that portion of the claim which is not considered completely rateable for all employers. The excess actual loss for each claim shall be determined by subtracting the primary loss from the total loss.

"W" signifies "W value." For each employer, the W value determines the portion of the actual excess losses which shall be included in the calculation of his experience modification, due consideration being given to the volume of his experience. This amount is represented by the symbol "WAe" in the experience modification formula. W values are set forth in Table II.

"E" signifies "expected losses." An employer's expected losses shall be determined by multiplying his reported exposure in each classification during the experience period by the classification expected loss rate. Expected loss rates are set forth in Table III.

"Ee" signifies "expected excess losses." Expected losses in each classification shall be multiplied by the classification "D-Ratio" to obtain "expected primary losses." Expected excess losses shall then be calculated by subtracting expected primary losses from expected total losses. Each employer shall have a statistical charge included in the calculation of his experience modification, said charge to be actuarially equivalent to the amount forgiven an average employer because of the exclusion of a portion of his excess actual losses. This charge is represented by "(1-W) Ee" in the experience modification formula. D-Ratios are set forth in Table III.

"B" signifies "B value" or "ballast." In order to limit the effect of a single severe accident on the modification of a small employer, a stabilizing element (B value) shall be added to both actual and expected losses. B values are set forth in Table II.

AMENDATORY SECTION (Amending Order 79-18, filed 11/30/79, effective 1/1/80)

WAC 296-17-87305 CHANGE IN OWNERSHIP. (1) For the purpose of WAC 296-17-873 through 296-17-87309 management is considered to be vested in ownership. Except as specifically provided otherwise herein, ownership whether active or inactive, governs the administration of WAC 296-17-873 through 296-17-87309, and the words "nominal" and "material" denote respectively the effect of a particular change in ownership. If a change has occurred which the provisions of subsections (2) through (5) of this section denominate "nominal," the experience of the past shall be utilized for future modification. If, on the other hand, the change is denominated "material," the past experience shall be disregarded and the risk written at manual or otherwise applicable rates.

In application of WAC 296-17-873 through 296-17-87309, ownership changes of any entity which is neither a partnership, a joint venture, nor a corporation that has issued voting stock shall be decided in accordance with the provisions of subsections (2) through (5) of this section applicable to corporations. The provisions of sections (2) through (5) of this section shall be applied as though the entity has issued voting stock and the stock was:

- (a) Held in equal amounts by each of its members; or
- (b) If the entity does not have members, held in equal amounts by each member of the board of directors or comparable governing body.

Two or more changes during a twelve-month period shall be considered as a single change.

The department shall in each case determine from the applicable provisions of subsections (2) through (5) of this section whether a change is "nominal" or "material," and if no provision of subsections (2) through (5) of this section is expressly applicable it shall be governed by a consideration of WAC 296-17-873 through 296-17-87309 as a whole and of its several parts interpreted in the light of such relevant evidence as is offered.

(2) Individual.

(a) Death of an individual is a material change. Exception: Where a member or members of the immediate family take over the business, either as the executor, executrix, administrator, or sole owner the change is nominal.

(b) Sale of business to another is a material change. Exception: Where the sale is made to a member or members of the immediate family the change is nominal.

(c) Bankruptcy or insolvency with:

(i) Continued operation with appointment of a trustee is a nominal change;

(ii) Withdrawal of the trustee and reversion to the original owner is a nominal change;

(iii) Withdrawal of a trustee but with new owners is a material change.

(d) Formation of a living estate is a nominal change.

(e) Formation of a partnership is a material change. Exceptions:

(i) A partnership composed of only two general partners is a nominal change;

(ii) A partnership composed of members of an immediate family is a nominal change;

(iii) A limited partnership in which the individual is one of not more than two general partners is a nominal change.

(f) Formation of a corporation is a material change. Exception: If the individual or members of his immediate family own one-half or more of the issued voting stock the change is nominal.

(3) Partnership.

(a) Sale, conveyance, transfer, or assignment of partnership interest by one or more partners and the partnership not dissolved is a material change. Exceptions:

(i) If prior to the change all partners were members of an immediate family and after the change one-half or more of the general partners are members of such immediate family the change is nominal;

(ii) If one-half or more of the general partners prior to the change constitute one-half or more of the general partners after the change the change is nominal.

(b) If the partnership is dissolved the change is material. Exceptions:

(i) In a partnership wherein all partners were members of an immediate family and one or more of the members of such family constitute one-half or more of the general partners in the new partnership, or own one-half or greater interest in the new entity or entities if they are not partnerships the change is nominal;

(ii) If one-half or more of the general partners of the dissolved partnership constitute one-half or more of the general partners in the new partnership or own a one-half or greater interest in the new entity or entities if they are not a partnership the change is nominal.

(c) Bankruptcy or insolvency.

(i) Continued operation with appointment of a trustee is a nominal change.

(ii) Withdrawal of a trustee and reversion to one-half or more of the original general partners is a nominal change.

(iii) Withdrawal of a trustee with the original general partners not constituting one-half or more of the owners is a material change.

(4) Corporations.

(a) Old corporation dissolved or nonoperative, not a merger or consolidation.

(i) Formation of a new corporation is a material change. Exceptions:

(A) If the stockholders common to both the dissolved or nonoperative corporation and the newly formed corporation own or owned one-half or more of the issued voting stock in the old corporation and own one-half or more of the issued voting stock in the newly formed corporation the change is nominal;

(B) If the nonoperative corporation owns one-half or more of the issued voting stock of the newly formed corporation the change is nominal;

(C) In a family corporation (meaning a corporation whose entire issued voting stock is held by the members of an immediate family) only those changes may be considered which involve the acquisition of ownership by a person not a member of such immediate family.

(ii) Reversion to an individual is a material change. Exceptions:

(A) If the individual owns or owned one-half or more of the issued voting stock of the dissolved or nonoperative corporation the change is nominal;

(B) If the individual was a member of an immediate family which wholly owned the corporation the change is nominal.

(iii) Reversion to a partnership is a material change. Exceptions:

(A) If the stockholders who own or owned one-half or more of the issued voting stock of the dissolved or nonoperative corporation constitute one-half or more of the general partners the change is nominal;

(B) If the corporation was wholly owned by members of an immediate family and a member or members of that immediate family constitute one-half or more of the general partners the change is nominal.

(b) Transfer of voting stock, not otherwise provided for in subsections (2) through (5) of this section.

(i) If one-half or less of issued voting stock is transferred the change is nominal.

(ii) If more than one-half of issued voting stock is transferred the change is material. Exception: If the stockholders who own or owned one-half or more of the issued voting stock prior to such sale own one-half or more of the issued voting stock after such sale the change is nominal.

(iii) In a family corporation (meaning a corporation whose entire issued voting stock is held by the members of an immediate family) only those changes shall be considered which involve the acquisition of ownership by a person not a member of such immediate family.

(c) Trustees, receiverships, and similar temporary changes of management are nominal changes.

(d) In the case of consolidations or mergers of corporations the experience of all consolidated or merged corporations shall be combined for computing the modification for the consolidated or surviving corporation.

(5) Joint ventures:

(a) Any change in the membership of the joint venture is a material change.

(b) A nominal change in the ownership of one of the joint venturers is a nominal change.

(c) A material change in the ownership of one of the joint venturers is a material change.

(d) The experience of a joint venture shall be continued for other operations which may be undertaken, as a joint venture, by the same group of joint venturers, either during the same time as the original venture or at a later date.

(e) Members of a joint venture may subcontract part or all of their operations to one or more of the joint venturers. Work thus subcontracted becomes a regular part of the subcontractor's operations and is subject to his experience modification.

(6) Notwithstanding any of the provisions contained in this section the past experience of any single employing entity either corporate, partnership, or otherwise shall not be utilized for future modification by more than one newly formed employing entity either corporate, partnership, or otherwise. The following guidelines will be used in cases where two previous co-owners of a firm would both otherwise be individually entitled to the past experience of the firm based on their previous fifty percent ownership.

(a) If the change in the ownership of the firm was nominal, the experience will remain with the firm and belong to the new owners. Neither previous co-owner shall be entitled to the experience, except, coincidentally, by his or her continuing ownership interest in the ongoing firm.

(b) If the change in ownership was material or the firm was discontinued, and only one of the previous co-owners has an ongoing state fund account, the experience shall be assigned to the previous co-owner with the ongoing account.

(c) If the change in ownership was material, or the business was discontinued, and both previous co-owners have ongoing state fund accounts, the experience shall not be assigned to either of the previous co-owners.

Assignment of past experience to an entity in accordance with the above priorities will be final, unless it shall be determined that there was an error or misrepresentation which caused the experience to be assigned incorrectly. The assignment of experience shall not be altered

by a subsequent change in status of any of the interested parties which would have changed the priority of their claim to the experience.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-875 TABLE I.

CLAIM VALUE	PRIMARY LOSS
(3,043	3,043
3,889	3,500
5,061	4,000
6,610	4,500
8,752	5,000
11,911	5,500
17,034	6,000
63,668*	7,099
76,080**	7,177))
<u>3,602</u>	<u>3,602</u>
<u>4,318</u>	<u>4,000</u>
<u>5,397</u>	<u>4,500</u>
<u>6,746</u>	<u>5,000</u>
<u>10,790</u>	<u>6,000</u>
<u>18,869</u>	<u>7,000</u>
<u>43,044</u>	<u>8,000</u>
<u>72,056*</u>	<u>8,376</u>
<u>90,040**</u>	<u>8,494</u>

* Average death value
** Maximum claim value

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-880 TABLE II.

"B" and "W" Values

Maximum Claim Value = $\$(76,080)90,040$
Average Death Value = $\$(63,668)72,056$

EXPECTED LOSSES	B	W
((1,648 & Under	14,354	0
1,649 - 3,320	14,210	.01
3,321 - 5,019	14,067	.02
5,020 - 6,742	13,923	.03
6,743 - 8,492	13,780	.04
8,493 - 10,269	13,636	.05
10,270 - 12,074	13,493	.06
12,075 - 13,907	13,349	.07
13,908 - 15,769	13,206	.08
15,770 - 17,661	13,062	.09
17,662 - 19,584	12,919	.10
19,585 - 21,538	12,775	.11
21,539 - 23,525	12,632	.12
23,526 - 25,546	12,488	.13
25,547 - 27,599	12,344	.14
27,600 - 29,689	12,201	.15
29,690 - 31,813	12,057	.16
31,814 - 33,976	11,914	.17
33,977 - 36,175	11,770	.18
36,176 - 38,415	11,627	.19
38,416 - 40,694	11,483	.20
40,695 - 43,016	11,340	.21
43,017 - 45,379	11,196	.22
45,380 - 47,787	11,053	.23
47,788 - 50,240	10,909	.24
50,241 - 52,740	10,766	.25
52,741 - 55,288	10,622	.26
55,289 - 57,885	10,478	.27
57,886 - 60,534	10,335	.28
60,535 - 63,235	10,191	.29
63,236 - 65,991	10,048	.30
65,992 - 68,802	9,904	.31

EXPECTED LOSSES		B	W	EXPECTED LOSSES		B	W
68,803	71,673	9,761	.32	12,154	14,289	15,969	.06
71,674	74,602	9,617	.33	14,290	16,459	15,799	.07
74,603	77,594	9,474	.34	16,460	18,663	15,629	.08
77,595	80,649	9,330	.35	18,664	20,903	15,459	.09
80,650	83,772	9,187	.36	20,904	23,178	15,289	.10
83,773	86,962	9,043	.37	23,179	25,491	15,119	.11
86,963	90,223	8,899	.38	25,492	27,842	14,949	.12
90,224	93,558	8,756	.39	27,843	30,232	14,780	.13
93,559	96,968	8,612	.40	30,233	32,663	14,610	.14
96,969	100,458	8,469	.41	32,664	35,136	14,440	.15
100,459	104,028	8,325	.42	35,137	37,651	14,270	.16
104,029	107,684	8,182	.43	37,652	40,210	14,100	.17
107,685	111,427	8,038	.44	40,211	42,814	13,930	.18
111,428	115,262	7,895	.45	42,815	45,464	13,760	.19
115,263	119,190	7,751	.46	45,465	48,161	13,590	.20
119,191	123,218	7,608	.47	48,162	50,908	13,421	.21
123,219	127,347	7,464	.48	50,909	53,706	13,251	.22
127,348	131,584	7,321	.49	53,707	56,556	13,081	.23
131,585	135,931	7,177	.50	56,557	59,459	12,911	.24
135,932	140,392	7,033	.51	59,460	62,418	12,741	.25
140,393	144,974	6,890	.52	62,419	65,433	12,571	.26
144,975	149,680	6,746	.53	65,434	68,507	12,401	.27
149,681	154,517	6,603	.54	68,508	71,642	12,231	.28
154,518	159,490	6,459	.55	71,643	74,838	12,061	.29
159,491	164,605	6,316	.56	74,839	78,100	11,892	.30
164,606	169,868	6,172	.57	78,101	81,427	11,722	.31
169,869	175,287	6,029	.58	81,428	84,824	11,552	.32
175,288	180,868	5,885	.59	84,825	88,292	11,382	.33
180,869	186,619	5,742	.60	88,293	91,832	11,212	.34
186,620	192,547	5,598	.61	91,833	95,449	11,042	.35
192,548	198,663	5,455	.62	95,450	99,144	10,872	.36
198,664	204,975	5,311	.63	99,145	102,919	10,702	.37
204,976	211,491	5,167	.64	102,920	106,778	10,533	.38
211,492	218,225	5,024	.65	106,779	110,725	10,363	.39
218,226	225,184	4,880	.66	110,726	114,761	10,193	.40
225,185	232,384	4,737	.67	114,762	118,891	10,023	.41
232,385	239,835	4,593	.68	118,892	123,117	9,853	.42
239,836	247,553	4,450	.69	123,118	127,444	9,683	.43
247,554	255,550	4,306	.70	127,445	131,874	9,513	.44
255,551	263,844	4,163	.71	131,875	136,411	9,343	.45
263,845	272,451	4,019	.72	136,412	141,061	9,174	.46
272,452	281,391	3,876	.73	141,062	145,828	9,004	.47
281,392	290,681	3,732	.74	145,829	150,715	8,834	.48
290,682	300,346	3,589	.75	150,716	155,728	8,664	.49
300,347	310,408	3,445	.76	155,729	160,873	8,494	.50
310,409	320,891	3,301	.77	160,874	166,153	8,324	.51
320,892	331,824	3,158	.78	166,154	171,575	8,154	.52
331,825	343,236	3,014	.79	171,576	177,146	7,984	.53
343,237	355,161	2,871	.80	177,147	182,869	7,814	.54
355,162	367,633	2,727	.81	182,870	188,755	7,645	.55
367,634	380,693	2,584	.82	188,756	194,809	7,475	.56
380,694	394,382	2,440	.83	194,810	194,809	7,305	.57
394,383	408,749	2,297	.84	201,039	207,451	7,135	.58
408,750	423,845	2,153	.85	207,452	214,056	6,965	.59
423,846	439,729	2,010	.86	214,057	220,863	6,795	.60
439,730	456,464	1,866	.87	220,864	227,879	6,625	.61
456,465	474,119	1,722	.88	227,880	235,116	6,455	.62
474,120	492,776	1,579	.89	235,117	242,586	6,286	.63
492,777	512,521	1,435	.90	242,587	250,298	6,116	.64
512,522	533,455	1,292	.91	250,299	258,267	5,946	.65
533,456	555,688	1,148	.92	258,268	266,504	5,776	.66
555,689	579,346	1,005	.93	266,505	275,025	5,606	.67
579,347	604,571	861	.94	275,026	283,843	5,426	.68
604,572	631,527	718	.95	283,844	292,977	5,266	.69
631,528	660,398	574	.96	292,978	302,441	5,096	.70
660,399	691,397	431	.97	302,442	312,257	4,927	.71
691,398	724,768	287	.98	312,258	322,444	4,757	.72
724,769	760,799	144	.99	322,445	333,023	4,587	.73
760,800	& over	0	1.00))	333,024	344,020	4,417	.74
1,950	& Under	16,988	0	344,021	355,458	4,247	.75
1,951	3,930	16,818	.01	355,459	367,365	4,077	.76
3,391	5,940	16,648	.02	367,366	379,772	3,907	.77
5,941	7,980	16,478	.03	379,773	392,711	3,737	.78
7,981	10,050	16,308	.04	392,712	406,217	3,567	.79
10,051	12,153	16,139	.05	406,218	420,329	3,398	.80

EXPECTED LOSSES

	B	W
420,330	425,091	3,228
435,092	450,547	3,058
450,548	466,748	2,888
466,749	483,752	2,718
483,753	501,618	2,548
501,619	520,416	2,378
520,417	540,220	2,208
540,221	561,116	2,039
561,117	583,196	1,869
583,197	606,565	1,699
606,566	631,339	1,529
631,340	657,652	1,359
657,653	685,651	1,189
685,652	715,506	1,019
715,507	747,407	849
747,408	781,575	680
781,576	818,262	510
818,263	857,757	340
857,758	900,399	170
900,400	& over	0
		1.00

CLASS ((+1979)) 1980((+1980)) 1981((+1981)) 1982 RATIO

11-2	.2177	.2645	.2684	.380
11-3	.0843	.1025	.1040	.402
11-4	.0937	.1142	.1158	.423
11-6	.0205	.0251	.0254	.508
11-8	.1083	.1317	.1336	.386
13-1	.0796	.0968	.0981	.400
13-3	.0452	.0552	.0558	.425
13-4	.0025	.0029	.0030	.421
13-5	.0491	.0600	.0608	.432
14-1	.1687	.2050	.2080	.384
14-3	.1009	.1229	.1246	.409
14-4	.1009	.1229	.1246	.409
15-1	.0741	.0900	.0914	.383
15-7	.0605	.0736	.0747	.406
17-1	.4286	.5176	.5269	.296
17-2	.4286	.5176	.5269	.296
17-3	.1364	.1654	.1680	.346
17-4	.1204	.1466	.1485	.405
18-1	.1398	.1710	.1730	.473
20-2	.1166	.1421	.1440	.426
20-3	.0823	.1004	.1018	.440
20-4	.1254	.1525	.1548	.398
20-5	.0713	.0869	.0881	.415
20-7	.0960	.1161	.1181	.319
20-8	.0599	.0728	.0738	.396
21-1	.0935	.1141	.1155	.445
21-2	.0823	.1004	.1018	.440
21-4	.0393	.0482	.0487	.507
21-5	.1593	.1938	.1966	.396
22-1	.0502	.0613	.0621	.434
22-2	.0682	.0832	.0843	.444
24-1	.1335	.1629	.1650	.439
29-3	.1341	.1637	.1658	.438
29-4	.1736	.2111	.2141	.395
29-6	.0909	.1112	.1125	.478
29-8	.1460	.1785	.1807	.465
31-1	.1511	.1826	.1859	.308
31-2	.1159	.1405	.1428	.353
31-3	.1159	.1405	.1428	.353
31-4	.1241	.1504	.1529	.348
31-5	.1816	.2211	.2242	.405
33-1	.1569	.1912	.1938	.418
33-2	.1013	.1241	.1254	.507
33-3	.0633	.0772	.0782	.436
33-9	.0811	.0988	.1001	.434
34-1	.0824	.1002	.1017	.384
34-2	.0998	.1217	.1233	.426
34-3	.0252	.0307	.0311	.400
34-4	.0984	.1202	.1217	.458
34-5	.0419	.0511	.0518	.444
34-6	.0396	.0483	.0490	.409
34-7	.0597	.0726	.0737	.399
34-8	.0238	.0289	.0293	.375
34-9	.0365	.0446	.0451	.439
35-1	.0902	.1104	.1118	.474
35-3	.0609	.0745	.0755	.480
35-5	.0902	.1104	.1118	.474
35-6	.1545	.1868	.1900	.317
35-8	.0749	.0915	.0925	.454
36-1	.0206	.0251	.0255	.454
36-2	.0206	.0251	.0255	.454
36-3	.1038	.1265	.1283	.418
36-4	.1769	.2146	.2181	.360
36-5	.0631	.0768	.0779	.400
36-6	.1199	.1463	.1482	.442
37-1	.0512	.0622	.0631	.384
37-2	.1040	.1266	.1284	.403
37-3	.0512	.0622	.0631	.384
37-6	.0559	.0678	.0690	.352
37-7	.0668	.0815	.0826	.446
37-8	.0407	.0498	.0503	.477
38-1	.0559	.0678	.0690	.352
38-2	.0339	.0414	.0419	.449
38-3	.0339	.0414	.0419	.449

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-885 TABLE III.

Expected Loss Rates and D-Ratios
Expected Loss Rates in Dollars Per Workman Hour
For Indicated Fiscal Year

CLASS	((+1979))	1980((+1980))	1981((+1981))	1982 RATIO
((1-1	.2347	.2845	.2891	.344
1-2	.1512	.1842	.1867	.418
1-3	.2239	.2723	.2762	.390
1-4	.1771	.2150	.2183	.364
1-5	.1934	.2352	.2387	.391
1-6	.4308	.5199	.5294	.290
1-7	.1690	.2051	.2082	.362
1-8	.2116	.2568	.2607	.366
1-9	.2973	.3610	.3665	.372
2-1	.4830	.5851	.5947	.339
2-2	.5282	.6374	.6490	.291
2-6	.2223	.2679	.2729	.273
3-1	.1000	.1220	.1235	.429
3-2	.3381	.4100	.4165	.356
3-6	.1140	.1387	.1407	.397
3-7	.1140	.1387	.1406	.396
4-1	.3881	.4685	.4770	.292
4-2	.3881	.4685	.4770	.292
4-3	.3077	.3723	.3787	.321
5-2	.1788	.2176	.2207	.403
5-3	.1194	.1456	.1476	.437
5-4	.2730	.3308	.3362	.344
5-5	.2513	.3055	.3100	.389
5-6	.3138	.3815	.3871	.390
5-7	.3214	.3903	.3962	.375
5-8	.3497	.4242	.4309	.356
5-9	.3120	.3772	.3837	.315
6-1	.0876	.1068	.1082	.418
6-2	.0954	.1157	.1176	.350
6-3	.1829	.2217	.2252	.345
6-4	.2334	.2839	.2879	.399
6-6	.0471	.0573	.0582	.401
6-7	.0615	.0747	.0759	.369
7-1	.2471	.2995	.3043	.343
8-3	.0824	.1003	.1018	.400
8-4	.1380	.1674	.1700	.364
9-1	.4755	.5762	.5856	.346
9-2	.1199	.1463	.1482	.442
10-2	.2185	.2665	.2700	.432
10-3	.1336	.1630	.1651	.441
10-4	.1336	.1630	.1651	.441
10-5	.5110	.6192	.6293	.344
10-7	.0186	.0228	.0230	.507
11-1	.1124	.1366	.1387	.382

CLASS	((+1979))	1980((+1980))	1981((+1981))	1982 RATIO
38-4	.0339	.0414	.0419	.449
38-5	.0339	.0414	.0419	.449
38-6	.0339	.0414	.0419	.449
38-8	.0368	.0449	.0455	.477
38-9	.0443	.0542	.0548	.477
39-1	.0790	.0959	.0973	.374
39-2	.1349	.1647	.1667	.436
39-3	.1767	.2150	.2181	.402
39-4	.1349	.1647	.1667	.436
39-5	.0265	.0325	.0329	.492
39-6	.0925	.1130	.1144	.462
39-9	.0337	.0412	.0417	.467
40-2	.1262	.1527	.1552	.324
41-1	.0257	.0316	.0319	.503
41-2	.0206	.0251	.0255	.454
41-3	.0484	.0592	.0599	.465
41-4	.0257	.0316	.0319	.503
41-5	.0257	.0316	.0319	.503
41-6	.0206	.0251	.0255	.454
41-7	.0138	.0169	.0171	.431
41-8	.0257	.0316	.0319	.503
41-9	.0257	.0316	.0319	.503
42-1	.1175	.1426	.1447	.365
43-1	.1609	.1961	.1987	.413
43-2	.1501	.1830	.1855	.420
43-3	.1638	.1997	.2024	.427
43-4	.1446	.1761	.1785	.410
43-5	.2536	.3093	.3133	.438
44-1	.0904	.1100	.1116	.396
44-2	.1096	.1332	.1352	.390
44-4	.0823	.1004	.1018	.440
45-1	.0262	.0317	.0323	.327
45-2	.0112	.0135	.0138	.351
45-3	.0131	.0159	.0161	.422
45-4	.0131	.0159	.0161	.422
46-1	.1023	.1234	.1256	.283
48-2	.0458	.0557	.0565	.386
48-3	.0751	.0917	.0928	.452
48-4	.1036	.1263	.1280	.424
48-5	.0534	.0652	.0659	.458
48-6	.0135	.0166	.0168	.477
48-7	.2513	.3055	.3100	.389
48-8	.0671	.0818	.0829	.428
48-9	.0422	.0514	.0521	.426
49-1	.0134	.0164	.0166	.407
49-2	.0399	.0485	.0492	.383
49-3	.0134	.0164	.0166	.407
49-4	.0033	.0040	.0041	.417
49-5	.0675	.0821	.0833	.391
49-6	.0120	.0145	.0147	.433
49-7	.0218	.0265	.0269	.394
49-8	.0218	.0265	.0269	.394
49-9	.0218	.0265	.0269	.394
50-1	.6789	.8222	.8796	.341
50-2	.0786	.0960	.0973	.446
50-3	.3211	.3896	.3957	.366
50-4	.1346	.1661	.1673	.584
51-1	.1691	.2057	.2086	.403
51-2	.2601	.3194	.3225	.525
51-3	.2332	.2837	.2877	.402
51-4	.1145	.1393	.1413	.404
51-5	.1145	.1393	.1413	.404
51-6	.1145	.1393	.1413	.404
51-7	.0806	.0981	.0995	.413
51-8	.1423	.1728	.1754	.369
51-9	.1104	.1345	.1364	.421
52-1	.0806	.0981	.0995	.413
52-2	.0998	.1217	.1233	.426
52-3	.0998	.1217	.1233	.426
52-4	.2923	.3566	.3612	.438
52-5	.1423	.1728	.1754	.369
52-6	.0894	.1088	.1103	.409
52-7	.0296	.0360	.0365	.385
52-8	.1409	.1712	.1737	.380

CLASS	((+1979))	1980((+1980))	1981((+1981))	1982 RATIO
52-9	.1088	.1329	.1345	.444
53-1	.0033	.0040	.0041	.417
53-5	.0057	.0069	.0070	.409
53-6	.0064	.0078	.0079	.359
53-7	.0399	.0485	.0492	.383
61-3	.0065	.0079	.0080	.454
61-4	.0696	.0850	.0861	.460
61-5	.0451	.0550	.0557	.413
61-6	.0451	.0550	.0557	.413
61-7	.0369	.0447	.0454	.340
61-8	.0917	.1122	.1134	.469
61-9	.0085	.0103	.0105	.384
62-1	.0343	.0418	.0424	.421
62-2	.1337	.1620	.1647	.335
62-3	.0258	.0315	.0319	.426
62-4	.0308	.0377	.0381	.488
62-5	.0308	.0377	.0381	.488
62-6	.0308	.0377	.0381	.488
62-7	.1581	.1929	.1954	.442
62-8	.0540	.0655	.0665	.361
62-9	.0414	.0505	.0512	.442
63-1	.0291	.0353	.0359	.342
63-2	.0358	.0436	.0442	.390
63-3	.0096	.0117	.0119	.404
63-4	.0255	.0310	.0315	.351
63-5	.0106	.0130	.0131	.424
63-6	.0375	.0459	.0464	.486
63-7	.0155	.0190	.0192	.461
63-8	.0087	.0106	.0108	.344
63-9	.0187	.0229	.0232	.422
64-1	.0155	.0190	.0192	.461
64-2	.0445	.0541	.0549	.399
64-3	.0319	.0389	.0394	.439
64-4	.0103	.0126	.0128	.391
64-5	.0930	.1132	.1148	.412
64-6	.0155	.0190	.0192	.461
64-7	.0352	.0429	.0435	.417
64-8	.0673	.0816	.0829	.361
64-9	.0940	.1143	.1160	.405
65-1	.0086	.0106	.0107	.456
65-2	.0030	.0037	.0038	.425
65-3	.0242	.0291	.0297	.257
65-4	.0319	.0392	.0395	.514
65-5	.0339	.0413	.0418	.452
65-6	.0086	.0105	.0107	.409
65-7	.0581	.0710	.0719	.453
65-8	.0581	.0710	.0719	.453
65-9	.0342	.0420	.0425	.502
66-1	.0464	.0567	.0574	.451
66-2	.0836	.1022	.1033	.456
66-3	.0492	.0602	.0608	.467
66-4	.0146	.0178	.0181	.393
66-5	.0422	.0516	.0522	.474
66-7	.0296	.0360	.0365	.385
66-8	.0622	.0757	.0767	.390
66-9	.3059	.3765	.3797	.550
67-1	.0134	.0164	.0166	.407
67-4	.0350	.0427	.0433	.396
67-5	.0954	.1166	.1180	.460
67-6	.0537	.0654	.0663	.398
67-7	3.91*	4.81*	4.85*	.544
67-8	2.4621	3.0064	3.0441	.448
67-9	.0254	.0311	.0315	.472
68-1	.1223	.1494	.1511	.452
68-2	.0976	.1193	.1208	.466
68-3	.6943	.8320	.8500	.193
68-4	.0469	.0569	.0578	.371
68-9	.3431	.4217	.4256	.537
69-2	.1925	.2320	.2364	.265
69-3	.9285	1.1208	1.1411	.292
69-4	.0823	.0995	.1013	.310
69-5	.0823	.0995	.1013	.310
69-7	.2405	.2928	.2970	.408
69-8	.0899	.1098	.1112	.463

CLASS	((+1979))	1980((+1980))	1981((+1981))	1982 RATIO
69-9	.0190	.0233	.0236	.440
71-1	.0096	.0117	.0119	.404
71-2	2.42*	2.96*	2.99*	.467
71-3	.0399	.0485	.0492	.383
71-4	.0070	.0085	.0085	.416
71-5	.0520	.0645	.0651	.481
71-6	.0893	.1089	.1103	.435
71-7	.1300	.1583	.1604	.415
71-8	.3027	.3680	.3734	.389
71-9	.8316	1.0122	1.0264	.407
72-1	.0399	.0485	.0492	.383
72-2	.0112	.0135	.0137	.335
73-1	.0751	.0917	.0928	.452
73-2	.0751	.0917	.0928	.452
73-7	.0751	.0917	.0928	.452))
1-1	.3928	.3891	.3935	.363
1-2	.2621	.2597	.2610	.402
1-3	.3261	.3232	.3256	.387
1-4	.2692	.2666	.2697	.364
1-5	.3274	.3245	.3860	.404
1-6	.6387	.6323	.6436	.324
1-7	.2842	.2815	.2840	.379
1-8	.3132	.3103	.3131	.377
1-9	.5142	.5092	.5155	.357
2-1	.7174	.7106	.7166	.381
2-2	.8307	.8224	.8381	.317
2-6	.3577	.3538	.3636	.266
3-1	.1688	.1674	.1666	.458
3-2	.5167	.5117	.5177	.362
3-6	.1685	.1670	.1677	.404
3-7	.1602	.1587	.1589	.425
4-1	.6779	.6717	.6764	.388
4-2	.4273	.4232	.4294	.344
4-3	.4961	.4911	.5000	.323
5-2	.3218	.3190	.3201	.407
5-3	.2029	.2009	.2039	.344
5-4	.3753	.3718	.3748	.384
5-5	.4168	.4130	.4155	.394
5-6	.5317	.5271	.5275	.426
5-7	.5469	.5419	.5457	.388
5-8	.5753	.5697	.5788	.336
5-9	.4886	.4838	.4906	.346
6-1	.1404	.1391	.1398	.404
6-2	.1478	.1465	.1477	.381
6-3	.2541	.2516	.2546	.361
6-4	.3848	.3815	.3831	.405
6-6	.0709	.0702	.0703	.417
6-7	.0931	.0922	.0930	.385
7-1	.3889	.3852	.3893	.366
8-3	.1328	.1316	.1325	.390
8-4	.2150	.2130	.2149	.378
9-1	.7290	.7217	.7347	.324
9-2	.2010	.1993	.1999	.410
10-2	.3504	.3474	.3484	.413
10-3	.2041	.2023	.2025	.425
10-4	.2041	.2023	.2025	.425
10-5	.8752	.8668	.8781	.353
10-7	.0271	.0268	.0265	.518
11-1	.1553	.1539	.1551	.385
11-2	.3606	.3572	.3597	.389
11-3	.1186	.1175	.1178	.422
11-4	.1548	.1535	.1534	.435
11-6	.0333	.0330	.0326	.499
11-8	.1627	.1611	.1632	.356
13-1	.1224	.1212	.1220	.397
13-3	.0654	.0648	.0648	.427
13-4	.0040	.0040	.0040	.393
13-5	.0757	.0751	.0751	.433
14-1	.2685	.2659	.2690	.361
14-3	.1570	.1557	.1551	.454
14-4	.1570	.1557	.1551	.454
15-1	.1188	.1178	.1186	.386
15-7	.0983	.0974	.0976	.414
17-1	.6882	.6811	.6970	.292

CLASS	((+1979))	1980((+1980))	1981((+1981))	1982 RATIO
17-2	.6882	.6811	.6970	.292
17-3	.1774	.1756	.1772	.380
17-4	.1928	.1911	.1912	.429
18-1	.2479	.2457	.2457	.430
20-2	.2030	.2012	.2008	.444
20-3	.1323	.1311	.1314	.414
20-4	.2267	.2246	.2254	.411
20-5	.1079	.1070	.1073	.414
20-7	.1319	.1306	.1325	.342
20-8	.0899	.0892	.0897	.395
21-1	.1503	.1490	.1495	.409
21-2	.1323	.1311	.1314	.414
21-4	.0577	.0572	.0568	.482
21-5	.2293	.2272	.2287	.390
22-1	.0806	.0799	.0798	.438
22-2	.1159	.1150	.1149	.437
24-1	.1920	.1903	.1904	.427
29-3	.2302	.2283	.2284	.428
29-4	.2909	.2882	.2899	.397
29-6	.1458	.1447	.1439	.462
29-8	.2357	.2335	.2349	.396
31-1	.2503	.2477	.2534	.293
31-2	.1778	.1762	.1781	.363
31-3	.1778	.1762	.1781	.363
31-4	.1949	.1931	.1952	.364
31-5	.2645	.2623	.2621	.436
33-1	.2549	.2527	.2531	.421
33-2	.1808	.1794	.1772	.500
33-3	.0985	.0977	.0975	.442
33-9	.1279	.1269	.1270	.428
34-1	.1245	.1234	.1242	.393
34-2	.1295	.1284	.1279	.453
34-3	.0413	.0409	.0412	.385
34-4	.1547	.1534	.1532	.437
34-5	.0670	.0664	.0661	.453
34-6	.0578	.0573	.0574	.424
34-7	.0998	.0989	.0997	.379
34-8	.0388	.0384	.0389	.352
34-9	.0569	.0563	.0563	.432
35-1	.1482	.1470	.1462	.464
35-3	.1027	.1018	.1010	.481
35-5	.1482	.1470	.1462	.464
35-6	.2021	.2001	.2027	.352
35-8	.1135	.1125	.1122	.445
36-1	.0288	.0286	.0285	.451
36-2	.0288	.0286	.0285	.451
36-3	.1528	.1516	.1510	.452
36-4	.2805	.2779	.2800	.388
36-5	.1010	.1001	.1006	.403
36-6	.2010	.1993	.1999	.410
37-1	.0644	.0639	.0641	.412
37-2	.1665	.1650	.1660	.394
37-3	.0644	.0639	.0641	.412
37-6	.0665	.0660	.0655	.470
37-7	.1195	.1185	.1182	.440
37-8	.0665	.0660	.0655	.470
38-1	.0891	.0883	.0894	.352
38-2	.0531	.0527	.0524	.451
38-3	.0531	.0527	.0524	.451
38-4	.0531	.0527	.0524	.451
38-5	.0531	.0527	.0524	.451
38-6	.0531	.0527	.0524	.451
38-8	.0589	.0585	.0581	.471
38-9	.0665	.0660	.0655	.470
39-1	.1055	.1045	.1054	.379
39-2	.1998	.1980	.1979	.433
39-3	.2829	.2804	.2817	.404
39-4	.1998	.1980	.1979	.433
39-5	.0422	.0419	.0416	.471
39-6	.1502	.1490	.1480	.469
39-9	.0534	.0530	.0524	.501
40-2	.2269	.2246	.2286	.324
41-1	.0415	.0412	.0410	.455
41-2	.0288	.0286	.0285	.451

CLASS	((+1979))	1980((+1980))	1981((+1981))	1982	D- RATIO	CLASS	((+1979))	1980((+1980))	1981((+1981))	1982	D- RATIO
41-3	.0776	.0768	.0767	.443		62-4	.0427	.0424	.0420	.462	
41-4	.0415	.0412	.0410	.455		62-5	.0427	.0424	.0420	.462	
41-5	.0415	.0412	.0410	.455		62-6	.0427	.0424	.0420	.462	
41-6	.0415	.0412	.0410	.455		62-7	.2423	.2402	.2401	.433	
41-7	.0221	.0219	.0219	.435		62-8	.0847	.0839	.0848	.362	
41-8	.0415	.0412	.0410	.455		62-9	.0623	.0618	.0618	.427	
41-9	.0415	.0412	.0410	.455		63-1	.0385	.0382	.0387	.341	
42-1	.1632	.1616	.1628	.386		63-2	.0540	.0534	.0537	.400	
43-1	.2496	.2475	.2471	.438		63-3	.0145	.0143	.0144	.401	
43-2	.2459	.2438	.2441	.423		63-4	.0408	.0404	.0408	.377	
43-3	.2655	.2632	.2630	.435		63-5	.0182	.0181	.0181	.412	
43-4	.2110	.2090	.2100	.405		63-6	.0568	.0563	.0559	.472	
43-5	.3909	.3876	.3875	.433		63-7	.0244	.0242	.0241	.454	
44-1	.1393	.1381	.1386	.414		63-8	.0128	.0127	.0128	.352	
44-2	.1841	.1823	.1841	.373		63-9	.0304	.0300	.0299	.455	
44-4	.1323	.1311	.1314	.414		64-1	.0244	.0242	.0241	.454	
45-1	.0399	.0395	.0402	.330		64-2	.0751	.0744	.0750	.388	
45-2	.0164	.0162	.0164	.358		64-3	.0450	.0446	.0447	.413	
45-3	.0199	.0198	.0198	.431		64-4	.0158	.0156	.0157	.392	
45-4	.0199	.0198	.0198	.431		64-5	.1323	.1311	.1310	.439	
46-1	.1593	.1577	.1609	.306		64-6	.0244	.0242	.0241	.454	
48-2	.0749	.0741	.0749	.377		64-7	.0581	.0575	.0577	.410	
48-3	.0822	.0866	.0862	.452		64-8	.0993	.0984	.0993	.374	
48-4	.1766	.1750	.1754	.417		64-9	.1457	.1444	.1444	.431	
48-5	.0917	.0909	.0905	.456		65-1	.0132	.0131	.0130	.437	
48-6	.0226	.0225	.0223	.478		65-2	.0047	.0047	.0047	.415	
48-7	.4168	.4130	.4155	.394		65-3	.0412	.0408	.0410	.250	
48-8	.1010	.1001	.0999	.446		65-4	.0529	.0524	.0519	.493	
48-9	.0623	.0618	.0619	.424		65-5	.0572	.0567	.0568	.427	
49-1	.0204	.0202	.0204	.378		65-6	.0141	.0140	.0140	.402	
49-2	.0512	.0449	.0451	.406		65-7	.0959	.0950	.0946	.460	
49-3	.0204	.0202	.0204	.378		65-8	.0959	.0950	.0946	.460	
49-4	.0050	.0050	.0050	.424		65-9	.0534	.0530	.0525	.472	
49-5	.0820	.0813	.0814	.428		66-1	.0753	.0745	.0749	.409	
49-6	.0166	.0164	.0164	.423		66-2	.1397	.1385	.1384	.431	
49-7	.0331	.0327	.0329	.394		66-3	.0728	.0721	.0718	.459	
49-8	.0336	.0334	.0335	.403		66-4	.0232	.0230	.0231	.400	
49-9	.0336	.0334	.0335	.403		66-5	.0610	.0604	.0603	.434	
50-1	1.0669	1.1216	1.2409	.347		66-6	.0422	.0418	.0421	.393	
50-2	.1261	.1250	.1250	.433		66-7	.0957	.0948	.0954	.394	
50-3	.4058	.4020	.4066	.361		66-8	.5147	.5110	.5016	.541	
50-4	.2145	.2126	.2132	.414		66-9	.0204	.0202	.0204	.378	
51-1	.2666	.2642	.2650	.413		67-1	.0547	.0542	.0545	.395	
51-2	.4187	.4153	.4116	.483		67-2	.1520	.1507	.1500	.462	
51-3	.3671	.3637	.3666	.384		67-3	.0859	.0850	.0855	.405	
51-4	.1842	.1826	.1833	.405		67-4	2.10*	2.08*	2.02*	.541	
51-5	.1842	.1826	.1833	.405		67-5	3.2032	3.1750	3.1825	.416	
51-6	.1842	.1826	.1833	.405		67-6	.0379	.0376	.0374	.465	
51-7	.1280	.1269	.1271	.420		67-7	.2115	.2096	.2093	.440	
51-8	.2394	.2373	.2395	.373		67-8	.1195	.1184	.1190	.404	
51-9	.1794	.1777	.1795	.368		67-9	1.1166	1.1040	1.1444	.214	
52-1	.1280	.1269	.1271	.420		68-1	.0699	.0692	.0698	.377	
52-2	.1295	.1284	.1279	.453		68-2	.5505	.5464	.5375	.528	
52-3	.1295	.1284	.1279	.453		68-3	.3527	.3490	.3576	.283	
52-4	.4881	.4841	.4813	.465		68-4	1.3873	1.3734	1.3988	.321	
52-5	.2394	.2373	.2395	.373		68-5	.1076	.1065	.1082	.334	
52-6	.1387	.1375	.1384	.391		68-6	.1076	.1065	.1082	.334	
52-7	.0422	.0418	.0421	.393		68-7	.3657	.3624	.3634	.415	
52-8	.2254	.2235	.2235	.430		68-8	.1473	.1461	.1457	.442	
52-9	.1735	.1719	.1715	.446		68-9	.0254	.0252	.0253	.411	
53-1	.0053	.0053	.0053	.413		69-1	.0136	.0135	.0136	.405	
53-5	.0090	.0089	.0090	.425		71-1	4.01*	3.97*	3.94*	.474	
53-6	.0106	.0106	.0107	.368		71-2	.0609	.0605	.0607	.410	
53-7	.0653	.0648	.0648	.436		71-3	.0121	.0120	.0120	.424	
61-3	.0101	.0101	.0100	.460		71-4	.0880	.0873	.0867	.469	
61-4	.1165	.1154	.1153	.436		71-5	.1552	.1540	.1538	.439	
61-5	.0681	.0675	.0674	.441		71-6	.2171	.2152	.2155	.421	
61-6	.0681	.0675	.0674	.441		71-7	.5290	.5244	.5259	.413	
61-7	.0516	.0510	.0519	.331		71-8	1.4284	1.4158	1.4209	.408	
61-8	.1255	.1244	.1233	.484		71-9	.0643	.0637	.0633	.470	
61-9	.0119	.0118	.0119	.416		72-1	.0168	.0166	.0168	.376	
62-1	.0516	.0511	.0514	.407		72-2	.1209	.1199	.1189	.484	
62-2	.2145	.2125	.2150	.360		73-1	.1203	.1194	.1183	.486	
62-3	.0391	.0388	.0390	.407		73-2	.1187	.1177	.1163	.498	

CLASS ((+979)) 1980((+980)) 1981((+981)) 1982 D- RATIO

Rates Effective January 1, ((+1983)) 1984

73-8 .0592 .0587 .0593 .367

*Daily expected loss rate

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-890 TABLE IV.

Maximum experience modifications for firms with no compensable accidents:

Expected Loss Range	Maximum Experience Modification
((+721)) 853	.90
((722-771)) 854-912	.89
((772-824)) 913-975	.88
((825-883)) 976-1,045	.87
((884-948)) 1,046-1,122	.86
((949-1,017)) 1,123-1,204	.85
((1,018-1,092)) 1,205-1,292	.84
((1,093-1,174)) 1,293-1,389	.83
((1,175-1,264)) 1,390-1,496	.82
((1,265-1,362)) 1,497-1,612	.81
((1,363-1,468)) 1,613-1,737	.80
((1,469-1,584)) 1,738-1,875	.79
((1,585-1,711)) 1,876-2,025	.78
((1,712-1,849)) 2,026-2,188	.77
((1,850-2,001)) 2,189-2,368	.76
((2,002-2,168)) 2,369-2,566	.75
((2,169-2,352)) 2,567-2,784	.74
((2,353-2,554)) 2,785-3,023	.73
((2,555-2,777)) 3,024-3,287	.72
((2,778-3,022)) 3,288-3,577	.71
((3,023)) and over 3,578	.70

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-895 INDUSTRIAL INSURANCE ACCIDENT FUND BASE RATES AND MEDICAL AID RATES BY CLASS OF INDUSTRY. Industrial insurance accident fund base rates and medical aid rates by class of industry shall be as set forth below.

Class	Accident Fund Base Rate	Medical Aid Fund Rate
((1-1))	.5072	.2971
1-2	.3293	.2482
1-3	.4862	.3438
1-4	.3835	.2265
1-5	.4201	.3220
1-6	.9252	.4784
1-7	.3658	.2432
1-8	.4581	.2604
1-9	.6442	.4714
2-1	1.0428	.5990
2-2	1.1342	.6412
2-6	.4672	.2850
3-1	.2181	.2169
3-2	.7312	.2899
3-6	.2478	.2006
3-7	.2477	.2112
4-1	.8337	.5804
4-2	.8337	.5804
4-3	.6632	.4135
5-2	.3888	.2668
5-3	.2555	.2410
5-4	.5897	.3451
5-5	.5237	.3610
5-6	.6413	.4318
5-7	.6558	.4170
5-8	.7565	.5643
5-9	.6718	.5010
6-1	.1909	.1565
6-2	.2062	.1626
6-3	.3880	.2177
6-4	.5071	.4182
6-6	.1024	.1093
6-7	.1332	.0924
7-1	.5235	.4200
8-3	.1792	.1342
8-4	.2986	.3663
9-1	1.0272	.3067
10-2	.4765	.2864
10-3	.2915	.1752
10-4	.2915	.1752
10-5	1.0826	.6104
10-7	.0401	.0383
11-1	.2438	.1912
11-2	.4720	.3183
11-3	.1832	.1397
11-4	.2017	.1685
11-6	.0442	.0559
11-8	.2350	.2127
13-1	.1728	.1343
13-3	.0985	.1016
13-4	.0053	.0091
13-5	.1052	.1034
14-1	.3659	.3135
14-4	.2196	.1151
15-1	.1607	.1254
15-7	.1315	.1135
17-1	.9210	.4400
17-2	.9210	.4400
17-3	.2948	.1698
17-4	.2567	.2032
18-1	.3064	.2947
20-2	.2521	.1814
20-3	.1797	.1407
20-4	.2721	.2976
20-5	.1553	.1584
20-7	.2027	.1542
20-8	.1300	.1019
21-1	.2041	.1635
21-2	.1797	.1407

Rates Effective
January 1, ((1983)) 1984

Rates Effective
January 1, ((1983)) 1984

Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
21-4	.0864	.1068	48-3	.1640	.1744
21-5	.3461	.2712	48-4	.2259	.1776
22-1	.1097	.0830	48-5	.1168	.1122
22-2	.1489	.1064	48-6	.0299	.0323
24-1	.2913	.2442	48-7	.5237	.3610
29-3	.2928	.2650	48-8	.1464	.1571
29-4	.3770	.2657	48-9	.0919	.0757
29-6	.1991	.1839	49-1	.0291	.0302
29-8	.3196	.2891	49-2	.0866	.0644
31-1	.3252	.2039	49-3	.0291	.0302
31-2	.2507	.1612	49-4	.0072	.0076
31-3	.2507	.1612	49-5	.1466	.1226
31-4	.2682	.1682	49-6	.0260	.0242
31-5	.3950	.2859	49-7	.0473	.0376
33-1	.3417	.2406	49-8	.0473	.0742
33-2	.2225	.2167	49-9	.0473	.0742
33-3	.1381	.1488	50-1	1.6386	1.0022
33-9	.1734	.1724	50-2	.1717	.1784
34-1	.1789	.1494	50-3	.6951	.4252
34-2	.2176	.2109	50-4	.2927	.2725
34-3	.0540	.0310	51-1	.3674	.2788
34-4	.2152	.1908	51-2	.5728	.5256
34-5	.0898	.0684	51-3	.5067	.3801
34-6	.0862	.0973	51-6	.2489	.2548
34-7	.1298	.1358	51-8	.3023	.2759
34-8	.0515	.0523	51-9	.2361	.2117
34-9	.0797	.0921	52-1	.1755	.1462
35-1	.1940	.2053	52-4	.6253	.2354
35-3	.1336	.1448	52-6	.1944	.1519
35-6	.3328	.1850	52-7	.0643	.0709
35-8	.1636	.1645	52-8	.2997	.2786
36-2	.0451	.0408	52-9	.2376	.2304
36-3	.2261	.2108	53-1	.0072	.0076
36-4	.3829	.2715	53-5	.0123	.0129
36-5	.1371	.1279	53-6	.0139	.0116
36-6	.2617	.2255	53-7	.0866	.0644
37-1	.1111	.0905	61-3	.0141	.0188
37-2	.2261	.1587	61-4	.1521	.1228
37-7	.1459	.1333	61-5	.0983	.0980
37-8	.0889	.0805	61-7	.0797	.0681
38-1	.1210	.0964	61-8	.2112	.1554
38-2	.0740	.0707	61-9	.0184	.0155
38-8	.0805	.0794	62-1	.0748	.0714
39-1	.1711	.1211	62-2	.2831	.1868
39-2	.2944	.1855	62-3	.0562	.0520
39-3	.3841	.3746	62-4	.0675	.0792
39-5	.0583	.0756	62-5	.0675	.0792
39-6	.2024	.1642	62-6	.0675	.0792
39-9	.0723	.0833	62-7	.3451	.5190
40-2	.2720	.2079	62-8	.1169	.0975
41-1	.0566	.0614	62-9	.0905	.1254
41-3	.1039	.1066	63-1	.0630	.0405
41-7	.0301	.0381	63-2	.0777	.0558
41-8	.0566	.0614	63-3	.0209	.0174
41-9	.0566	.0614	63-4	.0553	.0437
42-1	.2543	.1686	63-5	.0231	.0303
43-1	.3503	.2637	63-6	.0822	.0924
43-2	.3270	.2837	63-8	.0190	.0133
43-3	.3570	.3088	63-9	.0408	.0527
43-4	.3147	.2329	64-2	.0967	.0744
43-5	.5532	.3345	64-3	.0695	.0736
44-1	.1963	.1560	64-4	.0224	.0245
44-2	.2333	.1759	64-5	.2024	.1857
44-4	.1797	.1407	64-6	.0341	.0386
45-1	.0566	.0515	64-7	.0768	.0756
45-2	.0242	.0177	64-8	.1456	.1536
45-4	.0283	.0396	64-9	.2003	.2216
46-1	.2195	.3103	65-1	.0190	.0173
48-2	.0995	.0777	65-2	.0066	.0067

Rates Effective
January 1, ((1983)) 1984

Rates Effective
January 1, ((1983)) 1984

Class	Accident Fund Base Rate	Medical Aid Fund Rate
65-3	.0517	.0260
65-4	.0703	.0984
65-5	.0739	.0808
65-6	.0188	.0189
65-8	.1271	.1125
65-9	.0754	.0784
66-1	.1015	.1071
66-2	.1827	.1228
66-3	.1076	.0875
66-4	.0317	.0277
66-5	.0924	.0853
66-7	.0643	.0709
66-8	.1350	.0858
66-9	.6627	.7290
67-4	.0762	.0868
67-5	.2085	.2545
67-6	.1168	.1087
67-7	8.46*	16.73*
67-8	4.4921	2.6357
67-9	.0557	.0656
68-1	.2672	.1656
68-2	.2136	.1847
68-3	1.4755	.8182
68-4	.1015	.0946
68-9	.7566	1.3595
69-1		.0363
69-2	.4123	.2323
69-3	1.9944	1.6055
69-4	.1771	.1367
69-5	.1771	.1367
69-6		.1367
69-7	.5232	.3305
69-8	.1966	.1300
69-9	.0416	.0364
71-1	.0209	.0174
71-2	5.30*	17.31*
71-3	.0866	.0644
71-4	.0148	.0130
71-5	.1155	.1004
71-6	.1910	.1660
71-7	.2780	.2417
71-8	.6444	.4949
71-9	1.7734	1.3436
72-1	.0866	.0644
72-2	.0241	.0192
72-3		.0363
72-4		
73-1	.1640	.1744
73-2	.1640	.1744
73-7	.1640	.1744))
1-1	.9111	.5322
1-2	.6132	.4696
1-3	.7604	.6358
1-4	.6247	.3964
1-5	.7664	.6250
1-6	1.4688	.8709
1-7	.6615	.4298
1-8	.7286	.4340
1-9	1.1912	.8766
2-1	1.6703	.9790
2-2	1.9072	1.1949
2-6	.8118	.5985
3-1	.3998	.3376
3-2	1.1981	.5512
3-6	.3943	.3512
3-7	.3764	.3895
4-1	1.5811	1.0703
4-2	.9870	.9889
4-3	1.1407	.7064

Class	Accident Fund Base Rate	Medical Aid Fund Rate
5-2	.7535	.4743
5-3	.4686	.4623
5-4	.8745	.5538
5-5	.9075	.6536
5-6	1.1659	.8461
5-7	1.1895	.8220
5-8	1.3263	.8731
5-9	1.1289	.7431
6-1	.3286	.2989
6-2	.3442	.2726
6-3	.5889	.3094
6-4	.9009	.8044
6-6	.1663	.1685
6-7	.2170	.1932
7-1	.9025	.8159
8-3	.3099	.2355
8-4	.5003	.5882
9-1	1.6761	.5589
10-2	.8217	.4623
10-3	.4799	.3139
10-4	.4799	.3139
10-5	2.0255	1.1488
10-7	.0649	.0821
11-1	.3618	.3046
11-2	.8412	.5456
11-3	.2788	.2400
11-4	.3647	.3294
11-6	.0795	.1081
11-8	.3769	.3272
13-1	.2860	.2560
13-3	.1539	.1856
13-4	.0095	.0158
13-5	.1783	.2128
14-1	.6225	.6513
14-4	.3715	.2155
15-1	.2770	.2594
15-7	.2304	.1993
17-1	1.5712	.7238
17-2	1.5712	.7238
17-3	.4129	.2713
17-4	.4536	.4087
18-1	.5834	.5436
20-2	.4792	.3336
20-3	.3102	.2612
20-4	.5313	.5221
20-5	.2533	.2653
20-7	.3044	.2711
20-8	.2102	.1694
21-1	.3520	.3284
21-2	.3102	.2612
21-4	.1373	.1873
21-5	.5350	.4505
22-1	.1900	.1508
22-2	.2733	.1821
24-1	.4516	.3776
29-3	.5418	.4705
29-4	.6797	.4650
29-6	.3455	.3110
29-8	.5506	.4780
31-1	.5713	.3900
31-2	.4124	.2786
31-3	.4124	.2786
31-4	.4523	.3087
31-5	.6233	.5229
33-1	.5987	.4931
33-2	.4318	.3592
33-3	.2325	.2635
33-9	.3010	.3473
34-1	.2908	.2611

Rates Effective
January 1, ((1983)) 1984

Rates Effective
January 1, ((1983)) 1984

Class	Accident Fund Base Rate	Medical Aid Fund Rate	Class	Accident Fund Base Rate	Medical Aid Fund Rate
34-2	.3062	.3174	50-4	.5030	.5567
34-3	.0962	.0597	51-1	.6251	.4867
34-4	.3647	.3272	51-2	.9965	.7995
34-5	.1585	.1381	51-3	.8556	.6178
34-6	.1359	.2081	51-6	.4312	.4523
34-7	.2323	.2418	51-8	.5567	.5274
34-8	.0898	.0896	51-9	.4166	.3169
34-9	.1339	.1477	52-1	.3005	.2542
35-1	.3514	.3972	52-4	1.1575	.4563
35-3	.2442	.2778	52-6	.3237	.2831
35-6	.4675	.3082	52-7	.0985	.1089
35-8	.2679	.2778	52-8	.5307	.5536
36-2	.0681	.0719	52-9	.4096	.4247
36-3	.3613	.3748	53-1	.0124	.0153
36-4	.6540	.4748	53-5	.0212	.0225
36-5	.2364	.2290	53-6	.0248	.0194
36-6	.4711	.3983	53-7	.1541	.1290
37-1	.1511	.1701	61-3	.0240	.0313
37-2	.3889	.2780	61-4	.2743	.2290
37-7	.2817	.2418	61-5	.1606	.1782
37-8	.1578	.1527	61-7	.1187	.1228
38-1	.2061	.2015	61-8	.3143	.2605
38-2	.1255	.1214	61-9	.0281	.0263
38-8	.1401	.1354	62-1	.1208	.1240
39-1	.2455	.1843	62-2	.4974	.3474
39-2	.4704	.3460	62-3	.0916	.0931
39-3	.6621	.7228	62-4	.1012	.1194
39-5	.1003	.1316	62-5	.1012	.1194
39-6	.3564	.3171	62-6	.1012	.1194
39-9	.1277	.1640	62-7	.5706	.8921
40-2	.5217	.3333	62-8	.1963	.1845
41-1	.0983	.1123	62-9	.1465	.2225
41-3	.1831	.2115	63-1	.0888	.0672
41-7	.0521	.0652	63-2	.1260	.0970
41-8	.0983	.1123	63-3	.0338	.0313
41-9	.0983	.1123	63-4	.0950	.0823
42-1	.3802	.2572	63-5	.0428	.0544
43-1	.5885	.5089	63-6	.1350	.1736
43-2	.5778	.5111	63-8	.0295	.0212
43-3	.6256	.6227	63-9	.0716	.0965
43-4	.4937	.3758	64-2	.1751	.1380
43-5	.9209	.5139	64-3	.1054	.1156
44-1	.3269	.2572	64-4	.0368	.0437
44-2	.4279	.3393	64-5	.3119	.3177
44-4	.3102	.2612	64-6	.0577	.0615
45-1	.0920	.0872	64-7	.1362	.1372
45-2	.0379	.0302	64-8	.2308	.2659
45-4	.0469	.0724	64-9	.3430	.3858
46-1	.3648	.5277	65-1	.0311	.0289
48-2	.1742	.1514	65-2	.0110	.0139
48-3	.2063	.2563	65-3	.0933	.0445
48-4	.4144	.3421	65-4	.1261	.1795
48-5	.2169	.2020	65-5	.1347	.1216
48-6	.0540	.0603	65-6	.0329	.0348
48-7	.9075	.6536	65-8	.2270	.2222
48-8	.2387	.2877	65-9	.1267	.1384
48-9	.1465	.1368	66-1	.1763	.1718
49-1	.0473	.0638	66-2	.3288	.2359
49-2	.1062	.1032	66-3	.1725	.1592
49-3	.0473	.0638	66-4	.0542	.0497
49-4	.0118	.0138	66-5	.1435	.1467
49-5	.1929	.1676	66-7	.0985	.1089
49-6	.0388	.0423	66-8	.2234	.1469
49-7	.0772	.0648	66-9	1.2403	1.3309
49-8	.0787	.1453	67-4	.1278	.1378
49-9	.0787	.1453	67-5	.3602	.4759
50-1	2.8557	1.7451	67-6	.2010	.2086
50-2	.2971	.3106	67-7	4.66*	8.98*
50-3	.9409	.4367	67-8	1.4327	1.2403

Rates Effective
January 1, ((+1983)) 1984

Class	Accident Fund Base Rate	Medical Aid Fund Rate
67-9	.0899	.1188
68-1	.4988	.2875
68-2	.2798	.3084
68-3	2.5046	1.7453
68-4	.1625	.1780
68-9	1.3230	2.3422
69-1	-	.0635
69-2	.8036	.4050
69-3	3.1879	3.0509
69-4	.2478	.2248
69-5	.2478	.2248
69-6	-	.2248
69-7	.8578	.6478
69-8	.3476	.2426
69-9	.0596	.0615
71-1	.0321	.0289
71-2	9.51*	30.66*
71-3	.1428	.1251
71-4	.0285	.0236
71-5	.2088	.1645
71-6	.3662	.3031
71-7	.5100	.4644
71-8	1.2405	.8956
71-9	3.3465	2.4978
72-1	.1526	.1304
72-2	.0389	.0334
72-3	-	.0650
72-4	-	-
73-1	.2879	.3466
73-2	.2867	.3478
73-7	.2833	.3512
73-8	.1376	.1395

*Daily rate. The daily rate shall be paid in full on any person for any calendar day in which any duties are performed that are incidental to the profession of the worker.

AMENDATORY SECTION (Amending Order 82-38, filed 11/29/82, effective 1/1/83)

WAC 296-17-920 ASSESSMENT FOR SUPPLEMENTAL PENSION FUND. The amount of 20.9 mills (\$.0209) shall be retained by each employer from the earnings of each of his workmen for each hour or fraction thereof the workman is employed. Provided that in classifications 67-7 and 71-2, the employer shall retain sixteen cents per man-day from each of his workmen and in classification 67-8 the employer shall retain 2.1 mills (\$.0021) per hour to be reported for premium calculation under WAC 296-17-350(8) from each of his workmen. The amount of money so retained from the employee shall be matched in an equal amount by each employer, except as otherwise provided in these rules, all such moneys shall be remitted to the department on or before the last day of January, April, July and October of each year for the preceding calendar quarter, provided self-insured employers shall remit to the department as provided under WAC 296-15-060. All such moneys shall be deposited in the supplemental pension fund.

**WSR 83-20-085
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**
[Filed October 5, 1983]

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 the agency will at 9:00 a.m., Tuesday, November 8, 1983, in the Old Capitol Building, Washington and Legion, State Board of Education Conference Room, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 9, 1983.

The authority under which these rules are proposed is RCW 84.52.053(7).

Dated: October 4, 1983

By: Frank Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-139 WAC, Finance—Maintenance and operation levy limits.

Rule Section(s): WAC 392-139-001 Authority; 392-139-005 Purpose; 392-139-010 Establishment of the maximum dollar amount of school district levels—General; 392-139-016 Definitions; 392-139-017 Additional definitions; 392-139-018 Additional definitions; 392-139-019 Determination of total general funding capacity for 1983 tax collections; 392-139-021 Determination of excess general fund levy capacity attributable to basic education allocation; 392-139-022 Determination of excess general fund levy capacity attributable to less than one hundred percent funding of the basic education allocation formula; 392-139-026 Determination of additional excess general fund levy capacity for 1982 tax collections; 392-139-027 Determination of additional excess general fund levy capacity for 1983 collections; 392-139-031 Determination of excess general fund levy capacity attributable to state-funded categorical programs; 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; 392-139-037 Determination of excess general fund levy capacity to be transferred from the high school district to the nonhigh school district; and 392-139-038 Notification of maximum levy collection amounts.

Statutory Authority: RCW 84.52.053(7).

Purpose of the Rule(s): Amend administrative code to comply with legislation changes and administrative practices.

Summary of the New Rule(s) and/or Amendments: WAC 392-139-001, changes reflect adoption of standard format for authority section; 392-139-005, incorporates effected of legislative changes regarding tax collection years over which these rules are effective; 392-139-010, incorporates effect of legislative changes regarding tax collection years over which these rules are effective; 392-139-016, strikes definitions no longer used for the process of determining school district excess levy authority and makes changes to conform to code reviser format; 392-139-017, strikes definitions no longer used for the process of determining school district excess levy authority; 392-139-018, updates and clarifies definitions

and provides an additional definition; 392-139-022, incorporates effect of 1981-83 biennial appropriations act; 392-139-026, incorporates effect of legislative changes regarding the calculation of a school district's levy capacity in excess of ten percent; 392-139-031, updates section to reflect the effective tax collection years and legislative changes regarding revenue account changes; 392-139-036, updates section to reflect the effect tax collection years and includes excess levy capacity in excess of ten percent and state categorical ten percent excess levy capacity in the calculation of nonresident excess levy transfer; 392-139-037, updates section to reflect the effective tax collection years and brings non-high transfer section into conformance with chapter 28A.44 RCW and administrative practices; 392-139-038, updates section to reflect the effective tax collection years and legislative changes in the process of determining school district's excess levy capacity; and 392-139-019, repealed, the effect of legislative actions have eliminated the need for this section.

Reasons Which Support the Proposed Action(s): A variety of legislative initiatives have required these actions.

Person or Organization Proposing the Rule(s): SPI, government.

Agency Personnel Responsible for Drafting: Ralph E. Julnes, SPI, 753-2298; Enforcement: Perry Keithley, SPI, 753-6742; and Implementation: Bruce P. Mrkvicka, SPI, 753-6708.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: No.

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 83-6, filed 8/17/83)

WAC 392-139-001 AUTHORITY. ~~((Rules and regulations hereinafter set forth are established pursuant to))~~ The authority for this chapter is RCW 84.52.053(7) ((otherwise known as the)) which authorizes the superintendent of public instruction to promulgate rules and regulations regarding the limitation of local school district special ((levy limitation:)) levies otherwise known as the "Special Levy Lid Law."

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

WAC 392-139-005 PURPOSE. The purpose of this chapter 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 calendar years ~~((1982 and 1983))~~ 1984 through 1989.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-010 ESTABLISHMENT OF THE MAXIMUM DOLLAR AMOUNT OF SCHOOL DISTRICT LEVIES—GENERAL. 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 ~~((1982 and 1983))~~ 1984 through 1989 shall be established annually in accordance with the following general procedures:

(1) Only figures and data gathered and approved by the superintendent of public instruction, or his or her designee, shall be used.

(2) Notice of the levy amount determined for each school district pursuant to this chapter shall be provided to each affected school district, county assessor and chairman of the board of county commissioners according to the schedule established in WAC 392-139-038.

(3) 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.

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

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 the school 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) ~~((2))~~ (2) "F-203" shall mean the annual document prescribed by the superintendent of public instruction which school districts use to estimate state revenues and which is attached to each school district F-195 (annual budget) by the educational service district.

(6) ~~((3))~~ (3) "Report 1191" 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.

(7) ~~((4))~~ (4) "Report 1191E" 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.

(8) ~~((5))~~ (5) "Report 1197" 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.

~~((9)) "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.~~

~~((10)) "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.~~

~~((11)) "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.))~~

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-017 ADDITIONAL DEFINITIONS. As used in this chapter, the terms:

(1) "P-213" shall mean the form entitled report of 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 392-139-037.

(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 pursuant to WAC 392-139-036.

(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. 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)) (6) "Prior school year" shall mean the school year immediately preceding the current school year.~~

~~((8)) (7) "Next tax collection year" shall mean the calendar year immediately succeeding the current calendar year.~~

~~((9)) (8) "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 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 ex. sess. (the Biennial Appropriations Act).))~~

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

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))~~ revenue account in which are recorded state monies 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))~~ transportation vehicle fund revenue account in which are recorded state monies 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))~~ revenue account in which are recorded state monies 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))~~ revenue account in which are recorded state 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))~~ revenue account in which are recorded state 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))~~ revenue account in which are recorded state 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))~~ revenue account in which are recorded state 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 classifications))~~ revenue account 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, 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))~~ revenue account 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, chapter 340, Laws of 1981, the Biennial Appropriations Act).

(10) "Special levy override percentage" shall mean that percentage calculated by the following:

(a) Divide the district's 1982 maximum special levy capacity by the sum of the district's 1980-81 basic education allocation, and the sum of the allocations made from the state general fund in the school district general fund revenue accounts 3020, 3030, 3243, 3244, 3245 and the school district transportation vehicle fund revenue account 3021; and

(b) Multiply this percentage minus ten percent by the following factor for the appropriate tax collection year:

Tax Collection Year	Factor
1983	7/7
1984	6/7
1985	5/7
1986	4/7
1987	3/7

1988
1989

2/7
1/7

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

WAC 392-139-022 DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY ATTRIBUTABLE TO LESS THAN ONE HUNDRED PERCENT FUNDING OF THE BASIC EDUCATION ALLOCATION FORMULA. The dollar amount or capacity of each school district's general fund excess levy authorized for the ((+1983)) 1984 tax collection year may be increased over the amount determined in WAC 392-139-021 by the difference between the basic education allocation at one hundred percent of formula and the actual basic education allocation minus any reductions pursuant to section 65, chapter 11, Laws of 1982 2nd ex. sess. ((and deferrals of receipts pursuant to RCW 28A.48.010:))

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-026 DETERMINATION OF ADDITIONAL EXCESS GENERAL FUND LEVY CAPACITY ((FOR 1982 TAX COLLECTIONS)). ((+)) General. The dollar amount or capacity of each school district's general fund excess levy authorized for the 1982 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 1981-82 school year as of August 31, plus the estimated current school year general fund excess property tax capacity levy which would otherwise be placed in accounts 1000 and 3170 as limited pursuant to WAC 392-139-021, is less than the estimated potential 1981-82 school year dollar amount for basic education as established in subsection (2) of this section.

(2) Determination of whether or not a school district qualifies for additional excess general fund levy capacity. The establishment of the potential 1981-82 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) To determine the district's 1980-81 school year dollar amount per student:

(i) Add the dollar amounts in the school district's 1980-81 school year general fund revenue accounts 1000 and 3170 as reported in the August 1981 county treasurer's monthly report, the school district's 1980-81 basic education allocation as reported on the August 31, 1981, Report 1191 and the mandated restricted cash, if any, for the 1980-81 school year;

(ii) Divide the total obtained in (i) above by the 1980-81 AAFTE students; and

(iii) Multiply the quotient obtained in (ii) above by one hundred six percent.

(b) Determine the district's estimated potential aggregate 1981-82 school year dollar amount as follows:

(i) Multiply the district's estimate of 1981-82 school year's AAFTE students by the dollar amount per student calculated in (a) of this subsection;

(ii) Multiply one half the estimated number of enrollment decline students by the dollar amount per student obtained in (a) (ii) above; and

(iii) Add the products obtained in (i) and (ii) above.

(c) Determine the district's 1981-82 school year dollar amount without funds from additional levy capacity calculated pursuant to this section by combining the district's estimated 1981-82 school year's basic education allocation as reported to the superintendent of public instruction on the F-203 for 1981-82 with the estimated fall tax collection amount from the 1981 excess general fund property tax levy and the estimated amount of spring tax collections for the 1982 tax levy limited pursuant to WAC 392-139-021 and 392-139-031.

(d) Determine the district's estimated additional potential dollar level for the 1981-82 school year by subtracting the total obtained in (c) of this subsection from the total obtained in (b) of this subsection.

(e) Determine the district's estimated additional excess general fund levy capacity for the 1982 tax collection year, if any, by dividing the amount obtained in (d) of this subsection, if greater than zero, by the spring tax collection percentage.)) General. The dollar amount or capacity of each school district's general fund excess levy authorized for collection in calendar years 1984 through 1989 may be increased over the amount determined in WAC 392-139-021 and 392-139-031 to the extent calculated as follows:

(1) Determine the sum of the amounts of the prior school year's basic education allocation converted to one hundred percent of formula and allocations made from the state general fund in the prior school year in school district general fund revenue accounts 3020, 3030, 3300, and 3343 and the school district transportation vehicle fund revenue account 3021; and

(2) Multiply the dollar amount obtained in subsection (1) of this section by the pertinent special levy override percentage.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-031 DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY ATTRIBUTABLE TO STATE-FUNDED CATEGORICAL PROGRAMS. ((+)) For 1982 tax collections, the dollar amount of each school district's general fund excess levy authorized pursuant to this chapter shall be determined by summing allocations made from the state general fund to the school district by the superintendent of public instruction for 1980-81 in school district general fund revenue accounts 3020, 3021, 3030, 3220, 3243, 3244 and 3245 as reported on the August 31, 1981, Report 1197 and multiplying the total obtained by ten percent.

(2)) For ((+1983)) tax collection((s;)) years 1984 through 1989 the dollar amount of each school district's general fund excess levy authorized pursuant to this chapter shall be determined by summing allocations made from the state general fund to each school district by the superintendent of public instruction for ((1981-82)) the prior school year in school district general fund revenue accounts 3020, ((3021;)) 3030, 3300 and 3343 and the transportation vehicle fund revenue account 3021 as reported on the August 31, 1982, Report 1197 and multiplying the total obtained by ten percent.

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

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. ((+)) Districts limited to ten percent excess general fund levy capacity. In cases where a student resides in one school district (resident school district) but attends school in another school district (nonresident school district) for the 1981-82 school year pursuant to 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 1983 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:

(a) Determine the nonresident school district's 1981-82 school year basic education allocation per AAFTE as of August 31.

(b) Multiply the amount obtained in (a) of this subsection by ten percent.

(c) For each AAFTE student enrolled in a nonresident school district, deduct the amount obtained in (b) of this subsection from the nonresident school district's excess general fund levy capacity for the 1983 tax collection year and add that same amount to the resident school district's excess general fund levy capacity for the 1983 tax collection year.

(2) Districts permitted excess general fund levy capacity in addition to the ten percent capacity.)) In cases where a student resides in one school district (resident school district) but attends school in another school district (nonresident school district) ((for the 1980-81 school year)) pursuant to 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 ((+1983)) 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 ((1980-81 school year basic education allocation per AAFTE as of August 31)) general fund excess levy capacity for the next tax collection year prior to adjustment for nonresident enrollment.

((+)) (2) Divide the amount obtained in ((+)) subsection (1) of this ((subsection)) section by ((ten percent)) the nonresident school district's total actual AAFTE enrollment in the prior school year.

((c)) (3) For each actual AAFTE student enrolled in the prior school year in a nonresident school district, deduct the amount obtained in ((b)) subsection (2) of this ((subsection)) section from the nonresident school district's excess general fund levy capacity for the ((1983)) next tax collection year and add that same amount to the resident school district's excess general fund levy capacity for the ((1983)) next tax collection year.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

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 high school district's total estimated AAFTE enrollment for 1981-82 as reported on the district's F-203 for 1981-82 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 reported on the district's F-203 for 1981-82 and multiply that amount by ten percent.
 - (ii) Determine the high school district's 1981-82 school year's allocations pursuant to WAC 392-139-031 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 reported on the district's F-203 for 1982-83 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)(c) 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 from the 1981-82 school year is less than the estimated number of such students reported on the prior Form P-213 for that year.
 - (d)) Determine the actual billing for nonhigh attendance in the prior school year by:
 - (a) Dividing the high school district's excess general fund levy as certified to be collected in the current tax collection year by;
 - (b) The total actual resident AAFTE enrollment for the prior school year; and
 - (c) Multiply by the nonhigh actual AAFTE enrollment as reported on Form P-213 for the prior school year.
 - (2) Determine the estimated billing for nonhigh attendance in the prior school year by:
 - (a) Dividing the excess general fund levy for the high school district as certified to be collected in the current tax collection year by;
 - (b) The total estimated resident AAFTE enrollment for the prior school year; and
 - (c) Multiply by the estimated nonhigh AAFTE enrollment shown on Form P-213 for the prior school year.
 - (3) Determine the transfer of total capacity attributable to nonhigh enrollment in the current school year by:
 - (a) Dividing the excess general fund levy for the high school district prior to any adjustment for nonhigh enrollment authorized by the superintendent of public instruction for collection in the next tax collection year by;
 - (b) The total estimated AAFTE enrollment as shown on Form F-203 for the current school year; and
 - (c) Multiply by the estimated nonhigh AAFTE enrollment shown on Form-213 for the current school year.
 - (4) Determine the total adjustment for nonhigh enrollment by adding the amounts calculated in subsections (1) and (3) of this section and subtract the amount calculated in subsection (2) of this section.
 - (5) The amount of levy capacity to be transferred from a high school district to a nonhigh district shall be reduced the same amount as any voluntary reduction in the billing by the high school district in accordance with ((sections 5, 7 and 10, chapter 264, Laws of 1981)) chapter 28A.44 RCW and RCW 84.52.0531.

(c) Multiply by the nonhigh actual AAFTE enrollment as reported on Form P-213 for the prior school year.

(2) Determine the estimated billing for nonhigh attendance in the prior school year by:

(a) Dividing the excess general fund levy for the high school district as certified to be collected in the current tax collection year by;

(b) The total estimated resident AAFTE enrollment for the prior school year; and

(c) Multiply by the estimated nonhigh AAFTE enrollment shown on Form P-213 for the prior school year.

(3) Determine the transfer of total capacity attributable to nonhigh enrollment in the current school year by:

(a) Dividing the excess general fund levy for the high school district prior to any adjustment for nonhigh enrollment authorized by the superintendent of public instruction for collection in the next tax collection year by;

(b) The total estimated AAFTE enrollment as shown on Form F-203 for the current school year; and

(c) Multiply by the estimated nonhigh AAFTE enrollment shown on Form-213 for the current school year.

(4) Determine the total adjustment for nonhigh enrollment by adding the amounts calculated in subsections (1) and (3) of this section and subtract the amount calculated in subsection (2) of this section.

(5) The amount of levy capacity to be transferred from a high school district to a nonhigh district shall be reduced the same amount as any voluntary reduction in the billing by the high school district in accordance with ((sections 5, 7 and 10, chapter 264, Laws of 1981)) chapter 28A.44 RCW and RCW 84.52.0531.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-038 NOTIFICATION OF MAXIMUM LEVY COLLECTION AMOUNTS. ((1)) Notification of maximum levy collection amounts for 1982 tax collections. Pursuant to this chapter, the division of financial services, superintendent of public instruction, shall prior to the first Wednesday following the first Monday in October in cases where county treasurers' reports are completed on a timely basis and within ten days after the superintendent of public instruction receives complete data from county treasurers' reports which are late, 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 1982 calendar year. PROVIDED, That in cases in which school districts qualify for additional levy capacity pursuant to WAC 392-139-026, such levy capacity shall be subject to reduction if the second extraordinary session of the forty-seventh legislature, if convened, appropriates additional monies for the 1981-83 basic education allocation, or of a superior court or the state supreme court has issued an order effectively prohibiting the reduction of the common school appropriation for 1981-83 in whole or in part. PROVIDED FURTHER, That such legislative action or court decision occurs on or before December 15, 1981. The superintendent of public instruction shall calculate the reduced maximum additional levy capacity for 1982 tax collections pursuant to WAC 392-139-026 using the new dollar amounts. The superintendent shall notify each affected school district, county assessor and chairman of the board of county commissioners of such reduced capacity within fifteen days following either adjournment sine die or a court decision.

((2)) Notification of maximum levy collection amounts for ((1983)) calendar years 1984 through 1989 tax collections. Pursuant to this chapter, the division of financial services, superintendent of public instruction, shall prior to the first Wednesday following the first Monday in October ((in cases where county treasurers' reports are completed on a timely basis and within ten days after the superintendent of public instruction receives complete data from county treasurers' reports which are late;)) 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 ((1983)) calendar years 1984 through 1989.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 392-139-019 DETERMINATION OF TOTAL GENERAL FUNDING CAPACITY FOR 1983 TAX COLLECTIONS.

(2) WAC 392-139-027 DETERMINATION OF ADDITIONAL EXCESS GENERAL FUND LEVY CAPACITY FOR 1983 COLLECTIONS.

WSR 83-20-086
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Order 83-15—Filed October 5, 1983]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Finance—Maintenance and operation levy limits, chapter 392-139 WAC.

I, Frank B. Brouillet, find that an emergency exists and that this 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 the emergency is in order for counties to certify levies for 1984 collection, these rules need to be in effect during October.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 84.52.053(7) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED October 4, 1983.

By Frank B. Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

WAC 392-139-001 AUTHORITY. (~~Rules and regulations hereinafter set forth are established pursuant to~~) The authority for this chapter is RCW 84.52.053(7) (otherwise known as the) which authorizes the superintendent of public instruction to promulgate rules and regulations regarding the limitation of local school district special (levy limitation) levies otherwise known as the "Special Levy Lid Law."

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

WAC 392-139-005 PURPOSE. The purpose of this chapter 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 calendar years (~~1982 and 1983~~) 1984 through 1989.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-010 ESTABLISHMENT OF THE MAXIMUM DOLLAR AMOUNT OF SCHOOL DISTRICT LEVIES—GENERAL. 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 (~~1982 and 1983~~) 1984 through 1989 shall be established annually in accordance with the following general procedures:

(1) Only figures and data gathered and approved by the superintendent of public instruction, or his or her designee, shall be used.

(2) Notice of the levy amount determined for each school district pursuant to this chapter shall be provided to each affected school district, county assessor and chairman of the board of county commissioners according to the schedule established in WAC 392-139-038.

(3) 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.

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

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 10385.~~

(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 the school 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))~~ (2) "F-203" shall mean the annual document prescribed by the superintendent of public instruction which school districts use to estimate state revenues and which is attached to each school district F-195 (annual budget) by the educational service district.

~~((6))~~ (3) "Report 1191" 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.

~~((7))~~ (4) "Report 1191E" 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.

~~((8))~~ (5) "Report 1197" 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.

~~((9))~~ "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.

(10) "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.~~

~~((11)) "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.))~~

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-017 ADDITIONAL DEFINITIONS. As used in this chapter, the terms:

(1) "P-213" shall mean the form entitled report of 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 392-139-037.

(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 pursuant to WAC 392-139-036.

(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. 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))~~ (6) "Prior school year" shall mean the school year immediately preceding the current school year.

~~((8))~~ (7) "Next tax collection year" shall mean the calendar year immediately succeeding the current calendar year.

~~((9))~~ (8) "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 ex. sess. (the Biennial Appropriations Act).)

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

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)~~) revenue account in which are recorded state monies 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)~~) transportation vehicle fund revenue account in which are recorded state monies 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)~~) revenue account in which are recorded state monies 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)~~) revenue account in which are recorded state 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)~~) revenue account in which are recorded state 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)~~) revenue account in which are recorded state 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)~~) revenue account in which are recorded state 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 classifications)~~) revenue account 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, 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)~~) revenue account 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, chapter 340, Laws of 1981, the Biennial Appropriations Act).

(10) "Special levy override percentage" shall mean that percentage calculated by the following:

(a) Divide the district's 1982 maximum special levy capacity by the sum of the district's 1980-81 basic education allocation, and the sum of the allocations made from the state general fund in the school district general fund revenue accounts 3020, 3030, 3243, 3244, 3245 and the school district transportation vehicle fund revenue account 3021; and

(b) Multiply this percentage minus ten percent by the following factor for the appropriate tax collection year:

Tax Collection Year	Factor
1983	7/7
1984	6/7
1985	5/7
1986	4/7
1987	3/7
1988	2/7
1989	1/7

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

WAC 392-139-022 **DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY ATTRIBUTABLE TO LESS THAN ONE HUNDRED PERCENT FUNDING OF THE BASIC EDUCATION ALLOCATION FORMULA.** The dollar amount or capacity of each school district's general fund excess levy authorized for the ~~(1983)~~ 1984 tax collection year

may be increased over the amount determined in WAC 392-139-021 by the difference between the basic education allocation at one hundred percent of formula and the actual basic education allocation minus any reductions pursuant to section 65, chapter 11, Laws of 1982 2nd ex. sess. ((and deferrals of receipts pursuant to RCW 28A.48.010:))

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-026 DETERMINATION OF ADDITIONAL EXCESS GENERAL FUND LEVY CAPACITY ((FOR 1982 TAX COLLECTIONS)). ((+)) General. The dollar amount or capacity of each school district's general fund excess levy authorized for the 1982 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 1981-82 school year as of August 31, plus the estimated current school year general fund excess property tax capacity levy which would otherwise be placed in accounts 1000 and 3170 as limited pursuant to WAC 392-139-021, is less than the estimated potential 1981-82 school year dollar amount for basic education as established in subsection (2) of this section.

(2) Determination of whether or not a school district qualifies for additional excess general fund levy capacity. The establishment of the potential 1981-82 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) To determine the district's 1980-81 school year dollar amount per student:

(i) Add the dollar amounts in the school district's 1980-81 school year general fund revenue accounts 1000 and 3170 as reported in the August 1981 county treasurer's monthly report, the school district's 1980-81 basic education allocation as reported on the August 31, 1981, Report 1191 and the mandated restricted cash, if any, for the 1980-81 school year;

(ii) Divide the total obtained in (i) above by the 1980-81 AAFTE students; and

(iii) Multiply the quotient obtained in (ii) above by one hundred six percent.

(b) Determine the district's estimated potential aggregate 1981-82 school year dollar amount as follows:

(i) Multiply the district's estimate of 1981-82 school year's AAFTE students by the dollar amount per student calculated in (a) of this subsection;

(ii) Multiply one half the estimated number of enrollment decline students by the dollar amount per student obtained in (a) (ii) above; and

(iii) Add the products obtained in (i) and (ii) above.

(c) Determine the district's 1981-82 school year dollar amount without funds from additional levy capacity calculated pursuant to this section by combining the district's estimated 1981-82 school year's basic education allocation as reported to the superintendent of public instruction on the F-203 for 1981-82 with the estimated fall tax collection amount from the 1981 excess general fund property tax levy and the estimated amount of

spring tax collections for the 1982 tax levy limited pursuant to WAC 392-139-021 and 392-139-031.

(d) Determine the district's estimated additional potential dollar level for the 1981-82 school year by subtracting the total obtained in (c) of this subsection from the total obtained in (b) of this subsection.

(e) Determine the district's estimated additional excess general fund levy capacity for the 1982 tax collection year, if any, by dividing the amount obtained in (d) of this subsection, if greater than zero, by the spring tax collection percentage.) General. The dollar amount or capacity of each school district's general fund excess levy authorized for collection in calendar years 1984 through 1989 may be increased over the amount determined in WAC 392-139-021 and 392-139-031 to the extent calculated as follows:

(1) Determine the sum of the amounts of the prior school year's basic education allocation converted to one hundred percent of formula and allocations made from the state general fund in the prior school year in school district general fund revenue accounts 3020, 3030, 3300, and 3343 and the school district transportation vehicle fund revenue account 3021; and

(2) Multiply the dollar amount obtained in subsection (1) of this section by the pertinent special levy override percentage.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-031 DETERMINATION OF EXCESS GENERAL FUND LEVY CAPACITY ATTRIBUTABLE TO STATE-FUNDED CATEGORICAL PROGRAMS. ((+)) For 1982 tax collections, the dollar amount of each school district's general fund excess levy authorized pursuant to this chapter shall be determined by summing allocations made from the state general fund to the school district by the superintendent of public instruction for 1980-81 in school district general fund revenue accounts 3020, 3021, 3030, 3220, 3243, 3244 and 3245 as reported on the August 31, 1981, Report 1197 and multiplying the total obtained by ten percent.

(2)) For ((1983)) tax collection((s,)) years 1984 through 1989 the dollar amount of each school district's general fund excess levy authorized pursuant to this chapter shall be determined by summing allocations made from the state general fund to each school district by the superintendent of public instruction for ((1981-82)) the prior school year in school district general fund revenue accounts 3020, ((3021,)) 3030, 3300 and 3343 and the transportation vehicle fund revenue account 3021 as reported on the August 31, 1982, Report 1197 and multiplying the total obtained by ten percent.

AMENDATORY SECTION (Amending Order 83-6, filed 8/17/83)

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. ((1) Districts limited to ten percent excess general fund levy capacity. In cases where a student resides in one school district (resident school district) but attends school in another school district (nonresident school district) for the 1981-82 school year pursuant to 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 1983 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:~~

~~(a) Determine the nonresident school district's 1981-82 school year basic education allocation per AAFTE as of August 31.~~

~~(b) Multiply the amount obtained in (a) of this subsection by ten percent.~~

~~(c) For each AAFTE student enrolled in a nonresident school district, deduct the amount obtained in (b) of this subsection from the nonresident school district's excess general fund levy capacity for the 1983 tax collection year and add that same amount to the resident school district's excess general fund levy capacity for the 1983 tax collection year.~~

~~(2) Districts permitted excess general fund levy capacity in addition to the ten percent capacity.) In cases where a student resides in one school district (resident school district) but attends school in another school district (nonresident school district) ((for the 1980-81 school year)) pursuant to 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 ((1983)) 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:~~

~~((a)) (1) Determine the nonresident school district's ((1980-81 school year basic education allocation per AAFTE as of August 31)) general fund excess levy capacity for the next tax collection year prior to adjustment for nonresident enrollment.~~

~~((b) Multiply) (2) Divide the amount obtained in ((a)) subsection (1) of this ((subsection)) section by ((ten percent)) the nonresident school district's total actual AAFTE enrollment in the prior school year.~~

~~((c)) (3) For each actual AAFTE student enrolled in the prior school year in a nonresident school district, deduct the amount obtained in ((b)) subsection (2) of this ((subsection)) section from the nonresident school district's excess general fund levy capacity for the ((1983)) next tax collection year and add that same amount to the resident school district's excess general fund levy capacity for the ((1983)) next tax collection year.~~

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

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 high school district's total estimated AAFTE enrollment for 1981-82 as reported on the district's F-203 for 1981-82 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 reported on the district's F-203 for 1981-82 and multiply that amount by ten percent.~~

(ii) ~~Determine the high school district's 1981-82 school year's allocations pursuant to WAC 392-139-031 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 reported on the district's F-203 for 1982-83 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 from the 1981-82 school year is less than the estimated number of such students reported on the prior Form P-213 for that year.

(d)) Determine the actual billing for nonhigh attendance in the prior school year by:

(a) Dividing the high school district's excess general fund levy as certified to be collected in the current tax collection year by:

(b) The total actual resident AAFTE enrollment for the prior school year, and

(c) Multiply by the nonhigh actual AAFTE enrollment as reported on Form P-213 for the prior school year.

(2) Determine the estimated billing for nonhigh attendance in the prior school year by:

(a) Dividing the excess general fund levy for the high school district as certified to be collected in the current tax collection year by:

(b) The total estimated resident AAFTE enrollment for the prior school year, and

(c) Multiply by the estimated nonhigh AAFTE enrollment shown on Form P-213 for the prior school year.

(3) Determine the transfer of total capacity attributable to nonhigh enrollment in the current school year by:

(a) Dividing the excess general fund levy for the high school district prior to any adjustment for nonhigh enrollment authorized by the superintendent of public instruction for collection in the next tax collection year by:

(b) The total estimated AAFTE enrollment as shown on Form F-203 for the current school year, and

(c) Multiply by the estimated nonhigh AAFTE enrollment shown on Form-213 for the current school year.

(4) Determine the total adjustment for nonhigh enrollment by adding the amounts calculated in subsections (1) and (3) of this section and subtract the amount calculated in subsection (2) of this section.

(5) The amount of levy capacity to be transferred from a high school district to a nonhigh district shall be reduced the same amount as any voluntary reduction in the billing by the high school district in accordance with ((sections 5, 7 and 10, chapter 264, Laws of 1981)) chapter 28A.44 RCW and RCW 84.52.0531.

AMENDATORY SECTION (Amending Order 81-31, filed 9/29/81, effective 12/27/81)

WAC 392-139-038 NOTIFICATION OF MAXIMUM LEVY COLLECTION AMOUNTS. ((+)) Notification of maximum levy collection amounts for 1982 tax collections. Pursuant to this chapter, the division of financial services, superintendent of public instruction, shall prior to the first Wednesday following the first Monday in October in cases where county treasurers' reports are completed on a timely basis and within ten days after the superintendent of public instruction receives complete data from county treasurers' reports which are late, 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 1982 calendar year. PROVIDED, That in cases in which school districts qualify for additional levy capacity pursuant to WAC 392-139-026, such levy capacity shall be subject to reduction if the second extraordinary session of the forty-seventh legislature, if convened, appropriates additional monies for the 1981-83 basic education allocation, or of a superior court or the state supreme court has issued an order effectively prohibiting the reduction of the common school appropriation for 1981-83 in whole or in part. PROVIDED FURTHER, That such legislative action or court decision occurs on or before December 15, 1981. The superintendent of public instruction shall calculate the reduced maximum additional levy capacity for 1982 tax collections pursuant to WAC 392-139-026 using the new dollar amounts. The superintendent shall notify each affected school district, county assessor and chairman of the board of county commissioners of such reduced capacity within fifteen days following either adjournment sine die or a court decision.

(2)) Notification of maximum levy collection amounts for ((1983)) calendar years 1984 through 1989 tax collections. Pursuant to this chapter, the division of financial services, superintendent of public instruction, shall prior to the first Wednesday following the first Monday in October ((in cases where county treasurers' reports are completed on a timely basis and within ten days after the superintendent of public instruction receives complete data from county treasurers' reports which are late,)) 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 ((1983)) calendar years 1984 through 1989.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 392-139-019 DETERMINATION OF TOTAL GENERAL FUNDING CAPACITY FOR 1983 TAX COLLECTIONS.

(2) WAC 392-139-027 DETERMINATION OF ADDITIONAL EXCESS GENERAL FUND LEVY CAPACITY FOR 1983 COLLECTIONS.

WSR 83-20-087

PROPOSED RULES

PARKS AND RECREATION

COMMISSION

[Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning standard fees charged, WAC 352-32-250; limited income senior citizen, disability and veteran disability passes, WAC 352-32-251; and off season senior citizen pass—Fee, WAC 352-32-252;

that the agency will at 9:00 a.m., Thursday, November 17, 1983, in the Pacific First Savings and Loan Bank, Bellingham, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 43.51.055 and 43.51.060.

The specific statute these rules are intended to implement is RCW 43.51.055 and 43.51.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 14, 1983.

Dated: October 5, 1983

By: Gary Robinson
Executive Assistant

STATEMENT OF PURPOSE

Title: Standard fees charged, WAC 352-32-250; Limited income senior citizen, disability, and veteran disability passes, WAC 352-32-251; and Off season senior citizen pass—Fee, WAC 352-32-252.

Description of Purpose: The rules clarify the procedures by which the limited income senior citizen, disability, veteran disability, and off season senior citizen pass programs of the Washington State Parks and Recreation Commission are administered.

Statutory Authority: RCW 43.51.055 and 43.51.060.

Summary of Rule: The rules clarify the eligibility requirements, application process, and camping unit definition for the limited income senior citizen, disability, veteran disability, and off season senior citizen pass programs of the Washington State Parks and Recreation Commission.

Reasons Supporting Proposed Action: The rules provide applicants for the pass programs referenced above with clarified procedures by which the Washington State Parks and Recreation Commission will administer the programs.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dennis Smith, Assistant Director, Administrative Services, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington, 98504, (206) 753-5766.

Proposing: Washington State Parks and Recreation Commission.

Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: [No information supplied by agency]

Federal Law/Court Action: The adoption of the rules referenced above is not necessary because of federal law or state court action.

AMENDATORY SECTION (Amending Resolution No. 67, filed 4/15/83)

WAC 352-32-250 STANDARD FEES CHARGED. The following fees shall be charged in all parks operated by the Washington state parks and recreation commission:

- (1) Overnight camping – standard campsite: \$5.50 per night;
- (2) Overnight camping – utility campsite: \$5.50 per night plus a nightly fee of \$.50 for domestic water hookup, \$.50 for sewer hookup, and \$1.50 for electrical hookup. Payment for all utility hookups available to the site will be collected whether utility is actually used or not;

(3) Overnight camping – primitive campsite: \$3.00 per night for nonmotorized vehicle and \$4.00 per night for motorized vehicle;

(4) Overnight camping – reservation fee: As specified in WAC 352-32-035;

(5) Group camping area – certain parks: \$.35 per person per night; nonrefundable reservation fee – \$10.00. Recreational vehicle campers must pay the primitive campsite fee or other appropriate fee based on facilities available;

(6) Environmental learning center – overnight camping: \$2.50 per camper per night: PROVIDED, HOWEVER, The fee shall be \$2.85 per camper per night, effective September 6, 1983;

(a) Camp Wooten and Cornet Bay environmental learning centers during the season the swimming pools are operational: \$2.90 per camper per night: PROVIDED, HOWEVER, The fee shall be \$3.25 per camper per night, effective September 6, 1983;

(b) Environmental learning center – day use only: \$1.00 multiplied by the minimum capacity established for each environmental learning center or \$1.00 for each member of the group – whichever is higher;

(7) Hot showers: \$.25 for a minimum of six minutes shower time;

(8) Electric stoves: \$.25 for thirty minutes cooking time;

(9) ~~((Senior citizens pass: \$12.00 per season (from September 15 through April 30). This fee will provide a maximum of 30 camping nights in one season. A nightly surcharge equal to the fee for electrical hookup established in subsection (2) of this section will be added for the use of an electrical hookup;~~

~~(10) Washington senior citizens and disabled or handicapped persons found eligible under RCW 43.51.055 shall be entitled to the issuance of an annual free pass entitling the card holder and his "camping unit" to free admission to any state park administered facility and fifty percent discount on any camping fees levied by the commission. Military veterans found eligible under RCW 43.51.055 shall be entitled to receive a lifetime free pass entitling the pass holder and his "camping unit" to free admission to any state park administered facility and free use of any campsite within the state park;~~

~~(a) A camping unit includes the pass holder and guest or guests in one car or one recreational vehicle per overnight campsite. A greater number may be authorized in specific areas when constructed facilities so warrant;~~

~~(b) Persons traveling by bicycle or motor bike, or mode of transportation other than those referenced above, and who are utilizing overnight campsites, shall be limited to six persons per site;~~

~~(c) These guidelines will also apply to group camping and emergency areas;~~

~~((11)) Adirondacks – not to include those located in ELC areas: Same as fee charged for full utility campsite. Occupancy shall be limited to the number of built-in bunks provided;~~

~~((12)) (10) Extra vehicle charge: \$2.00 per night for each additional unhitched vehicle in excess of the one recreational vehicle allowed at each campsite: PROVIDED, An extra vehicle charge shall not be imposed when the recreational vehicle and the towed vehicle arrive at the park hitched together, and after the camper has registered for and occupied the assigned campsite either the recreational vehicle or the towed vehicle remain parked at the campsite for the duration of the camper's stay;~~

~~((13)) (11) Marine park moorage facilities – see WAC 352-12-020 and 352-12-030.~~

~~These fees do not apply in those circumstances set forth in WAC 352-32-280 and 352-32-285 as now or hereafter amended.~~

NEW SECTION

WAC 352-32-251 LIMITED INCOME SENIOR CITIZEN, DISABILITY, AND VETERAN DISABILITY PASSES. (1) (a) Persons who are senior citizens, meet the eligibility requirements of RCW 43.51.055, and have been residents of Washington state for at least one year shall, upon application to the commission, receive an annual limited income senior citizen pass at no charge which entitles the holder and the holder's camping unit to free admission to any state park administered facility and to a fifty percent reduction in any campsite fees levied by the commission.

(b) Applications for limited income senior citizen passes shall be accepted only after November 30 for the following year.

(2) Persons who are permanently disabled, legally blind, or profoundly deaf, meet the eligibility requirements of RCW 43.51.055, and have been residents of Washington state for at least one year shall, upon application to the commission, receive a five year disability pass at no charge and other disabled persons who meet the eligibility requirements of RCW 43.51.055 and have been residents of Washington

state for at least one year shall, upon application to the commission, receive a one year disability pass which entitles the holder and the holder's camping unit to free admission to any state park administered facility and to a fifty percent reduction in any campsite fees levied by the commission.

(3) Persons who are veterans, meet the eligibility requirements of RCW 43.51.055, and have been residents of Washington state for at least one year shall, upon application to the commission, receive a lifetime veteran disability pass at no charge which entitles the holder and the holder's camping unit to free admission to any state park administered facility and to free use of any state park campsite.

(4) Applications for limited income senior citizen, disability, and veteran disability passes shall be made on forms prescribed by the commission.

(5) For pass holders who travel by car or recreational vehicle a camping unit shall include the pass holder and up to seven guests of the holder who travel with the holder and use one campsite or portion of a designated group camping or emergency area. One additional vehicle without built-in sleeping accommodations may be part of the camping unit of a holder at one campsite or portion of a designated group camping or emergency area when in the judgment of a ranger the constructed facilities so warrant and the total number of guests of the holder do not exceed seven.

(6) For pass holders who travel by a mode of transportation other than car or recreational vehicle a camping unit shall include the pass holder and up to five guests who travel with the holder and use one campsite or portion of a designated group camping or emergency area.

(7) If the conditions of a pass holder change during the time period when a pass is valid such that a pass holder no longer meets the eligibility requirements of RCW 43.51.055 and WAC 352-32-251, then a pass holder shall return a pass to the commission.

NEW SECTION

WAC 352-32-252 OFF SEASON SENIOR CITIZEN PASS—FEE. (1) Persons who are senior citizens, are at least sixty-two years of age, and have been residents of Washington state for at least one year shall, upon application to the commission, receive an off-season citizen pass which entitles the holder and the holder's camping unit to thirty nights of camping at any camping areas made available by the commission between September 15 and April 30. Each such pass shall be valid only during one off-season period and may be renewed after being used for thirty nights of camping.

(2) Applications for off-season senior citizen passes shall be made on forms prescribed by the commission and shall be accepted only after September 1 for the following off-season period.

(3) The fee for each off-season senior citizen pass and renewal shall be \$12.00. A surcharge equal to the fee for an electrical hookup established in WAC 352-32-250 shall be assessed for each night an off-season senior citizen pass holder uses a campsite with an electrical hookup.

(4) For pass holders who travel by car or recreational vehicle a camping unit shall include the pass holder and up to seven guests of the holder who travel with the holder and use one campsite or portion of a designated group camping or emergency area. One additional vehicle without built-in sleeping accommodations may be part of the camping unit of a holder at one campsite or portion of a designated group camping or emergency area when in the judgment of a ranger the constructed facilities so warrant and the total number of guests of the holder do not exceed seven.

(5) For pass holders who travel by a mode of transportation other than car or recreational vehicle a camping unit shall include the pass holder and up to five guests who travel with the holder and use one campsite or portion of a designated group camping or emergency area.

(6) If a pass holder changes residency to a place outside Washington state during the time period when a pass is valid, the pass holder shall return a pass to the commission.

WSR 83-20-088
PROPOSED RULES
PARKS AND RECREATION
COMMISSION

[Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning public records, WAC 352-40-030 and 352-40-070;

that the agency will at 9:00 a.m., Thursday, November 17, 1983, in the Pacific First Savings and Loan Bank, Bellingham, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 42.17.250.

The specific statute these rules are intended to implement is RCW 42.17.250.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 14, 1983.

Dated: October 5, 1983

By: Gary Robinson

Executive Assistant

STATEMENT OF PURPOSE

Title: Description of central and field organization of the Washington State Parks and Recreation Commission, WAC 352-40-030 and Office hours, WAC 352-40-070.

Description of Purpose: The rules indicate the places at which the public may obtain information, make submittals or requests, or obtain copies of the decisions of the Washington State Parks and Recreation Commission.

Statutory Authority: RCW 42.17.250.

Summary of Rule: The rules identify the five regional offices of the Washington State Parks and Recreation Commission at which the public may obtain information, make submittals or requests, or obtain copies of the decisions of the commission.

Reasons Supporting Proposed Action: The action fulfills the duty of the Washington State Parks and Recreation Commission to publish public record procedures as specified in RCW 42.17.250.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Yvonne Ferrell, Deputy Director, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Olympia, Washington 98504, (206) 753-2010.

Proposing: Washington State Parks and Recreation Commission.

Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: [No information supplied by agency]

Federal Law/Court Action: The adoption of the rules referenced above is not necessary because of federal law or state court action.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-030 DESCRIPTION OF CENTRAL AND FIELD ORGANIZATION OF THE WASHINGTON STATE PARKS AND RECREATION COMMISSION. ((+)) The commission is an appointed commission. The administrative office of the commission and its staff are located at Tumwater Airdustrial Center, Olympia, Washington. ((Three)) Five regional offices with limited records availability, as specified in WAC 352-40-070, are located at Millersylvania State Park, Olympia, Washington; 220 Walnut Street, Burlington, Washington; ((and 960 North Main, East)) 2201 North Duncan Drive, Wenatchee, Washington; Sacajawea State Park, Pasco, Washington; and 3107 "R" Street S.E., Auburn, Washington.

AMENDATORY SECTION (Amending Order 15, filed 7/25/73)

WAC 352-40-070 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the commission. For the purposes of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. All public records of the commission are located at the Olympia headquarters office of the commission. In addition, certain specific records such as commission minutes, commission statements of policy, administrative staff manuals, and instructions to staff emanating from the commission, director, deputy director, and assistant directors can be obtained at the ((three)) five regional offices identified in WAC 352-40-030((+)). All other requests will be referred to the headquarters office located in Olympia through use of the "Request for Public Information" form, WAC 352-40-900.

WSR 83-20-089
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed October 5, 1983]

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 vessel registration and certificates of title, adding new chapter 308-93 WAC, adopting WAC 308-93-010, 308-93-020, 308-93-030, 308-93-040, 308-93-050, 308-93-060, 308-93-070, 308-93-080, 308-93-090, 308-93-100, 308-93-110, 308-93-120, 308-93-130, 308-93-140, 308-93-150, 308-93-160, 308-93-170, 308-93-180, 308-93-190, 308-93-200, 308-93-210, 308-93-220, 308-93-230, 308-93-240, 308-93-250, 308-93-260, 308-93-270, 308-93-280, 308-93-290, 308-93-300, 308-93-320, 308-93-330, 308-93-340, 308-93-350, 308-93-360, 308-93-370, 308-93-380, 308-93-390, 308-93-400, 308-93-410, 308-93-420, 308-93-430, 308-93-440, 308-93-450, 308-93-460, 308-93-470, 308-93-480, 308-93-490, 308-93-500, 308-93-510, 308-93-520, 308-93-530, 308-93-540, 308-93-550, 308-93-560, 308-93-570, 308-93-580, 308-93-590, 308-93-600, 308-93-610, 308-93-620, 308-93-630 and 308-93-640;

that the agency will at 10:00 a.m., Wednesday, November 16, 1983, in the Office Building #2 Auditorium, 12th and Franklin, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is section 20, chapter 7, Laws of 1983, and section 46, chapter 3, Laws of 1983 2nd ex. sess.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 15, 1983.

Dated: October 5, 1983

By: Greg Duras

Assistant Attorney General

STATEMENT OF PURPOSE

Title: New sections WAC 308-93-010 Definitions; 308-93-020 Registration required; 308-93-030 Vessels subject to excise tax, registration and titling; 308-93-040 Vessels exempted from excise tax but required to be registered and titled; 308-93-050 Vessels exempted from registration, taxation and titling; 308-93-060 Registration period; 308-93-070 Application for title/registration; 308-93-080 Registration certificate; 308-93-090 Rented or leased vessels; 308-93-100 Retention of registration certificate for leased or rented vessels; 308-93-110 Vessels previously registered or titled in another state; 308-93-120 Transfer of certificate of title or registration; 308-93-130 Exemption for vessels undergoing repair or alteration; 308-93-140 Decals—Placement; 308-93-150 1983 property tax credit; 308-93-160 Excise tax exemptions—Indians; 308-93-170 Applications to agents—Transmittal to director; 308-93-180 Time of renewal of registration—Duration; 308-93-190 Prerequisite to issuance of vessel registration and decals; 308-93-200 Assigned certificate of title to be filed by department—Transfer of interest in vessel; 308-93-210 Procedure when department unsatisfied as to ownership and security interests; 308-93-220 Director may refuse or cancel certificate; 308-93-230 Procedure when security interest is granted on vessel; 308-93-240 Duplicate for lost, stolen, mutilated, etc., certificates; 308-93-250 Legal owner not liable for acts of registered owner; 308-93-260 State or director not liable for acts in administering chapter; 308-93-270 Appeals to superior court from suspension, revocation, cancellation or refusal of registration or certificate of title; 308-93-280 Procedure when identification number altered or obliterated; 308-93-290 Transfer of ownership, how perfected; 308-93-300 Original applications—Renewals—Fees—Preissuance, when; 308-93-310 Loss, defacement, or destruction of decals—Replacement fees; 308-93-320 Registration certificate and decals follow vessel on transfer; 308-93-330 Certificate of title—Application; 308-93-340 Commercial fishing vessels; 308-93-350 Incorrect endorsements or erasures; 308-93-360 Application for title required; 308-93-370 Form required for name and address—Owners in common; 308-93-380 Form required for name and address—Ownership in joint tenancy; 308-93-390 Vessels held in trust; 308-93-400 Two legal owners; 308-93-410 Refusal by department to release title; 308-93-420 Special mailing; 308-93-430 Release of interest; 308-93-440 Lack of proper release; 308-93-450 Signature of registered owner on application—Exception; 308-93-460 Releasing interest; 308-93-470 Certification of signature; 308-93-480 Certification of signature—Departmental employees; 308-93-490 Sheriff's sale; 308-93-500 Name change; 308-93-510 Transfer by court order; 308-93-520 Owner deceased—Community property agreement;

308-93-530 Owner incompetent; 308-93-540 Owner bankrupt; 308-93-550 Owner deceased—Signature of personal representative; 308-93-560 Owner deceased—Will left; 308-93-570 Owner deceased—No will left; 308-93-580 Owner deceased—To spouse "in lieu of homestead"; 308-93-590 Owner deceased—In name of estate; 308-93-600 Owner deceased—Estate not administered; 308-93-610 Security interest—When perfected; 308-93-620 Hull identification number required; 308-93-630 Assignment of hull identification number; and 308-93-640 Reciprocity.

Description of Purpose: The purpose of these rules is to implement the vessel registration laws found in chapter 7, Laws of 1983 and in chapter 3, Laws of 1983 2nd ex. sess., and to provide guidelines to the public and procedures under which the Department of Licensing, state of Washington will administer those rules regarding vessel titling, registration and taxation.

Statutory Authority: Section 20, chapter 7, Laws of 1983 and chapter 3, Laws of 1983 2nd ex. sess.

Summary of Proposed Rules and Reasons Supporting Action: WAC 308-93-010, this rule is necessary to ensure that all persons affected by vessel registration requirements have clear definitions from which to operate; WAC 308-93-020, clarifies and sets forth the requirements under the statute of circumstances under which vessels must be registered and pay excise tax in this state; WAC 308-93-030, provides clarification for determining which vessels are subject to tax registration and titling; WAC 308-93-040, provides clarification for determining which vessels are subject to registration and titling but not excise tax; WAC 308-93-050, provides clarification on which vessels are exempt from registration, titling and tax; WAC 308-93-060, specifies vessel registration periods clarifying how excise tax will be assessed; WAC 308-93-070, clarifies the registration and titling process for vessels by specifying application requirements; WAC 308-93-080, establishes a requirement on the Department of Licensing to issue a registration certificate and requires the vessel owner to place it in the vessel; providing enhanced enforcement of the vessel registration laws; WAC 308-93-090, clarifies the special procedures necessary for titling and registering rental or leased vessels; WAC 308-93-100, provides for retaining registration certificates for lease or rental vessels on shore and for carrying copies of rental agreements aboard vessels to enhance enforcement of vessel registration laws and for protection of owners; WAC 308-93-110, provides clarification for vessel owners who are transferring title or registration into Washington from another state by specifying documentation required; WAC 308-93-120, clarifies fee differences for transferring ownership interests with or without current registration; WAC 308-93-130, clarifies registration exemption for vessels in Washington solely for repair or alteration; WAC 308-93-140, clarifies placement requirements for vessel registration decals; WAC 308-93-150, clarifies procedures for applying 1983 property tax credits to vessel excise taxes; WAC 308-93-160, describes the exemption for certain Indians from payment of the vessel excise tax and delineates the affidavit of exemption which must be submitted with each vessel's

registration application as a condition precedent to exemption; WAC 308-93-170, clarifies forwarding requirements for title and registration applications for registration agents of the director of the Department of Licensing; WAC 308-93-180, clarifies when vessel registration and decals may be renewed and displayed; WAC 308-93-190, clarifies the vessel titling prerequisite to registration and decal issuance; WAC 308-93-200, clarifies vessel title filing requirements for the Department of Licensing to provide for tracing vessel ownership and specifies procedures for vessel owners to notify the department of transfer of interests in vessels; WAC 308-93-210, clarifies procedures for satisfying the Department of Licensing as to ownership or security interests in order to enable vessel titling; WAC 308-93-220, clarifies when the director of the Department of Licensing may refuse to issue or may cancel vessel certificates of title and registration for vessels; WAC 308-93-230, clarifies procedures for owners of vessels and for the Department of Licensing when security interests are granted or removed from vessel titles; WAC 308-93-240, clarifies procedures to be followed by vessel owners and the Department of Licensing in event of lost, stolen, mutilated, destroyed or illegible certificates of title or registration; WAC 308-93-250, clarifies that legal owners of vessels do not thereby incur liability for acts of the registered owner; WAC 308-93-260, clarifies that the director of the Department of Licensing and the state are not liable for acts in administering the vessel registration, titling and taxation laws; WAC 308-93-270, clarifies procedures for appealing to superior court, suspension, revocation, cancellation, or refusal of registration or certificate of title; WAC 308-93-280, clarifies procedures for titling and registration in event of absent, altered, removed, obliterated or defaced vessel identification numbers; WAC 308-93-290, clarifies requirements and procedures for perfecting transfer of vessel ownership; WAC 308-93-300, clarifies procedures for vessel registration and renewal of registration; WAC 308-93-310, clarifies procedures for acquiring new vessel decals in event they become lost, defaced, destroyed, illegible, or difficult to distinguish; WAC 308-93-320, clarifies that upon sale or transfer of vehicle ownership, vessel certificates, decals, and numbers shall pass to purchasers; WAC 308-93-330, clarifies procedures for application for certificates of title for vessels; WAC 308-93-340, clarifies exemption for commercial fishing vessels from registration and taxation; WAC 308-93-350, clarifies procedures in event of incorrect endorsements, erasures, or erroneously named purchasers on vessel titles or applications; WAC 308-93-360, clarifies when applications for vessel titles are required; WAC 308-93-370, clarifies when persons will be treated as owners in common if more than one person is shown on vessel title application or addendums; WAC 308-93-380, clarifies vessel title application requirements to create ownership in joint tenancy; WAC 308-93-390, clarifies title application and transfer requirements for vessels held in trust; WAC 308-93-400, clarifies procedures to release one of two legal owners from vessel titles; WAC 308-93-410, clarifies circumstances under which the Department of Licensing may refuse to release vessel titles; WAC 308-

93-420, clarifies how the Department of Licensing will mail vessel titles; WAC 308-93-430, clarifies procedures to be followed when vessel owners of record cannot release their interest on vessel titles; WAC 308-93-440, clarifies attachment requirements for vessel title applications where owners of record have not given endorsement or release of interest; WAC 308-93-450, clarifies owner signature requirement exceptions for vessel title applications; WAC 308-93-460, clarifies requirements for releasing interest in vessel ownership; WAC 308-93-470, clarifies vessel title signature certification requirements; WAC 308-93-480, specifies departmental employees authorized to certify signature; WAC 308-93-490, clarifies vessel titling procedures in event of sheriff's sale; WAC 308-93-500, clarifies vessel titling procedures when owners change their legal names; WAC 308-93-510, clarifies court ordered change of ownership vessel titling procedures; WAC 308-93-520, clarifies vessel titling procedures for surviving spouses of deceased vessel owners when a community property agreement exists; WAC 308-93-530, clarifies vessel titling procedures for releasing an incompetent vessel owner's interest; WAC 308-93-540, clarifies vessel titling procedures for releasing bankrupts' interests in vessels; WAC 308-93-550, clarifies vessel titling procedures for releasing deceased persons' interests in vessels; WAC 308-93-560, clarifies documents to be attached to applications for transfer of vessel titles when the vessel owners are deceased and a will is left; WAC 308-93-570, clarifies documents to be attached to applications for vessel certificates of title when the prior owners are deceased and no will is left; WAC 308-93-580, clarifies documents to be attached to applications for vessel certificates of title when the prior owners are deceased and the surviving spouses are awarded the vessel "in lieu of homestead"; WAC 308-93-590, clarifies procedures for titling vessels in the name of the estate of a deceased pending final settlement of the estate; WAC 308-93-600, clarifies procedures for releasing interests of deceaseds' estates in vessels when no wills are left and the estates will not be administered; WAC 308-93-610, clarifies when methods of perfecting security interests in vessels are effective; WAC 308-93-620, clarifies hull identification number requirements for vessels; WAC 308-93-630, clarifies when a hull identification number may be assigned by the Department of Licensing; and WAC 308-93-640, clarifies when reciprocity registration exemptions shall be given for vessels.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Sandra Brooks, Administrator, Title and Registration Control Division, Department of Licensing, Highways-Licenses Building, Olympia, WA 98504, (206) 234-6920 scan, (206) 753-6920 comm.

Proponents and Opponents: These rules are proposed by the Department of Licensing.

Agency Comments: These rules are promulgated pursuant to the authority granted to the Department of Licensing in chapter 7, Laws of 1983 and chapter 3, Laws of 1983 2nd ex. sess.

These rules were not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: A small business economic impact statement is not required and has not been filed since these rules do not impact any small business as that term is defined by RCW 43.31.920.

Chapter 308-93 WAC
VESSEL REGISTRATION AND CERTIFICATES OF TITLE

WAC	
308-93-010	Definitions.
308-93-020	Registration required.
308-93-030	Vessels subject to excise tax, registration and titling.
308-93-040	Vessels exempted from excise tax but required to be registered and titled.
308-93-050	Vessels exempted from registration, taxation and titling.
308-93-060	Registration period.
308-93-070	Application for title/registration.
308-93-080	Registration certificate.
308-93-090	Rented or leased vessels.
308-93-100	Retention of registration certificate for leased or rented vessels.
308-93-110	Vessels previously registered or titled in another state.
308-93-120	Transfer of certificate of title or registration.
308-93-130	Exemption for vessels undergoing repair or alteration.
308-93-140	Decals—Placement.
308-93-150	1983 Property tax credit.
308-93-160	Excise tax exemptions—Indians.
308-93-170	Applications to agents—Transmittal to director.
308-93-180	Time of renewal of registration—Duration.
308-93-190	Prerequisite to issuance of vessel registration and decals.
308-93-200	Assigned certificate of title to be filed by department—Transfer of interest in vessel.
308-93-210	Procedure when department unsatisfied as to ownership and security interests.
308-93-220	Director may refuse or cancel certificate.
308-93-230	Procedure when security interest is granted on vessel.
308-93-240	Duplicate for lost, stolen, mutilated, etc., certificates.
308-93-250	Legal owner not liable for acts of registered owner.
308-93-260	State or director not liable for acts in administering chapter.
308-93-270	Appeals to superior court from suspension, revocation, cancellation or refusal of registration or certificate of title.
308-93-280	Procedure when identification number altered or obliterated.
308-93-290	Transfer of ownership, how perfected.
308-93-300	Original applications—Renewals—Fees—Preissuance, when.
308-93-310	Loss, defacement, or destruction of decals—Replacement fee.
308-93-320	Registration certificate and decals follow vessel on transfer.
308-93-330	Certificate of title—Application.
308-93-340	Commercial fishing vessels.
308-93-350	Incorrect endorsements or erasures.
308-93-360	Application for title required.
308-93-370	Form required for name and address—Owners in common.
308-93-380	Form required for name and address—Ownership in joint tenancy.
308-93-390	Vessels held in trust.
308-93-400	Two legal owners.
308-93-410	Refusal by department to release title.
308-93-420	Special mailing.
308-93-430	Release of interest.
308-93-440	Lack of proper release.
308-93-450	Signature of registered owner on application—Exceptions.
308-93-460	Releasing interest.

308-93-470	Certification of signature.
308-93-480	Certification of signature—Departmental employees.
308-93-490	Sheriff's sale.
308-93-500	Name change.
308-93-510	Transfer by court order.
308-93-520	Owner deceased—Community property agreement.
308-93-530	Owner incompetent.
308-93-540	Owner bankrupt.
308-93-550	Owner deceased—Signature of personal representative.
308-93-560	Owner deceased—Will left.
308-93-570	Owner deceased—No will left.
308-93-580	Owner deceased—To spouse "in lieu of homestead."
308-93-590	Owner deceased—In name of estate.
308-93-600	Owner deceased—Estate not administered.
308-93-610	Security interest—When perfected.
308-93-620	Hull identification number required.
308-93-630	Assignment of hull identification number.
308-93-640	Reciprocity.

NEW SECTION

WAC 308-93-010 DEFINITIONS. Unless the context clearly provides otherwise, the following definitions apply to the rules in this chapter:

- (1) "Alien vessel" means a vessel owned by a resident of a country other than the United States or Canada.
- (2) "Carpenter certificate" means a certificate issued by a manufacturer describing the vessel for which such certificate is issued and certifying the first conveyance of said vessel after its manufacture.
- (3) "Commerce" means the transportation of goods, products, commodities, or passengers between specified points for which a fare or shipping cost is levied.
- (4) "Commercial fishing" means operating under a currently valid commercial or charter fishing license issued by the department of fisheries.
- (5) "Declaration of value form" means the department of revenue form used when a vessel is acquired by lease or gift, homemade or the most recent purchase price is not known to declare the value for purposes of assessing excise tax.
- (6) "Director" means the director of the department of licensing.
- (7) "Documented vessel" means a vessel that is documented by the United States Coast Guard and is issued a valid marine certificate.
- (8) "Exclusively" means solely and without exception.
- (9) "Foreign vessel" means a vessel owned by a resident of another state or a Canadian province registered in accordance with the laws of the state or province in which the owner resides.
- (10) "Legal owner" means a person, business, or institution having a security interest in a vessel perfected in accordance with RCW 46.12-.095 or the registered owner of a vessel unencumbered by a security interest or the lessor of a vessel unencumbered by a security interest.
- (11) "Lifeboat" means craft used exclusively for lifesaving purposes.
- (12) "Manufacturer's certificate of origin" means a certificate issued by a manufacturer describing the vessel for which such certificate is issued and certifying the first conveyance of said vessel after its manufacture.
- (13) "Overall length" means a straight line measurement of the overall distance from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins or boomkins, rudders, outboard motor brackets, outdrive units, propellers, and similar fittings or attachments are not included in the measurement.
- (14) "Prebill" means the notice to renew a vessel registration that is mailed by the department to the registered owner.
- (15) "Previous ownership document" means the last issued certificate of title and/or registration.
- (16) "Primarily" means the principal purpose for which a vessel is used when considered in conjunction with all of its uses.
- (17) "Propulsion machinery" means any device providing motion to a vessel through such means as combustion, steam, or electric machinery.
- (18) "Registered owner, owner," synonymous terms used interchangeably, mean a person who has a lawful right to possession of a vessel, whether or not the vessel is subject to a security interest.
- (19) "Secured party" means a lender, seller, or other person in whose favor there is a security interest, including a person to whom accounts, contracts rights, or chattel paper have been sold. When the holders of obligations issued under an indenture of trust, equipment

trust agreement or the like are represented by a trustee or other person, the representative is the secured party.

(20) "Tender" means craft used exclusively to furnish transportation from a larger vessel to shore and return.

(21) "Use of waters" means to navigate, operate, employ, or moor any vessel upon the waters of this state.

(22) "Valid marine document" means a document issued by the United States federal government which declares a vessel of five net tons or larger to be a documented vessel of the United States.

(23) "Vessel data form" means the information application completed by the applicant showing all required description data for the vessel registration and title.

(24) "Waters of this state" means any waters within the territorial limits of this state.

NEW SECTION

WAC 308-93-020 REGISTRATION REQUIRED. Vessel registration and payment of excise tax is required on any vessel placed upon the waters of this state unless specifically exempted by law.

NEW SECTION

WAC 308-93-030 VESSELS SUBJECT TO EXCISE TAX, REGISTRATION AND TITLING. The following vessels must be registered and titled and pay the excise tax if they are on or using the waters of this state.

All vessels sixteen feet or longer equipped with propulsive machinery or sails, unless specifically exempted, and the following:

- (1) Amphibious vessels (vehicles);
- (2) Houseboats;
- (3) Inflatable vessels with motors;
- (4) Ski type vessels (jet ski, wet bike, etc.) if sixteen feet or longer;
- (5) Livery vessels or any vessel rented or leased;
- (6) Racing vessels.

NEW SECTION

WAC 308-93-040 VESSELS EXEMPTED FROM EXCISE TAX BUT REQUIRED TO BE REGISTERED AND TITLED. The following vessels must be registered and titled but shall be exempt from the assessment of the excise tax:

- (1) Undocumented vessels used exclusively for commercial fishing purposes;
- (2) Vessels owned and operated by the United States, a state of the United States, or any municipality or political subdivision thereof;
- (3) Vessels owned by a nonprofit organization or association engaged in character building of boys and girls under eighteen years of age and solely used for such purposes, as determined by the department for the purposes of RCW 84.36.030;
- (4) Recreational type public vessels of the United States.

NEW SECTION

WAC 308-93-050 VESSELS EXEMPTED FROM REGISTRATION, TAXATION AND TITLING. The following vessels are exempt from registration, titling, and the assessment of excise tax:

- (1) Military or public vessels of the United States, except recreational-type public vessels;
- (2) Vessels owned by a state or subdivision thereof, used principally for governmental purposes and clearly identifiable as such;
- (3) Vessels owned by a resident of a country other than the United States or Canada if the vessel is not physically located upon the waters of this state for a period of more than sixty days;
- (4) Vessels owned by a resident of another state or a Canadian province if the vessel is registered in accordance with the laws of the state or province in which the owner resides, but only to the extent that a similar exemption or privilege is granted under the laws of that state or province for vessels registered in this state: PROVIDED, That any vessel which is validly registered in another state or a Canadian province and which is physically located in this state for a period of more than sixty days is subject to registration under this chapter;
- (5) Vessels propelled solely by oars or paddles;
- (6) A ship's lifeboat used solely for lifesaving purposes;
- (7) All vessels under sixteen feet in length or whose primary propulsion is human power;
- (8) Vessels equipped with propulsion machinery of less than ten horsepower that:

(a) Are owned by the owner of a vessel for which a valid vessel number has been issued;

(b) Display the number of that numbered vessel followed by the suffix "1" in the manner prescribed by the department; and

(c) Are used as a tender for direct transportation between that vessel and the shore and for no other purpose;

(9) Vessels of any size powered only by human power;

(10) Vessels which are temporarily in this state undergoing repair or alteration;

(11) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States, including but not limited to:

(a) Commercial fishing vessels;

(b) Barges;

(c) Charter fishing vessels.

(12) Vessels primarily engaged in commerce which are owned by a resident of a country other than the United States;

(13) A vessel not using the waters of this state.

NEW SECTION

WAC 308-93-060 REGISTRATION PERIOD. The registration period will be July 1 of the current year through June 30 of the following year for purposes of implementing chapter 7, Laws of 1983, and chapter 3, Laws of 1983 2nd ex. sess.

Any vessel registered for the first time in Washington will be assessed the registration fee for the registration period in which the vessel is registered. In addition, excise tax in the amount prescribed by statute will be assessed for the period beginning July 1 through the current registration period in which the vessel is registered: **PROVIDED**, That if the owner can verify that the vessel was acquired or brought into Washington after July 31, the excise tax will be assessed from the date of acquisition or entry into the state.

Vessels being registered in Washington for the first time and assigned a registration period of eleven months or less shall have the annual excise tax reduced by one-twelfth for each full month of the registration period which has passed by the date when the vessel is registered in Washington. The registration and the titling fee will not be abated.

When a transfer of ownership occurs on a vessel previously registered in this state and whose registration has expired, there will be assessed a registration fee of six dollars for the current registration period and excise tax due from the expiration date of the previous registration: **PROVIDED**, That if the person seeking registration can verify that the vessel was acquired subsequent to expiration of the previous registration, excise tax will be assessed from the date of acquisition through the current registration period in which the vessel is being registered.

NEW SECTION

WAC 308-93-070 APPLICATION FOR TITLE/REGISTRATION. (1) An application for certificate of title or registration of a vessel shall be completed and shall include:

(a) The names and addresses and percentage of ownership of all owners of the vessel being registered including a lessor if applicable.

(b) Make, model year and length of vessel.

(c) Type of power (gasoline, diesel, propane, etc.).

(d) Primary use.

(e) Primary method of propulsion (inboard, outboard, inboard/outboard, jet, sail, etc.).

(f) Hull type.

(g) Primary vessel construction (fiberglass, wood, aluminum, etc.).

(h) County of moorage.

(i) Coast guard number, if any.

(j) Purchase cost and purchase year of vessel or declared value and year of declaration.

(k) Hull identification number.

(2) Name and address of the legal owner or a statement of fact by the registered owner that the vessel is free of all liens other than those shown on the application.

(3) In the event a vessel is homemade, the owner must complete and sign a declaration of value form. The signature of the registered owner of a homemade vessel must be notarized by a notary public.

(4) The names of all owners will appear on the application for registration and title. The application must be signed by all owners. This signature must be notarized or certified by an authorized registration agent.

(5) The application for certificate of title or registration shall be accompanied by the following where applicable:

(a) A copy of the bill of sale or sales agreement.

(b) Vessel data form.

(c) Declaration of value form.

(d) All proper fees and excise tax.

(e) Previous ownership document properly released.

(f) Excise exemption affidavit.

(g) Proof of sales tax paid.

(h) Proof of personal property tax paid.

(i) Manufacturer's certificate of origin or original factory invoice.

(j) Copy of carpenter certificate.

(k) Copy of any filing pursuant to Article 62A.9 RCW, Uniform Commercial Code-Secured Transactions.

(l) Release of interest form.

(m) Verification of ownership.

NEW SECTION

WAC 308-93-080 REGISTRATION CERTIFICATE. Upon payment of proper fees and excise tax, the department of licensing or its agents shall issue a certificate of registration. The registration document must be signed by at least one of the owner(s) and carried on the vessel for which it is issued at all times when the vessel is physically located on the waters of the state of Washington except as provided under WAC 308-93-100.

NEW SECTION

WAC 308-93-090 RENTED OR LEASED VESSELS. If the vessel is leased and operated in Washington by a Washington resident, it must be titled and registered in Washington.

(1) Rented and leased vessels must be separately registered and titled and display the registration number and decals assigned to the vessel. A dealer's registration number does not cover a rented or leased vessel.

(2) If the vessel is leased for a period of less than one year the lessor's name may appear on the certificate of title as the sole registered owner with any secured party being shown as the legal owner.

(3) If the vessel is leased for a period of one year or more or if there is an option to purchase the vessel, the application for certificate of title shall be completed with the name of the lessee as registered owner, followed by the word "lessee." The lessor's name will appear as the legal owner. If the vessel is subject to a security agreement, the application will be completed with the lessor's name appearing immediately below the lessee's name and will be identified by the word "lessor." The address shown will be the lessee's. The secured party's name and address will be shown in the legal owner's space.

NEW SECTION

WAC 308-93-100 RETENTION OF REGISTRATION CERTIFICATE FOR LEASED OR RENTED VESSELS. The registration certificates for vessels less than twenty-six feet in length and leased or rented to another for the latter's noncommercial use of less than seven days may be retained on shore by the vessel's owner or his representative at the place from which the vessel departs or returns to the possession of the owner or his representative. A copy of the lease or rental agreement signed by the owner or his authorized representative and by the person leasing or renting the vessel shall be carried aboard the vessel at all times during use and shall contain at least:

(1) The vessel number that appears on the registration certificate;

(2) The period of time for which the vessel is leased or rented;

(3) The hull identification number.

NEW SECTION

WAC 308-93-110 VESSELS PREVIOUSLY REGISTERED OR TITLED IN ANOTHER STATE. If the application for certificate of title or registration is for a vessel previously registered or titled in another state, the application must be accompanied by:

(1) Either a foreign title properly released and the registration, if available, or the registration properly released if it is a nontitle state, or an affidavit of lost title or a release of interest; provided that no release is required if there is no change in ownership, and

(2) An affidavit certifying when and where the vessel was acquired or brought into the state.

NEW SECTION

WAC 308-93-120 TRANSFER OF CERTIFICATE OF TITLE OR REGISTRATION. If a vessel has a current valid Washington vessel registration and the certificate of title is being transferred to reflect a change in ownership, the title fee and a registration transfer fee of one dollar will be charged. If the vessel does not have a valid registration, the registration fee, the title fee and applicable excise tax will be charged.

NEW SECTION

WAC 308-93-130 EXEMPTION FOR VESSELS UNDERGOING REPAIR OR ALTERATION. Vessels brought into this state exclusively for the purpose of repair or alteration are not subject to registration providing they are not on the waters of this state for any purpose other than repair, alteration or the testing thereof.

NEW SECTION

WAC 308-93-140 DECALS—PLACEMENT. Upon registration, the applicant will receive a registration document and two decals. One decal shall be affixed to the port side and one decal shall be affixed to the starboard side of the hull or bridge aft of the midship. The decals must be located on the outside of the vessel so that each decal is visible without obstruction from a sideview of the vessel while the vessel is in the water: PROVIDED, That vessels sixteen feet and over with propulsive machinery of less than ten horsepower qualifying as a ship's tender shall display the registration number issued by the coast guard for the registered vessel in block letters not less than three inches high followed by the number "1" of a color contrasting to the background, on the outside of the hull on both port and starboard sides of the forward half of the vessel. The number must be visible without obstruction from a sideview of the tender while the tender is in the water.

NEW SECTION

WAC 308-93-150 1983 PROPERTY TAX CREDIT. Property tax paid for a vessel for the 1983 tax year will be deducted from the 1983 excise tax amount due when a receipt from the treasurer's office is presented at the time of registration, identifying the vessel and the amount paid. If a treasurer's receipt cannot be obtained, a cancelled check may be accepted, provided the cancelled check clearly and distinctly indicates that its purpose was for the payment of 1983 personal property tax for the vessel being registered. Proof of property tax paid must be attached to the application for certificate of title or registration if credit is given.

NEW SECTION

WAC 308-93-160 EXCISE TAX EXEMPTIONS—INDIANS. (1) For the purposes of this rule, the following words and terms have the following meanings:

(a) "Indian reservation" means all lands, notwithstanding the issuance of any patent, within the exterior boundaries set aside by the United States for the exclusive use and occupancy of Indian tribes by treaty, law or executive order and which are areas currently recognized as "Indian reservations" by the United States department of the interior.

The following Washington reservations are the only "Indian reservations" currently recognized as such by the United States department of the interior: Chehalis, Colville, Hoh, Kalispell, Lower Elwha, Lummi, Makah, Muckleshoot, Nisqually, Nooksack, Ozette, Port Gamble, Port Madison, Puyallup, Quileute, Quinault, Shoalwater, Skokomish, Spokane, Squaxin Island, Swinomish, Tulalip, and Yakima.

(b) "Indian tribe" means any organized Indian nation, tribe, band, or community recognized as an "Indian tribe" by the United States department of the interior.

(c) "Indian" means persons duly registered on the tribal rolls of the Indian tribe occupying an Indian reservation.

(2) Vessels owned by an Indian tribe occupying a recognized Washington Indian reservation are exempt from payment of the excise tax imposed by chapter 7, Laws of 1983, and chapter 3, Laws of 1983 2nd ex. sess.

(3) Vessels owned by Indians having their principal residence within the recognized Washington Indian reservation, for the tribe in which they are duly registered on the tribal rolls, are exempt from payment

of the excise tax imposed by chapter 7, Laws of 1983, and chapter 3, Laws of 1983 2nd ex. sess.

(4) A properly completed affidavit of exemption on a form supplied by the department must be submitted with each vessel's registration application as a condition precedent to exemption from excise tax. The department may require such other proof of qualification for exemption as it deems necessary.

NEW SECTION

WAC 308-93-170 APPLICATIONS TO AGENTS—TRANSMITTAL TO DIRECTOR. Upon receipt by registration agents of the director, including county auditors, of original applications for vessel certificate of title and/or registration accompanied by the proper fees, such agents shall, if the applications are in proper form and accompanied by such information as may be required by the director, immediately forward them, together with the fees to the director.

NEW SECTION

WAC 308-93-180 TIME OF RENEWAL OF REGISTRATION—DURATION. Vessel registrations and decals may be renewed for the subsequent registration year on and after the ninetieth day prior to the end of the current registration year and must be used and displayed from the date of issue or from the day of the expiration of the preceding registration year, whichever date is later.

NEW SECTION

WAC 308-93-190 PREREQUISITE TO ISSUANCE OF VESSEL REGISTRATION AND DECALS. No decals or vessel registration, whether original issues or duplicates, shall be issued or furnished by the department unless the applicant therefor shall at the same time make satisfactory application for a certificate of title or shall present satisfactory evidence that such a certificate of title covering such vessel has been previously issued.

NEW SECTION

WAC 308-93-200 ASSIGNED CERTIFICATE OF TITLE TO BE FILED BY DEPARTMENT—TRANSFER OF INTEREST IN VESSEL. Certificates of title when assigned and returned to the department, together with subsequently assigned reissues thereof, shall be retained by the department and appropriately filed and indexed so that at all times it will be possible to trace ownership to the vessel designated therein:

(1) If the interest of an owner in a vessel passes to another, other than by voluntary transfer, the transferee shall, except as provided in subsection (3) of this section, promptly mail or deliver to the department the last certificate of title if available, and an application for a new certificate in the form the department prescribes.

(2) If the interest of the owner is terminated or the vessel is sold under a security agreement by a secured party named in the certificate of title, the transferee shall promptly mail or deliver to the department the last certificate of title, an application for a new certificate in the form the department prescribes, and an affidavit made by or on behalf of the secured party that the vessel was repossessed and that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement.

(3) If the secured party succeeds to the interest of the owner and holds the vessel for resale, the secured party need not secure a new certificate of title, but, upon transfer to another person, shall promptly mail or deliver to the transferee or to the department the certificate, affidavit and other documents (and articles) required to be sent to the department by the transferee.

NEW SECTION

WAC 308-93-210 PROCEDURE WHEN DEPARTMENT UNSATISFIED AS TO OWNERSHIP AND SECURITY INTERESTS. If the department is not satisfied as to the ownership of the vessel or that there are no undisclosed security interests in it, the department may register the vessel but shall either:

(1) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the department as to the applicant's ownership of the vessel and that there are no undisclosed security interests in it; or

(2) As a condition of issuing a certificate of title, require the applicant to file with the department a bond in the form prescribed by the

department and executed by the applicant, or in lieu thereof a deposit of cash in like amount. The bond shall be in an amount equal to one and one-half times the value of the vessel as determined by the department and conditioned to indemnify any prior owner and secured party and any subsequent purchaser of the vessel or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vessel or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vessel. Any such person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, or any cash deposit shall be returned at the end of three years or prior thereto if the vessel is no longer registered in this state and the currently valid certificate of title is surrendered to the department, unless the department has been notified of the pendency of an action to recover on the bond.

NEW SECTION

WAC 308-93-220 **DIRECTOR MAY REFUSE OR CANCEL CERTIFICATE.** If the director determines at any time that an applicant for certificate of title or for a registration for a vessel is not entitled thereto, the director may refuse to issue such certificate or to register the vessel and the director may, for like reason, after notice, and in the exercise of discretion, cancel the registration already acquired or any outstanding certificate of title. The notice shall be served personally or sent by certified mail, return receipt requested.

NEW SECTION

WAC 308-93-230 **PROCEDURE WHEN SECURITY INTEREST IS GRANTED ON VESSEL.** If, after a certificate of title is issued, a security interest is granted on the vessel described therein, the registered owner or secured party shall, within ten days thereafter, present an application to the department, to which shall be attached the certificate of title last issued covering the vessel, or such other documentation as may be required by the department, which application shall be upon a form provided by the department and shall be accompanied by a fee of one dollar. The department, if satisfied that there should be a reissue of the certificate, shall note such change upon the vessel records and issue to the secured party a new certificate of ownership.

Whenever there is no outstanding secured obligation and no commitment to make advances and incur obligations or otherwise give value, the secured party must assign the certificate of title to the debtor or the debtor's assignee and transmit the certificate to the department with an accompanying fee of one dollar. The department shall then issue a new certificate of title and transmit it to the owner.

NEW SECTION

WAC 308-93-240 **DUPLICATE FOR LOST, STOLEN, MUTILATED, ETC., CERTIFICATES.** If a certificate of title or a registration is lost, stolen, mutilated or destroyed, or becomes illegible, the first priority secured party or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the department, shall promptly make application for and may obtain a duplicate upon tender of one dollar and upon furnishing information satisfactory to the department as follows:

An application for a duplicate certificate of title must be accompanied by an affidavit of loss or destruction in a form approved by the department and signed by all owners of record.

The duplicate certificate of title or registration shall contain the legend, "This is a duplicate certificate." It shall be mailed to the first priority secured party named in it or, if none, to the owner.

A person recovering an original certificate of title or registration for which a duplicate has been issued shall promptly surrender the original certificate to the department.

NEW SECTION

WAC 308-93-250 **LEGAL OWNER NOT LIABLE FOR ACTS OF REGISTERED OWNER.** The person, firm, copartnership, association or corporation to whom a certificate of title shall have been issued shall not thereby incur liability or be responsible for damage, or otherwise, resulting from any act or contract made by the registered owner or by any other person acting for or by or under the authority of such registered owner.

NEW SECTION

WAC 308-93-260 **STATE OR DIRECTOR NOT LIABLE FOR ACTS IN ADMINISTERING CHAPTER.** No suit or action shall ever be commenced or prosecuted against the director of licensing or the state of Washington by reason of any act done or omitted to be done in the administration of the duties and responsibilities imposed upon the director under chapter 7, Laws of 1983, and chapter 3, Laws of 1983 2nd ex. sess., or chapter 308-93 WAC.

NEW SECTION

WAC 308-93-270 **APPEALS TO SUPERIOR COURT FROM SUSPENSION, REVOCATION, CANCELLATION, OR REFUSAL OF REGISTRATION OR CERTIFICATE OF TITLE.** The suspension, revocation, cancellation, or refusal by the director of any registration or certificate of title provided for in chapter 7, Laws of 1983, and chapter 3, Laws of 1983 2nd ex. sess. shall be conclusive unless the person whose registration or certificate is suspended, revoked, canceled, or refused appeals to the superior court of Thurston County, or to the superior court of the county of the person's residence, for the purpose of having the suspension, revocation, cancellation, or refusal of such registration or certificate set aside. Notice of appeal must be filed within ten days after receipt of the notice of suspension, revocation, cancellation, or refusal. Upon the filing of the notice of appeal the court shall issue an order to the director to show cause why the registration should not be granted or reinstated, which order shall be returnable not less than ten days after the date of service thereof upon the director. Service shall be in the manner prescribed for service of summons and complaint in other civil actions.

Upon the hearing on the order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation, or refusal of the registration or certificate and shall enter judgment either affirming or setting aside such suspension, revocation, cancellation, or refusal.

NEW SECTION

WAC 308-93-280 **PROCEDURE WHEN IDENTIFICATION NUMBER ALTERED OR OBLITERATED.** Before the department shall issue a certificate of title, or reissue such a certificate covering any vessel, the identification number of which has been altered, removed, obliterated, defaced, omitted, or is otherwise absent, the registered owner of the vessel shall file an application with the department, upon a form provided, and containing such facts and information as shall be required by the department for the assignment of a special number for such vessel. Upon receipt of such application, the department, if satisfied the applicant is entitled to the assignment of an identification number, shall designate a special identification number for such vessel, which shall be noted upon the application therefor, and likewise upon a suitable record of the authorization of the use thereof, to be kept by the department. This assigned identification number shall be placed upon the vessel in the manner prescribed by the department. Upon receipt by the department of an application for a certificate of title or application for reissue of such certificate and the required fee therefor, the department shall use such number as the numerical or alpha-numerical identification marks for the vessel in any certificate of registration or certificate of title that may thereafter be issued therefor.

NEW SECTION

WAC 308-93-290 **TRANSFER OF OWNERSHIP, HOW PERFECTED.** A transfer of ownership in a vessel is perfected by compliance with the requirements of this section.

(1) If an owner transfers an interest in a vessel other than by the creation of a security interest, he shall, at the time of the delivery of the vessel, execute an assignment to the transferee and cause the certificate and assignment to be transmitted to the transferee, and shall within fifteen days notify the department.

(2) The transferee of ownership shall within fifteen days after delivery to him of the vessel, execute the application for a new certificate of title in the same space provided therefor on the certificate or as the department prescribes, and cause the certificates and application to be transmitted to the department.

(3) Upon request of the owner or transferee, a secured party in possession of the certificate of title shall, unless the transfer was a breach of its security agreement, either deliver the certificate to the transferee for transmission to the department or, when the secured party receives

the owner's assignment from the transferee, it shall transmit the transferee's application for a new certificate, the existing certificate, and the required fee to the department. Compliance with this section does not affect the rights of the secured party under the security agreement.

(4) If a security interest is reserved or created at the time of the transfer, the certificate of title shall be retained by or delivered to the person who becomes the secured party, and the parties shall comply with the provision of WAC 308-93-230.

(5) If the purchaser or transferee of ownership fails or neglects to transfer such certificate of title and registration within fifteen days after date of delivery of the vessel to him, he shall on making application for transfer be assessed a five-dollar penalty on the sixteenth day and one dollar additional for each day thereafter, but not to exceed fifteen dollars.

(6) Upon receipt of an application for the reissue of a certificate of title and transfer of registration, accompanied by the endorsed certificate of title and such other documentary evidence as is deemed necessary, the department shall, if the application is in order and if all provisions relating to the certificate of title and registration have been complied with, issue new certificates of title and registration as in the case of an original issue and shall transmit the fees together with an itemized detailed report to the state treasurer, to be deposited in the general fund.

NEW SECTION

WAC 308-93-300 ORIGINAL APPLICATIONS—RENEWALS—FEES—PREISSUANCE, WHEN. (1) Upon receipt of the application and the proper fee for an original vessel registration, the director shall make a recheck of the application and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vessel registration shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vessel was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such registration fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vessel concerned.

(3) Persons expecting to be out of the state during the normal renewal period of a vessel registration may secure renewal of such vessel registration for a period of thirty days prior thereto and have decals preissued by making application to the director or his agents upon forms prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vessel was registered in Washington and be accompanied by such registration fees and excise tax as may be required.

NEW SECTION

WAC 308-93-310 LOSS, DEFAACEMENT, OR DESTRUCTION OF DECALS—REPLACEMENT FEE. Upon the loss, defacement, or destruction of one or both of the vessel decals issued for any vessel or where one or both have become so illegible or in such condition as to be difficult to distinguish, the owner of the vessel shall make application for new vessel decals upon a form furnished by the director, upon which form it shall be required that the owner, in addition to other requirements, make a complete statement as to the cause of the loss, defacement, or destruction of the original decal or decals, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vessel registration applications. Such application shall be filed with the director or his authorized agent, accompanied by the certificate of registration of the vessel and a one dollar replacement decal.

NEW SECTION

WAC 308-93-320 REGISTRATION CERTIFICATE AND DECALS FOLLOW VESSEL ON TRANSFER. In any case of valid sale or transfer of the ownership of any vessel, the right to the certificates properly transferable therewith and to the vessel decals and registration number shall pass to such purchaser or transferee.

NEW SECTION

WAC 308-93-330 CERTIFICATE OF TITLE—APPLICATION. The application accompanied by cash, a draft, money order, or certified bank check for all appropriate fees together with the last preceding certificate or other satisfactory evidence of ownership, shall be forwarded to the director. The certificate of title shall not be required to be renewed annually, or at any other time, except as by law provided.

NEW SECTION

WAC 308-93-340 COMMERCIAL FISHING VESSELS. (1) Documented vessels used primarily for commercial fishing purposes shall be exempt from vessel registration requirements.

(2) Undocumented vessels used exclusively for commercial fishing purposes shall not be exempt from vessel registration requirements but shall be exempt from excise tax.

NEW SECTION

WAC 308-93-350 INCORRECT ENDORSEMENTS OR ERASURES. (1) If a certificate of title or application has been signed in error, a line must be drawn through the erroneous signature. An affidavit must be attached to explain when, why and by whom the signature was stricken. A release of interest is required from the person signing in error unless that person has signed the affidavit.

(2) If an erasure has been made on a certificate of title or application, an affidavit must be attached. The affidavit must state why and by whom the erasure was made. A release of interest must be signed by the one whose name was erased.

(3) A name erroneously shown on the title as the purchaser must have either a release of interest from the erroneously named purchaser or a statement by the owner of record that the sale was not completed.

NEW SECTION

WAC 308-93-360 APPLICATION FOR TITLE REQUIRED. An application for certificate of title is required:

- (1) Whenever the ownership of a vessel changes;
- (2) When there is a legal change of name of the registered or legal owner of a vessel;
- (3) When there is a change of name of a business entity owning a vessel;
- (4) When a proprietorship or partnership forms a corporation whether or not a business name is changed;
- (5) When a proprietorship or partnership purchases a corporation which will no longer be operated as a corporation whether or not the business name is changed;
- (6) Whenever there is no outstanding secured obligation and no commitment to make advances and incur obligations or otherwise give value in the case of reissue applications;
- (7) Whenever a vessel has been reported destroyed and the owner wishes to operate it again on the waters of this state;
- (8) Whenever the hull identification number is changed;
- (9) Whenever a second legal owner is to be added to the certificate of title. The application shall show the address of only the first named legal owner.

NEW SECTION

WAC 308-93-370 FORM REQUIRED FOR NAME AND ADDRESS—OWNERS IN COMMON. If more than one person is shown on the application for title or its addendum as registered owner of the vessel, those persons will be treated as owners in common of the vessel whether or not the names are joined by the word "and" or the word "or."

NEW SECTION

WAC 308-93-380 FORM REQUIRED FOR NAME AND ADDRESS—OWNERSHIP IN JOINT TENANCY. If more than one person is shown on the title application as registered owner, and the intention of the parties is to create ownership in joint tenancy, it is necessary to use the following language on the application for certificate of title:

- (1) "John Doe and Jane Doe and Mary Doe as joint tenants with right of survivorship"; or

(2) "John Doe and Jane Doe and Mary Doe as joint tenants with right of survivorship and not as tenants in common" on the reissue title.

The ownership of the vessel in joint tenancy will be indicated on the certificate issued by the department in the following manner: "J.T.W.R.O.S."

A certified copy of the death certificate will be required upon the death of a party named on such a title. An application for title in the name(s) of the remaining party will be required.

NEW SECTION

WAC 308-93-390 VESSELS HELD IN TRUST. (1) The trustee shall be shown on any application for certificate of title as registered owner if a vessel is held in trust for the benefit of another. There is no requirement that the word "trustee" be placed after the name of any such owner.

(2) If the application and subsequently issued title includes the word "trustee" after the name of the registered owner, any signature releasing interest in the vessel by that owner shall include that designation.

(3) Upon the death of the trustee, a co-trustee or successor trustee shall make application for transfer of title into his/her own name. An affidavit that he or she is the successor or co-trustee and a copy of the documents so designating that person shall accompany any such application.

NEW SECTION

WAC 308-93-400 TWO LEGAL OWNERS. If one of two legal owners shown on a certificate of title has his/her security interest in the vessel satisfied, that interest in the vessel shall be released in the appropriate manner and the appropriate documentation forms forwarded to the remaining legal owner. The remaining legal owner shall either (1) retain that documentation and forward it to the department at the time his/her interest is satisfied along with an application for reissue or (2) the documentation shall be immediately presented to the department with an application for reissue of title to show the remaining secured party as the sole legal owner of the vessel. If the outstanding certificate of title does not show the address of the remaining legal owner, there must be an application for reissue of title in order that the address of the remaining legal owner may be indicated on the outstanding certificate of title.

NEW SECTION

WAC 308-93-410 REFUSAL BY DEPARTMENT TO RELEASE TITLE. The department may refuse to release a vessel title under any one of the following circumstances:

(1) All or a part of the fees for the registration or certificate of title have not been paid; or

(2) All or a part of the fees for the registration or certificate of title have been paid with a check that has not been honored; or

(3) At the discretion of the department when the department has been requested by an interested party to hold the certificate of title pending legal action, or whenever the department deems it inadvisable to release the certificate of title.

NEW SECTION

WAC 308-93-420 SPECIAL MAILING. The department will mail the title to the legal owner of record. If it is the intent of the legal owner to have the title mailed to someone other than that shown on the title, written authorization, signed by the legal owner, is required. This must be in a form approved by the department.

NEW SECTION

WAC 308-93-430 RELEASE OF INTEREST. If the registered and/or legal owners of record cannot release their interest on the title, a release of interest form approved by the department properly signed in accordance with WAC 308-93-470, shall be used as supportive documentation.

NEW SECTION

WAC 308-93-440 LACK OF PROPER RELEASE. If the registered or legal owner(s) as shown in the records of the department or the records of the foreign state issuing the last certificate of title and/or registration of a vessel has not released his/her interest in the

vessel by endorsement on the certificate or by a release of interest, the following must be attached to an application for Washington certificate of title:

(1) Proper documentation authorized by other sections of this chapter to be used in lieu of a release by the registered or legal owner; or

(2) A bond in accordance with WAC 308-93-210; or

(3) The following, if satisfactory to the department:

(a) An affidavit by the applicant stating the reasons the person is unable to obtain a release of interest from the registered and/or legal owner(s) of record; and

(b) Evidence of ownership of the vessel by the applicant such as, but not limited to, a bill of sale; and

(c) Evidence of attempts to locate the owner(s) of record such as copies of correspondence sent to the last known address of the owner as well as returned receipts showing such correspondence was sent by registered or certified mail, return receipt requested.

NEW SECTION

WAC 308-93-450 SIGNATURE OF REGISTERED OWNER ON APPLICATION—EXCEPTIONS. On an application for an original, reissue, or transfer of certificate of title, the signature of each and every name registered owner is required except:

(1) When the application is for the sole purpose of removing a legal owner of record from the certificate of title when that legal owner's security interest has been satisfied in the vessel;

(2) When authorized supportive documentation is used in lieu of the signature or signatures;

(3) When the legal owner applies for a duplicate title;

(4) When there is a change in the secured party;

(5) When the legal ownership is transferred with an affidavit of repossession.

NEW SECTION

WAC 308-93-460 RELEASING INTEREST. (1) In order for a person to release his/her interest in a vessel as registered or legal owner, his/her signature is required on the certificate of title issued by the department, unless authorized supportive documentation is used in lieu of that signature or in lieu of the certificate issued by the department.

(2) If the signatures are not on the certificate of title, all signatures must be certified in accordance with WAC 308-93-470.

(3) If more than one person is shown on the certificate of title issued by the department as registered or legal owner, the signature of each registered and legal owner is required no matter what the form of ownership unless authorized supportive documents are used in lieu of one or more signatures.

(4) A release of interest is not required from one identified as a lessee.

NEW SECTION

WAC 308-93-470 CERTIFICATION OF SIGNATURE. The signature of every applicant to be shown on the certificate of title as the registered owner and of other signatures, as required, shall be subscribed to and sworn to by that person before a notary public, county auditor, deputy auditor, an authorized agent approved by the director of licensing, an agent appointed by the director of licensing, an employee or appointee of either type or agent, or an employee of the department of licensing authorized by the director to certify to an applicant's signature. Approved identification of the person signing shall be required.

NEW SECTION

WAC 308-93-480 CERTIFICATION OF SIGNATURE—DEPARTMENTAL EMPLOYEES. The director hereby authorizes the following department employees to certify signatures: Deputy director, the assistant director for vehicle services, the chief officer and assistant of the division primarily responsible for vessel registration and titles, persons assigned to liaison duties between the department and its vehicle license agents, and persons assigned the responsibility of accepting title applications from persons appearing at the department's office.

NEW SECTION

WAC 308-93-490 SHERIFF'S SALE. (1) An application for title for a vessel sold by a sheriff pursuant to Washington state law transfers only the interests of the person(s) shown on the bill of sale, or

if the former owner(s) is not shown, only the interests of the registered owner(s) of record, and shall be accompanied by:

- (a) The sheriff's bill of sale; and
- (b) A copy of the court order directing the sale, if any.

(2) The vessel must be titled in the name of the purchaser shown on the bill of sale.

NEW SECTION

WAC 308-93-500 NAME CHANGE. On any application for re-issue of a certificate of title where the name of the registered owner has been changed by court action, a certified copy of the court order authorizing the name change shall be attached to the application.

NEW SECTION

WAC 308-93-510 TRANSFER BY COURT ORDER. Any application for certificate of title, where a change of legal or registered owner of a vessel is the result of the order of a court, shall be accompanied by a certified copy of the order or a certification from the clerk of court on a department approved form confirming the court's action. If the last issued certificate of title is not attached to the application, an affidavit of lost or destroyed title or an affidavit explaining the non-availability of the title document shall also be attached to the application.

NEW SECTION

WAC 308-93-520 OWNER DECEASED—COMMUNITY PROPERTY AGREEMENT. If the prior owner of record of a vessel is deceased and a valid community property agreement exists, the surviving spouse may release the interest of the deceased's estate in the vessel. The following shall be attached to any application for certificate of title:

- (1) A copy of the community property agreement;
- (2) A certified copy of the death certificate; and
- (3) An affidavit that the community property agreement has not been amended or revoked prior to death and that no probate proceeding is pending or contemplated.

NEW SECTION

WAC 308-93-530 OWNER INCOMPETENT. On any application for certificate of title where the former owner of record of the vessel has been declared legally incompetent, the incompetent's interest in the vessel shall be released by signature of the court appointed guardian. A certified copy of the court order appointing the guardian shall be attached to the application.

NEW SECTION

WAC 308-93-540 OWNER BANKRUPT. On any application for certificate of title where the prior owner's interest has been terminated through bankruptcy proceedings, the interest of the bankrupt in the vessel may be released by his/her trustee. If the release is by his/her trustee, a certified copy of the court order appointing the trustee shall be attached to the application.

NEW SECTION

WAC 308-93-550 OWNER DECEASED—SIGNATURE OF PERSONAL REPRESENTATIVE. On any application for certificate of title where a vessel has been acquired from the estate of a deceased person, the interest of the deceased's estate in the vessel shall be released by the signature of the personal representative. A copy of the court order approving or confirming the personal representative shall be attached to the application. Any unreleased legal owners shall remain as such on the new certificate of title issued by the department.

NEW SECTION

WAC 308-93-560 OWNER DECEASED—WILL LEFT. If the prior owner of a vessel is deceased and a will was left, the following documents shall be attached to any application for transfer of title:

- (1) If the will is not a nonintervention will:
 - (a) A certified copy of the court order approving the transfer or a certificate from the clerk of court on department approved forms confirming the court action; or
 - (b) A certified copy of the decree of distribution.

(2) If the will is a nonintervention will, a certified copy of the decree of solvency or distribution or a certification from the clerk of court confirming such action.

NEW SECTION

WAC 308-93-570 OWNER DECEASED—NO WILL LEFT. If the prior owner of a vessel is deceased and left no will, a certified copy of the court order authorization to transfer the vessel or a certification from the clerk of court confirming such action must be attached to any application for certificate of title.

NEW SECTION

WAC 308-93-580 OWNER DECEASED—TO SPOUSE "IN LIEU OF HOMESTEAD." If the prior owner of a vessel is deceased and the court awards the vessel to the surviving spouse "in lieu of homestead," a certified copy of the court's order or a certification from the clerk of court on department approved forms confirming such court action must be attached to the application for certificate of title.

NEW SECTION

WAC 308-93-590 OWNER DECEASED—IN NAME OF ESTATE. If the owner of record of a vessel is deceased, the vessel may be titled and licensed in the name of the estate of the deceased pending final settlement of the estate. A certified copy of the court order appointing or confirming the personal representative shall be attached to the application for certificate of title.

NEW SECTION

WAC 308-93-600 OWNER DECEASED—ESTATE NOT ADMINISTERED. If the prior owner of a vessel is deceased, left no will, and the estate will not be administered, the surviving spouse or any other heir may release the interest of the deceased's estate in the vessel by attaching the following to any application for certificate of title:

- (1) Affidavit of inheritance with affidavits of release of interest from other heirs attached thereto;
- (2) Certified copy of the death certificate.

NEW SECTION

WAC 308-93-610 SECURITY INTEREST—WHEN PERFECTED. The requirements for perfecting a security interest in a vessel as set forth in chapter 3, Laws of 1983 2nd ex. sess., shall not take effect until certificates of registration and title are actually being issued on or about October 1, 1983. Until such time present methods of perfecting security interests in vessels shall remain effective.

NEW SECTION

WAC 308-93-620 HULL IDENTIFICATION NUMBER REQUIRED. No person shall operate a boat on the waters of this state for which registration and titling is required unless such boat has a hull identification number. Hull identification numbers must be carved, burned, stamped, embossed, clearly imprinted, or otherwise permanently affixed to the outboard side of the transom, or if there is no transom, to the outermost starboard side at the end of the hull that bears the rudder or other steering mechanism above the waterline of the boat in such a way that alteration, removal or replacement would be obvious or evident. No person, firm, association or corporation shall destroy, remove, alter, cover, or deface the hull identification number.

NEW SECTION

WAC 308-93-630 ASSIGNMENT OF HULL IDENTIFICATION NUMBER. Upon application for original registration or transfer of registration and title or transfer of registration and title of a vessel, the department may assign an appropriate hull identification number to such vessel whenever there is no hull identification number thereon, or when a hull identification number thereon has been destroyed or obliterated and such hull number shall be permanently affixed as prescribed by the department.

NEW SECTION

WAC 308-93-640 RECIPROCITY. A vessel owned by a resident of another state or a Canadian province which is already covered by a number in full force and effect issued to it pursuant to federal laws or

a numbering system of such state or province shall be exempt from registration requirements for a period of sixty consecutive days in any twelve month period but only to the extent a similar reciprocity is granted for vessels registered in the state of Washington.

WSR 83-20-090
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Nursing)
 [Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Nursing intends to adopt, amend, or repeal rules concerning the amending of WAC 308-120-180, adding new sections WAC 308-120-600, 308-120-601, 308-120-602, 308-120-603, 308-120-604, 308-120-605, 308-120-606, 308-120-607 and 308-120-608;

that the agency will at 9:00 a.m., Friday, November 18, 1983, in the Satellite Room, Hyatt House, 17001 Pacific Highway South, Seattle, WA 98188, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.88.080.

The specific statute these rules are intended to implement is RCW 18.88.190.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 11, 1983.

Dated: October 5, 1983

By: Constance Roth, R.N., Ed.D.
 Executive Secretary

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Nursing.

Purpose: The purpose of the amendment to WAC 308-120-180 is to include a reference to the newly adopted continuing education rules in the previously adopted rules dealing with renewal of licenses; the purpose of new section WAC 308-120-600 is to outline the purpose for continuing education; the purpose of new section WAC 308-120-601 is to identify the scope of the rules regarding continuing education; the purpose of new section WAC 308-120-602 is to outline general requirements for continuing education; the purpose of new section WAC 308-120-603 is to outline the requirements with regard to continuing education that applicants must meet when they renew their licenses; the purpose of new section WAC 308-120-604 is to list the types of continuing education that will be acceptable for credit; the purpose of new section WAC 308-120-605 is to list the types of continuing education that will not be acceptable for credit; the purpose of new section WAC 308-120-606 is to outline how continuing education applications and documentation will be validated by the board; the purpose of new section WAC 308-120-607 is to define what the term "contact hour" means; and the purpose of new section WAC 308-120-608 is to outline

the waiver procedure that will be utilized by the board in granting waivers to individuals.

Statutory Authority: RCW 18.88.080 and 18.88.190.

Summary of the Rules: WAC 308-120-180 Renewal of licenses, this section contains the description of the staggered licensing renewal system and contains the requirement for mailing of notice of license renewal and for application for renewal of lapsed licenses. In addition, the continuing education requirements are referred to in this rule; WAC 308-120-600 Purpose, this section outlines the purpose for continuing education of registered nurses; WAC 308-120-601 Scope, this rule explains that the continuing education requirements apply to all nurses seeking renewal of the registered nurse license or for reinstatement of a lapsed registered nursing license; WAC 308-120-602 General requirements, this rule contains general requirements and the implementation date for the rules regarding continuing education. It outlines the requirement that continuing education credits be current and deals with carry-over of credit from one reporting period to another. It also clarifies the status of continuing education contact hours that are required for purposes other than license renewal. The section delineates the basic areas of nursing practice in which the board will accept continuing education requirements; WAC 308-120-603 License renewal requirements, this rule contains the specific requirements that individuals must meet in order to file information regarding continuing education for the renewal of their registered nursing license; WAC 308-120-604 Acceptable continuing education, this rule lists the type of continuing education programs that will be acceptable for meeting the requirement of continuing education for license renewal; WAC 308-120-605 Unacceptable continuing education, this rule outlines the types of continuing education that will not be accepted by the board for renewal of registered nurse licensure; WAC 308-120-606 Validation of educational programs, this section contains description of how the board, through periodic random audit of renewal requests, will validate the continuing education requirements. It also provides guidelines for the type of approval of the continuing education program that the board will find to be acceptable. The method for obtaining continuing education credit (in a maximum of five hours) through self-directed learning, is also contained in this rule; WAC 308-120-607 Contact hour, this rule defines the term "contact hour" as it is used with regard to continuing education; and WAC 308-120-608 Waivers, this rule contains the procedure the board will use for granting waivers and outlines what information the individual requesting waiver must submit to the board.

Reason Proposed: The rules regarding continuing education are proposed in order to implement the provisions of RCW 18.88.190 which mandates the board to establish continuing education requirements as a condition for license renewal.

Responsible Personnel: In addition to members of the board, and the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing and enforcing these

rules: Constance Roth, R.N., Ed.D., Executive Secretary, P.O. Box 9649, Olympia, WA 98504, 234-3726 scan, 753-3726 comm.

Proponents: These rules are proposed by the Washington State Board of Nursing.

Agency Comments: These rules are promulgated pursuant to the authority granted to the board in RCW 18.88.080 and 18.88.190.

Small Business Economic Impact Statement: A small business economic impact statement is not required and has not been filed since these rules do not impact any small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 216, filed 11/5/75)

WAC 308-120-180 RENEWAL OF LICENSES. (1) ~~((Effective with the renewal period beginning January 1, 1973;))~~ The ~~((annual))~~ license renewal date ~~((will be changed to))~~ shall coincide with the licensee's birthdate.

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

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

~~(2) ((After the initial conversion to a staggered renewal system,))~~ Licensees may renew their licenses, at the annual renewal fee rate, for one year, from birth anniversary date to next birth anniversary date.

~~(3) ((Under the staggered license renewal system))~~ The late payment penalty provision will be applied as follows:

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

(4) Effective January 1, 1985, individuals making application for license renewal must submit, in addition to the required fee, evidence to show compliance with the continuing education requirements of WAC 308-120-600 through WAC 308-120-608.

NEW SECTION

WAC 308-120-600 PURPOSE. (1) Continuing education is designed to assist licensees in maintaining competence, expanding competence, and/or acquiring new competencies in one or more of the areas of nursing practice defined in RCW 18.88.030.

(2) Continuing education is that which is beyond the basic preparation for initial licensure in nursing and is related to the practice of nursing. Continuing education includes planned, organized, and systematic educational experience with measurable outcomes.

(3) Competence is the ability of the licensed nurse to perform skillfully and proficiently the functions within the role of the licensee. The role encompasses the possession and interrelation of essential knowledge, judgment, attitudes, values, skills, and abilities, which are varied and range in complexity.

NEW SECTION

WAC 308-120-601 SCOPE. All nurses who have been licensed under chapter 18.88 RCW who wish to renew or to reinstate a license must comply with the continuing education regulations.

NEW SECTION

WAC 308-120-602 GENERAL REQUIREMENTS. (1) Implementation. Effective January 1, 1985, the requirement for license renewal and for reinstatement of a license shall include completion of

fifteen contact hours of continuing nursing education per year. Continuing education programs taken by the licensee prior to July 1, 1983, shall not be accepted by the board as contributing to the continuing nursing education requirement for licensure renewal.

(2) Individuals who are licensed by examination or by endorsement shall be required to meet the requirements for continuing education on their second birthdate after initial licensure in this state.

(3) Continuing education contact hours required for renewal of CRN recognition shall be included in the total number of contact hours for licensure renewal.

(4) Continuing education contact hours required for renewal of prescriptive authority shall not be included in the total number of credits required for licensure renewal.

(5) Carry-over of continuing education credit from one reporting period to another shall not be allowed.

(6) The board will accept any continuing education that reasonably falls within one or more of the following areas:

- (a) Nursing practice areas and health care problems;
- (b) Course work required for baccalaureate and advanced nursing degrees;
- (c) Biological, physical, sociocultural and behavioral sciences;
- (d) Legal and ethical aspects of health care;
- (e) Management/administration of health care personnel and patient care; and
- (f) Teaching/learning process of health care personnel and patients.

NEW SECTION

WAC 308-120-603 LICENSE RENEWAL REQUIREMENTS. In addition to the renewal requirements in WAC 308-120-180, the licensee shall:

(a) Certify, on forms provided, that the minimum continuing education contact hours have been met.

(b) Be prepared to validate that the continuing nursing education requirement has been fulfilled. The board shall periodically conduct an audit of the continuing education records of a random sample of licensees.

NEW SECTION

WAC 308-120-604 ACCEPTABLE CONTINUING EDUCATION. The following will be accepted for meeting the education requirements identified in WAC 308-120-602.

(1) Academic study. Courses or programs offered for academic credit and in an accredited school, university, or college.

(2) Conference. An offering design that serves a varying number of persons representing a number of organizations or groups gathered to hear viewpoints or a central theme.

(3) Course. An offering with a definite enrollment, meeting at specified times for a predetermined length of time for study of a limited area of subject matter, and under the direction of a teacher.

(4) Correspondence courses. A method of providing for the systematic exchange of information through the mail for the purpose of instruction.

(5) In-service education. A planned program provided by the employing agency for the purpose of maintaining currency of nursing knowledge and skills.

(6) Self-directed learning (sometimes called independent study). A learning activity in which the learner takes the initiative and responsibility for the learning process. Self-directed learning may be either self-designed or other-designed. Examples of self-designed programs include informal investigation of a specific nursing problem, self-guided focused reading, independent learning projects and journal clubs. Examples of other-designed learning activities include self-contained learning packages, and auto-tutorial programs.

(7) Seminar. An offering design in which a small group meets for reports and discussion under expert leadership or resource persons.

(8) Staff development. A planned program of study using resources both in and outside the employing agency for the purpose of maintaining, expanding, or acquiring new knowledge and/or skills. In-service education can be considered a part of staff development.

(9) Symposium. An offering design in which two or more specialists present information or different points of views on a particular subject.

(10) Workshop. An offering design that brings together individuals with a common interest and/or background to engage actively in educational experience in order to solve common problems and to gain new knowledge and/or skills.

(11) Refresher course. A course of study which provides a review of basic preparation for current nursing practice.

(12) Journal club. A group of professionals who meet regularly to review and to discuss current topics from the health care literature.

NEW SECTION

WAC 308-120-605 UNACCEPTABLE CONTINUING EDUCATION. The following will not be accepted for meeting the education requirements identified in WAC 308-120-602.

(1) Orientation program. A means by which the staff members are introduced to the philosophy, goals, policies, procedures, role expectations, and physical facilities in a specific work setting. Orientation occurs at the time of initial employment and at other times when changes occur in roles and functions within an agency.

- (2) Membership in an organization;
- (3) Employment work experience; and
- (4) Consultation.

NEW SECTION

WAC 308-120-606 VALIDATION OF EDUCATIONAL PROGRAMS. RCW 18.88.190 states that the board shall validate all educational programs established as provided herein. This means that the board shall confirm through a periodic audit of a random sample of licensees, that the continuing education evidence provided by the licensee meets the rules and regulations set forth in WAC 308-120-602. Contact hours earned through:

(1) Formal continuing education offerings, to be accepted by the board, must be offered by an accredited college or university or must be approved by at least one or more of the following types of local, state, or national organizations:

- (a) Professional associations (e.g., nursing, medical, pharmacy, social work, education, etc.);
- (b) Specialty associations, local, state, or national (e.g., critical care, school health, neurology, etc.);
- (c) Boards of nursing.

(2) Staff development programs. The licensee must be able to document the following information:

- (a) Title and brief description of the content area studied;
- (b) Objectives that identify specific learning outcome;
- (c) Evaluation methods utilized in determining mastery of the objectives;
- (d) Proof of completion.

(3) Self-directed learning. A maximum of five contact hours may be granted. The licensee must be able to document the following criteria for self-directed study:

- (a) Reasons for undertaking study;
- (b) Title and brief description of the content area studied;
- (c) Methods of identification of learning needs;
- (d) Objectives that identify specific learning outcome;
- (e) Methods utilized in implementing the study;
- (f) Description of learning experiences and resources used;
- (g) Evaluation methods utilized in determining mastery of the objectives;

(h) The number of hours taken for completion of the study and the duration of the study.

(4) Journal clubs. A maximum of five contact hours may be granted. The licensee must document the following criteria for journal club study:

- (a) Title and brief description of content area studied;
- (b) Identify specific learning outcomes;
- (c) The number of hours taken for completion of the study.
- (5) The following documents must be kept by the licensee for audit purposes:

- (a) Transcripts, or
- (b) Certificates of attendance or completion; or
- (c) Grade reports; or
- (d) Documentation for self-directed study; or
- (e) Documentation for journal club study.
- (6) All records must be kept for two years following the end of the reporting period.

NEW SECTION

WAC 308-120-607 CONTACT HOUR. One contact hour equals fifty minutes of actual organized instruction, or two hours of planned and supervised clinical practice which is designed to meet educational

objectives or three hours of self-directed learning or journal club study. One academic semester hour equals fifteen contact hours; one academic quarter hour equals ten contact hours.

NEW SECTION

WAC 308-120-608 WAIVERS. The board may grant a waiver of the continuing education requirement or an extension of time within which to fulfill this requirement. A request for waiver must be submitted by the licensee prior to renewal date.

(1) The request for a waiver must be accompanied by a statement indicating the reason for noncompliance. If the noncompliance is due to a disability, a certificate signed by a licensed health practitioner must be submitted.

(2) Waivers of the continuing education requirements may be granted by the board for a period of time not to exceed twelve months. If the cause of the noncompliance continues beyond the period of the waiver, the licensee must request an extension of the waiver.

(3) The board may, as a condition of the waiver granted, require the licensee to make up a portion or all of the continuing education requirements waived.

WSR 83-20-091

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning license renewal dates, new section WAC 308-50-350;

that the agency will at 9:00 a.m., Tuesday, November 8, 1983, in the Third Floor Conference Room, Department of Licensing, Highways-Licenses Building, Twelfth at Franklin, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is section 7, chapter 39, Laws of 1983.

The specific statute these rules are intended to implement is section 7, chapter 39, Laws of 1983.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 2, 1983.

Dated: October 4, 1983

By: Joan Baird

Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Title: WAC 308-50-350 Renewal of license.

Description of Purpose: The purpose of the new rule is to bring the license renewal date for hearing aid fitters/dispensers into conformity with that for other professions under the administration of the Washington State Department of Licensing.

Statutory Authority: Section 7, chapter 39, Laws of 1983.

Summary of Rule: WAC 308-50-350 designates the birthdate of the licensee as the annual license renewal date.

Reasons Supporting Proposed Action: This rule is proposed to facilitate license renewal for hearing aid fitters/dispensers.

Responsible Personnel: In addition to the director, the following Department of Licensing personnel have knowledge of and responsibility for drafting, implementing and enforcing this rule: Barbara Johnson, Executive Secretary, Highways-Licenses Building, Twelfth at Franklin, Olympia, WA 98504, 234-1153 scan, 753-1153 comm; and Joan Baird, Assistant Director, Highways-Licenses Building, Twelfth at Franklin, Olympia, WA 98504, 234-1369 scan, 753-1369 comm.

Proponents: This rule is proposed by the Washington State Department of Licensing.

Agency Comments: This rule is promulgated pursuant to section 7, chapter 39, Laws of 1983.

Small Business Economic Impact Statement: A small business economic impact statement is not required and has not been filed since this rule does not impact any small businesses as that term is defined by RCW 43.31.920.

NEW SECTION

WAC 308-50-350 RENEWAL OF LICENSE. (1) The annual license renewal date for Hearing Aid Fitters and Dispensers is hereby changed to coincide with the licensee's birthdate. Individuals making application for examination and initial license, provided they meet all such requirements, will be issued a license to expire on their next birth anniversary date.

(2) Current Licensees as of December 31, 1983. Licensed Hearing Aid Fitters and Dispensers desiring to renew their licenses will be required to pay a fee of eighty dollars (\$80), plus one-twelfth of that amount for each month or fraction thereof, in order to extend their license to expire on their birth anniversary date next following December 31, 1983.

(c) After the initial conversion to a staggered system, licensees may renew their licenses at the annual fee rate, for one year from birth anniversary date to the next birth anniversary date.

pk or 1/22/83

APPROVED AND ADOPTED September 7, 1983.

By Robert W. Cote
Executive Secretary

AMENDATORY SECTION (Amending Order 32, filed 1/21/83)

WAC 289-15-225 MAXIMUM CAPACITIES. Pursuant to WAC 289-15-220, the maximum capacity of each detention and correctional facility within the state of Washington is established at the figure indicated below.

Detention Facilities

- Auburn (22)
- Bremerton (23)
- Forks (11)
- Issaquah (6)
- Olympia (temporary) (19)
- Richland (23)

Correctional Facilities

- Benton County (33)
- Chelan County (50)
- Clallam County (102)
- Clark County (141)
- Cowlitz County (91)
- Ferry County (22)
- Franklin County (76)
- Grant County (54)
- Grays Harbor County (54)
- Island County (29)
- Jefferson County (18)
- Kent (20)
- King County (1038)
- Kitsap County (101)
- Kittitas County (~~((52))~~) (45)
- Klickitat County (36)
- Lewis County (62)
- Lincoln County (8)
- Mason County (34)
- Okanogan County (52)
- Pacific County (14)
- Pend Oreille County (18)
- Pierce County (~~((263))~~) (359)
- Skagit County (36)
- Skamania County (17)
- Snohomish County (~~((28))~~) (116)
- Snohomish County Work Release (60)
- Spokane County (352)
- Thurston County (94)
- Walla Walla County (~~((24))~~) (44)
- Whatcom County (82)
- Whitman County (21)
- Yakima County (225)



WSR 83-20-092
ADOPTED RULES
CORRECTIONS STANDARDS BOARD
[Order 34—Filed October 5, 1983]

Be it resolved by the Corrections Standards Board, acting at Olympia, Washington, that it does adopt the annexed rules relating to maximum capacities, amending WAC 289-15-225.

This action is taken pursuant to Notice No. WSR 83-16-081 filed with the code reviser on August 3, 1983. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Corrections Standards Board as authorized in RCW 70.48.050(1)(a) and 70.48.070(4).

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

WSR 83-20-093
PROPOSED RULES
DEPARTMENT OF FISHERIES
[Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 10:00 a.m., Saturday, November 19, 1983, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1983.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 18, 1983.

Dated: October 5, 1983
By: Russell W. Cahill
for William R. Wilkerson
Director

STATEMENT OF PURPOSE

Title: Chapters 220-12, 220-16, 220-20, 220-22, 220-24, 220-30, 220-32, 220-36, 220-40, 220-44, 220-47, 220-48, 220-49, 220-52, 220-69 and 220-85 WAC and WAC 220-55-065, 220-60-070, 220-74-022, 220-76-010, 220-80-090 and 220-95-026.

Description of Purpose: Amend statutory references due to Revised Code of Washington recodification; restructure Title 220 WAC to put all salmon rules within one chapter; modify rules effecting Puget Sound and coastal bottomfish and baitfish; and modify rules regarding reporting of commercially caught fish.

Statutory Authority: RCW 75.08.080.

Summary of Rule: Chapter 220-12 WAC, deletes promulgation and preamble; corrects classification spellings; adds "whiting" as synonym for Pacific hake; deletes improper synonyms for three rockfish and one shark species; chapter 220-16 WAC, combines definitions for dip bag net, hand dip net, and smelt rake; clarifies difference between commercial jig and troll lines; and deletes number of hooks and number of lines references; provides trawl net mesh size variance; corrects bottomfish identification; adds gaseous discharge to explosive substance definition; deletes salmon specific definitions; chapter 220-20 WAC, clarifies intent of buoy brand regulation; deletes snagging and fish protection device regulation; creates snag net permit requirement; deletes salmon specific regulations; chapter 220-22 WAC, creates new Puget Sound Marine Fish area; extends a Puget Sound Marine Fish area to coastal waters; deletes salmon specific regulations; chapter 220-24 WAC, repealed; chapter 220-30 WAC, creates salmon specific chapter; compiles all salmon specific regulations; changes southern boundary of southernmost salmon catch area; changes boundary of easternmost salmon catch area in Grays Harbor with north-central salmon catch area in Grays Harbor; makes barbed hook trolling in coastal waters unlawful in May; chapter 220-32 WAC, amends statutory reference; deletes salmon specific regulations; chapter 220-36 WAC, deletes salmon specific regulations; chapter 220-40 WAC, deletes salmon specific regulations; chapter 220-44 WAC, restricts commercial coastal smelt fishing; amends statutory references; reduces bottomfish catch limits; chapter 220-47 WAC, repealed; chapter 220-48 WAC, extends protected area where bottom trawl prohibited; clarifies set net species prohibition; requires reporting of commercial jig and troll catches; prohibits bottomfish troll in inner Strait of Juan de Fuca; chapter 220-49 WAC, extends closure of northern Puget Sound to commercial baitfishing by six months; clarifies resale prohibition; closes smelt season thirty days earlier; chapter 220-52

WAC, amends statutory reference; clarifies geoduck regulations; WAC 220-55-065, amends statutory reference; clarifies license expiration; WAC 220-60-070, amends statutory reference; chapter 220-69 WAC, defines buyer, original receiver and treaty Indian; requires signature of deliverer on fish receiving ticket; requires angler's driver's license number or alternate on sport punch cards; allows delay in reporting Pacific whiting; WAC 220-74-022, amends statutory reference; WAC 220-76-010, amends statutory reference; WAC 220-80-090, increases copying fees; chapter 220-85 WAC, amends statutory references; and WAC 220-95-026, amends statutory reference.

Reasons Supporting Proposed Action: Chapter 220-12 WAC, the promulgation and preamble do not clarify the regulations; the synonym "whiting" is preferred by the industry; the improper synonyms are confusing; chapter 220-16 WAC, the three net definitions are essentially identical; clarification is necessary between jig and troll gear, and the vessel being underway is the difference; the hook number and line numbers have been removed from the license statutes; trawl nets are measured differently from other nets; recent use of gaseous discharge in Puget Sound oil exploration require that permits be required to monitor possible resource damage; chapter 220-20 WAC, without this clarification, buoy brands are interchangeable and transferrable; snagging and fish protection regulations are not necessary as the prohibited activities are now covered by statute; resource protection requires advance notice of use of a snag net; salmon specific regulations are moved to the new chapter; chapter 220-22 WAC, creation of a new Puget Sound management area is necessary to prevent conflict between commercial and sport fishing interests that are utilizing the same area for different stocks; resources at the mouth of the Strait of Juan de Fuca comprise elements of both Puget Sound and Pacific Ocean stocks, and management under generally more restrictive sound regulations; salmon management areas are moved to the new chapter; chapter 220-24 WAC, coastal salmon regulations are moved to the new chapter; chapter 220-30 WAC, the new chapter is created to provide a single source for the highly complex salmon regulations. Clarification and definitions of salmon specific areas and gear are provided, but the bulk of the regulations are unchanged; the new boundary for Areas 2G and 2H is necessary as a readily identifiable division; the southern boundary for Pacific Ocean Area 1 is as decided by the Pacific Marine Fisheries Council, as is the barbless troll requirement; chapter 220-32 WAC, Columbia River salmon regulations are moved to the new chapter; chapter 220-36 WAC, Grays Harbor salmon regulations are moved to the new chapter; chapter 220-40 WAC, Willapa Harbor salmon regulations are moved to the new chapter; chapter 220-44 WAC, commercial smelt fishing is not compatible with recreational intent of National Park land; the catch limits for bottomfish are recommendations of the Groundfish Management Plan; chapter 220-47 WAC, this chapter is repealed as all section were moved to the new salmon chapter; chapter 220-48 WAC, southern Puget Sound English sole are exempted from size limits due to incompatibility with

human consumption, while studies shown the 12 inch size limit elsewhere allows for a breeding stock; increasing the size of the southern Puget Sound protected trawl area will reduce overfishing; log data is necessary for management; chapter 220-49 WAC, management of herring stocks in Bellingham Bay is increased if the commercial fishery is regulated more closely by reduced fishing time and prompt reporting; standardization of surf smelt openings assists management; chapter 220-52 WAC, geoduck rule clarification is required to assure vessel operators are aware of their obligations regarding geoduck harvest; unnecessary wording has been removed from crab gear regulations; WAC 220-55-065, change required by recodification; WAC 220-60-070, change required by recodification; chapter 220-69 WAC, identification of the original receiver is necessary to determine who is to complete the fish receiving ticket; buyer and treaty Indian definitions are necessary to identify persons in the fishery; the signature requirement on fish tickets is a legal requirement for accountability; the driver's license requirement on sport records allows for catch data management; the whiting fishery has special large volume handling needs that provide better management data after completion of processing; WAC 220-74-022, change required by recodification; WAC 220-76-010, change required by recodification; WAC 220-80-090, this is the first increase in copying costs since 1973, and is necessary to recover actual expenses; chapter 220-85 WAC, changes required by recodification; and WAC 220-95-026, change required by recodification.

Agency Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 754-2429; Implementation: Edward P. Manary, Gene DiDonato and Ronald E. Westley, 115 General Administration Building, Olympia, Washington, 753-6600; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington Department of Fisheries.

Comments: None.

These rules are not the result of federal law or court order.

Small Business Economic Impact Statement: No effect, these rules regard resource management and apply equally.

Chapter 220-12 WAC
FOOD FISH AND SHELLFISH—CLASSIFIED

- WAC 220-12-010 Food fish and shellfish—Classification—Food fish.
- 220-12-020 Food fish and shellfish—Shellfish.

AMENDATORY SECTION (Amending Order 82-19, filed 3/18/82)

WAC 220-12-010 FOOD FISH ((AND SHELLFISH))—CLASSIFICATION((—FOOD FISH)).

The following fishes are classified as food fish under RCW 75.08.080 and are subject to the provisions of this title:

- Barracuda
- Pacific barracuda
- Cyprinids
- Carp
- Sphyraena argentea
- Cyprinus carpio

- Cods and Hake
- Pacific hake or whiting
- ((Potlock or)) Walleye pollock
- Pacific Tomcod
- Pacific Cod or true cod
- Flounder, sole and halibut
- Butter sole or Bellingham sole
- C-O sole
- Dover sole
- English sole
- Flathead sole
- Pacific halibut
- Petrale sole
- Rex sole
- Rock sole
- Pacific sand dab
- Sand sole
- Slender sole
- Speckled sand dab
- Starry flounder
- Turbot or Arrowtooth flounder
- All other species of sole and flounder
- Giant wrymouth
- Greenling
- Lingcod
- Rock greenling
- Kelp greenling
- All other species of greenling
- Herring and herring-like fishes
- Northern anchovy
- Pacific sand lance or candlefish
- Pacific herring
- Pacific sardine or pilchard
- American shad
- Mackerels, tunas and jacks (carangids)
- Pacific bonito
- Pacific mackerel
- Jack mackerel
- Monterey Spanish mackerel
- Spanish mackerel
- Yellowtail
- Albacore
- Bluefin tuna
- Skipjack tuna
- Yellowfin tuna
- All other species of tunas and mackerels
- Pacific pomfret
- Pacific pompano
- Plainfin midshipman
- Ratfish
- Rattails, all species
- Skates
- Longnose skate
- Big skate
- All other species of skates
- Rockfish
- Bocaccio
- Black rockfish
- Brown rockfish
- Copper rockfish
- Greenstriped rockfish
- ((Orange or)) Canary rockfish
- Pacific Ocean perch
- ((Red snapper)) Yelloweye or rasp-head rockfish
- Rosefish or splitnose rockfish
- Silvergray rockfish
- ((Yellow backed or)) Quillback rockfish
- Yellowtail rockfish
- All other species of rockfish
- Sablefish
- Salmon
- Chinook or King salmon
- Chum or dog salmon
- Pink or humpback
- Coho or silver
- Sockeye or blue back
- Masu
- Sculpins
- Brown Irish lord
- Buffalo sculpin
- Cabezon
- Great sculpin
- Pacific Staghorn sculpin
- Red Irish lord

- Merluccius productus
- Theragra chalcogrammus
- Microgadus proximus
- Gadus ((macrocephalus)) macrocephalus

- Isopsetta isolepis
- Pleuronichthys coenosus
- Microstomus pacificus
- Parophrys vetulus
- Hippoglossoides classodon
- Hippoglossus stenolepis
- Eopsetta jordani
- Glyptocephalus zachirus
- Lepidopsetta bilineata
- Citharichthys sordidus
- Psettichthys melanostictus
- Lyopsetta exilis
- Citharichthys stigmaceus
- Platichthys stellatus
- Atheresthes stomias
- (Pleuronectiformes)
- Delolepis gigantea

- Ophiodon elongatus
- Hexagrammos superciliosus
- Hexagrammos decagrammus
- (Hexagrammidae)

- Engraulis mordax
- Ammodytes hexapterus
- Clupea harengus pallasii
- Sardinops sagax
- Alosa sapidissima

- Sarda chiliensis
- Scomber japonicus
- Trachurus symmetricus
- Scomberomorus concolor
- Scomberomorus maculatus
- Seriola dorsalis
- Thunnus alalunga
- Thunnus thynnus
- Euthynnus pelamis
- Thunnus albacares

- (Scombridae)
- Brama japonica
- Peprilus simillimus
- Parichthys notatus
- Hydrolagus collicii
- (Coryphaenoididae)

- Raja rhina
- Raja binoculata
- (Rajidae)

- ((Sebastodes)) Sebastes paucispinis
- ((Sebastodes)) Sebastes melanops
- ((Sebastodes)) Sebastes auriculatus
- ((Sebastodes)) Sebastes caurinus
- ((Sebastodes)) Sebastes clonngatus
- ((Sebastodes)) Sebastes pinniger
- ((Sebastodes)) Sebastes alutus

- ((Sebastodes)) Sebastes ruberrimus
- ((Sebastodes)) Sebastes diploproa
- ((Sebastodes)) Sebastes brevispinis

- ((Sebastodes)) Sebastes maliger
- ((Sebastodes)) Sebastes flavidus
- (Scorpaenidae)
- Anoplopoma fimbria

- Oncorhynchus tshawytscha
- Oncorhynchus keta
- Oncorhynchus gorbuscha
- Oncorhynchus kisutch
- Oncorhynchus nerka
- Oncorhynchus masu

- Hemilepidotus spinosus
- Enophrys bison
- Scorpaenichthys marmoratus
- Myoxocephalus polyacanthocephalus
- Leptocottus armatus
- Hemilepidotus hemilepidotus

Seabass and Drums
 White seabass
 All other seabass and drums
 Sharks
 ((Mud shark or)) Sixgill shark
 Soupfin shark
 Dogfish or spiny dogfish
 All other species of sharks
 Smelts
 Eulachon or Columbia River smelt
 Longfin smelt
 Surf smelt
 All other species of smelt
 Sturgeons
 Green sturgeon
 White sturgeon
 Surfperches
 Blue perch or striped seaperch
 Kelp perch ((or brown perch))
 ((Pogic or)) Redtail surfperch
 Shiner perch
 ((Silver perch or)) Pile perch
 Walleye surfperch
 White seaperch
 All other species of perch
 Wolf-eel

Cynoscion nobilis
 (Sciaenidae and Serranidae)
 Hexanchus griseus
 Galeorhinus zyopterus
 Squalus acanthias
 (Squaliformes and Hexanchiformes)
 Thaleichthys pacificus
 Spirinchus dilatatus
 Hypomesus pretiosus
 (Osmeridae)
 Acipenser medirostris
 Acipenser transmontanus
 Embiotoca lateralis
 Brachyistius frenatus
 Amphistichus rhodoterus
 Cymatogaster aggregata
 Rhacochilus vacca
 Hyperprosopon argenteum
 Phanerodon furcatus
 (Embiotocidae)
 Anarrhichthys ocellatus

AMENDATORY SECTION (Amending Order 1186, filed 1/13/75)

WAC 220-12-020 ((FOOD FISH AND)) SHELLFISH—((SHELLFISH)) CLASSIFICATION.

The following species are classified as shellfish under RCW 75.08-.080 and are subject to the provisions of this title:

Abalone
 Red abalone
 Kamschatka
 Clams
 Bent nose clam
 Butter clam
 Common cockle
 Geoduck
 Horse clam
 Mud or soft shell clam
 Manila clam
 Piddock
 Razor clam
 Rock or native little neck clam
 Mussel
 Blue mussel
 California mussel
 Crab
 Dungeness or Pacific
 Red Crab
 Crawfish
 Crawfish
 Crawfish
 Octopus
 Oysters
 Eastern oyster
 Olympia or native oyster
 Pacific oyster
 Kumamoto oyster
 European oyster
 All other oysters
 Scallops
 Pacific pink scallop
 Sea scallop
 Rock scallop
 Hinds' scallop
 Shrimp
 Dock shrimp
 Coonstripe shrimp
 Coonstripe shrimp
 Ocean Pink shrimp
 Pink shrimp
 Sidestripe shrimp
 Spot shrimp
 Pacific Coast squid
 Sea cucumber
 Sea urchin
 Green urchin
 Red urchin
 Purple urchin

Haliotis refescens
 Haliotis kamschatkana
 Macoma secta
 Saxidomus giganteus
 Clinocardium nuttalli
 Panopea generosa
 Schizothaerus nuttalli,
 Schizothaerus capax
 Mya arenaria
 Venerupis japonica
 Zirfaea pilsbryi
 Siliqua patula
 Protothaca staminea
 Mytilus edulis
 Mytilus californianus
 Cancer magister
 Cancer productus
 Astacus leniusculus
 Astacus trowbridgii
 Astacus klamathensis
 Octopus hongkongensis
 Crassostrea virginica
 Ostrea lurida
 Crassostrea gigas
 Crassostrea gigas kumamoto
 Ostrea edulis
 (Ostreidae)
 Chlamys hastata hericia
 Pecten caurinus
 Hinnites multirugosus
 Chlamys hindsii
 Pandalus danae
 Pandalus goniurus
 Pandalus hypsinotus
 Pandalus jordani
 Pandalus borealis
 Pandalopsis dispar
 Pandalus platyceros
 Loligo opalescens
 Stichopus californicus
 Cucumaria miniata
 Strongylocentrotus droebachiensis
 Strongylocentrotus franciscanus
 Strongylocentrotus purpuratus

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 220-12-001 FOOD FISH AND SHELLFISH—PROMULGATION.
- (2) WAC 220-12-002 FOOD FISH AND SHELLFISH—CLASSIFICATION AND PREAMBLE.

AMENDATORY SECTION (Amending Order 79-11, filed 2/15/79)

WAC 220-16-028 DEFINITIONS—DIP BAG NET. "Dip bag net" shall be defined as a section of netting distended by a rigid frame operated by ~~((a process commonly recognized as dipping))~~ hand, and includes hand dip nets and smelt rakes.

AMENDATORY SECTION (Amending Order 79-11, filed 2/15/79)

WAC 220-16-051 DEFINITIONS—~~((HAND LINE))~~COMMERCIAL JIG. ~~((Hand line))~~ Commercial jig gear shall be defined~~((when relating to its use for commercial purposes;))~~ as a line or lines ~~((to))~~ hand held or attached to poles or machines, and to which may be attached ~~((not more than three))~~ any number of hooks ~~((per line))~~ or lures. The gear shall be fished from a single vessel that is not underway.

AMENDATORY SECTION (Amending Order 810, filed 4/17/69)

WAC 220-16-125 DEFINITIONS—TROLL LINE. "Troll line" when relating to its use for commercial purposes shall be defined as a fishing line used to drag a lure or lures behind a ~~((moving))~~ vessel ~~((and shall permit the use by any one vessel of not more than six (6) times))~~ that is underway.

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

WAC 220-16-240 GEOGRAPHICAL DEFINITIONS—COASTAL WATERS. The term "Coastal Waters" shall be construed to include those waters of the Pacific Ocean lying within the jurisdiction of the state of Washington, unless otherwise provided, and all streams tributary thereto, exclusive of the Grays Harbor, Willapa Harbor and Columbia River districts.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-16-315 GENERAL DEFINITIONS—NET MESH MEASUREMENT. The size of a mesh of any net except trawl net shall be defined as the distance between the inside of one knot to the outside of the opposite vertical knot of one mesh when the mesh is stretched vertically, while wet, by using a tension of ten pounds on any three consecutive meshes, then measuring the middle mesh of the three while under tension; trawl net mesh - see WAC 220-16-015.

AMENDATORY SECTION (Amending Order 82-19, filed 3/18/82)

WAC 220-16-340 GENERAL DEFINITIONS—BOTTOM-FISH. The term "Bottomfish," unless otherwise provided, is defined as including Pacific cod, Pacific tomcod, Pacific hake, walleye pollock all species of dabs, sole and flounders (except Pacific halibut), lingcod and all other species of greenling, ratfish, sablefish, cabezon, buffalo sculpin, great sculpin, red Irish lord, brown Irish lord, Pacific staghorn sculpin, wolf-eel, giant wry mouth, plainfin midshipman, spiny dogfish, six gill shark, soupfin shark and all other species of shark, and all species of skate, rockfish, rattails and ~~((sea))~~ surf perches.

NEW SECTION

WAC 220-16-380 EXPLOSIVE SUBSTANCE. The term "explosive substance" includes, but is not limited to, any gaseous discharge that generates pressure waves capable of harming food fish or shellfish.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 220-16-040 DEFINITIONS—GILL NET—DRIFT NET.
- (2) WAC 220-16-045 DEFINITIONS—HAND DIP NET.
- (3) WAC 220-16-080 DEFINITIONS—REEF NET.

- (4) WAC 220-16-120 DEFINITIONS—TRAMMEL NET.
- (5) WAC 220-16-135 DEFINITIONS—SMELT RAKE.
- (6) WAC 220-16-200 GEOGRAPHICAL DEFINITIONS—DISTRICT 1.
- (7) WAC 220-16-205 GEOGRAPHICAL DEFINITIONS—DISTRICT 2.
- (8) WAC 220-16-210 GEOGRAPHICAL DEFINITIONS—PUGET SOUND.
- (9) WAC 220-16-211 GEOGRAPHICAL DEFINITIONS—PUGET SOUND TRIBUTARIES.
- (10) WAC 220-16-215 GEOGRAPHICAL DEFINITIONS—GRAYS HARBOR.
- (11) WAC 220-16-220 GEOGRAPHICAL DEFINITIONS—WILLAPA HARBOR.
- (12) WAC 220-16-225 GEOGRAPHICAL DEFINITIONS—COLUMBIA RIVER.
- (13) WAC 220-16-230 GEOGRAPHICAL DEFINITIONS—OUTSIDE INITIATIVE 77 LINE.
- (14) WAC 220-16-235 GEOGRAPHICAL DEFINITIONS—INSIDE INITIATIVE 77 LINE.
- (15) WAC 220-16-275 GEOGRAPHICAL DEFINITIONS—VILLAGE POINT.
- (16) WAC 220-16-300 GENERAL DEFINITIONS—PERSONAL USE.
- (17) WAC 220-16-305 GENERAL DEFINITIONS—COMMERCIAL PURPOSES.

AMENDATORY SECTION (Amending Order 82-83, filed 7/15/82)

WAC 220-20-010 GENERAL PROVISIONS—LAWFUL AND UNLAWFUL ACTS—SALMON, OTHER FOOD FISH AND SHELLFISH. (1) It shall be unlawful to take, fish for, possess or transport for any purpose food fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the department of fisheries.

(2) It shall be unlawful for any person (~~(corporation, business, or company)~~) to have in possession or under control or custody any (~~(salmon or other)~~) food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the director of fisheries, unless otherwise provided.

(3) It shall be lawful to (~~(take)~~) fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided; that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

- Pacific halibut (Hippoglossus stenolepis)
- Pacific herring (Clupea harengus pallasii)
- (except when lawfully taken from Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, and 21B as prescribed in WAC 220-49-020)
- Salmon
- Chinook (Oncorhynchus tshawytscha)
- Coho (Oncorhynchus kisutch)
- Chum (Oncorhynchus keta)
- Pink (Oncorhynchus gorboscha)
- Sockeye (Oncorhynchus nerka)
- Masu (Oncorhynchus masu)

(4) It shall be unlawful for any person to (~~(take)~~) fish for or possess food fish or shellfish smaller than the lawful commercial sizes while aboard any craft engaged in commercial fishing or having commercial-caught fish aboard.

(5) It shall be unlawful for the (~~(owner or)~~) operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked with a buoy to which shall be affixed in a visible and legible manner the approved department of fisheries (~~(approved and registered)~~) buoy brand registered to the operator of said gear, provided that (~~(;)~~):

(a) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(b) (~~(Effective January 1, 1975,)~~) When two or more shellfish pots are attached to a common ground line the number of pots so attached must be clearly labeled on the required buoy.

~~((c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.))~~

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided; that this provision shall not apply to reef nets or brush weirs or to gear being tested under supervision of the department of fisheries, provided further that it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47° 20' from August 15 through November 30 except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the department of fisheries.

(8) It shall be unlawful for any person taking or possessing food fish or shellfish taken from any of the waters or beaches of the Columbia River, the state of Washington or the Pacific Ocean for any purpose to fail to submit such food fish or shellfish for inspection by authorized representatives of the department of fisheries.

(9) It shall be unlawful for any person licensed under the Fisheries Code of Washington to fail to make any report or return required of him by the department of fisheries relative to the taking, selling, possessing, transporting, processing, freezing and storing of food fish or shellfish whether taken within the jurisdiction of the state of Washington or beyond or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) (~~(It shall be unlawful to take, fish for or possess or to injure, kill or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere in any manner with the proper operation of such fish protective devices.~~)

~~((11) It shall be unlawful to club, gaff, shoot, snag, snare, dip net, harass, spear, stone or otherwise molest, injure, kill or destroy any food fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, provided; that it shall be lawful to use a dip net, gaff or club in the landing of food fish taken by personal-use angling.~~)

~~((12)) It shall be unlawful to take or possess for any purpose any food fish or shellfish smaller than the lawful minimum size limits. ((Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish and it shall be unlawful to allow undersized salmon entangled in commercial nets to pass through a power block or onto a power reel or drum)) Undersize food fish or shellfish shall be returned to the water with the least possible injury.~~

~~((13))~~ (11) It shall be unlawful to possess aboard any vessel engaged in commercial fishing or having commercially caught fish aboard, any (~~(salmon or other)~~) food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, length, weight, or sex limit is prescribed for said species.

~~((14))~~ (12) It shall be unlawful in any area to use, operate or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the department of fisheries.

~~((15))~~ (13) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of the director of fisheries, or to perform any act not specifically authorized in said document or in the regulations of the director of fisheries.

~~((16))~~ (14) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or pests affecting food fish or shellfish or other aquatic marine organisms, without first having obtained a special permit to do so from the director of fisheries.

~~((17))~~ (15) It shall be (~~(lawful)~~) unlawful to test commercial fishing gear except as follows:

(a) Bellingham Bay - inside and northerly of a line from Governor's Point to the south tip of Eliza Island to Point Frances in waters 10 fathoms and deeper.

(b) Boundary Bay - north of a line from Birch Point to Point Roberts and south of the International boundary in waters 10 fathoms and deeper during times not under IPSFC control.

(c) San Juan Channel - within a 1 mile radius of Point Caution during times not under IPSFC control.

(d) Port Angeles - inside and westerly of a line projected from the east tip of Ediz Hook through buoy C "1" to the mainland.

(e) Port Gardner – within a 2 mile radius of the entrance to Everett breakwater in waters 10 fathoms and deeper.

(f) Central Puget Sound – between lines from Meadow Point to Point Monroe and Skiff Point to West Point in waters 50 fathoms and deeper.

(g) East Pass – between lines from Point Robinson true east to the mainland and from Dash Point to Point Piner in waters 50 fathoms and deeper.

(h) Port Townsend – westerly of a line from the Coast Guard station in Port Townsend to Walan Point to Kala Point in waters 10 fathoms and deeper.

(i) All tows or sets are limited to 20 minutes exclusive of setting and retrieving time.

(j) All testing is to be accomplished between 8:00 a.m. and 4:00 p.m.

(k) Codends of trawl nets must be left open, all hooks of set line gear must be unbaited, and no lures or baited hooks shall be used with jig or troll gear.

(l) Any and all incidentally caught fish and shellfish must be returned to the waters immediately, and no fish or shellfish are to be retained aboard the vessel at any time during a gear test operation.

(m) It shall be unlawful for any person conducting such gear testing operations to fail to notify the fisheries patrol office in Olympia prior to testing.

~~((18))~~ (16) It is unlawful for any person or corporation licensed by the department of fisheries to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from food fish or shellfish. It is also unlawful for any such person or corporation to fail to relinquish to the department, upon request, any part of a salmon or other food fish containing coded-wire tags, including but not limited to, the snouts of those salmon that are marked by having clipped adipose fins.

(17) It is unlawful to operate a snag net without a permit from the department.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 220-20-015 LAWFUL AND UNLAWFUL ACTS—SALMON.

(2) WAC 220-20-016 SALE OF COMMERCIAL CAUGHT SALMON.

AMENDATORY SECTION (Amending Order 82-15, filed 12/1/82, effective 1/1/83)

WAC 220-22-400 MARINE FISH-SHELLFISH MANAGEMENT AND CATCH REPORTING AREAS, PUGET SOUND.

(1) Area 20A shall include those waters of Puget Sound north of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island and from the westernmost point of Patos Island due east to the international boundary; and west of a line from Point Francis through the marker north of Inati Bay, Lummi Island to Lummi Island.

(2) Area 20B shall include those waters of Puget Sound southerly of Area 20A, westerly of a line from Lummi Island through Lummi Rocks to the northernmost tip of Sinclair Island, and northerly of a line from the northernmost tip of Sinclair Island to Lawrence Point on Orcas Island and a line which runs from Steep Point on Orcas Island to Limestone Point on San Juan Island and then to Green Point on the eastern tip of Speiden Island and from the western tip of Speiden Island true west to the international boundary.

(3) Area 21A shall include those waters of Puget Sound southerly and easterly of Areas 20A and 20B, and westerly of a line from William Point to Governor's Point, and northerly of a line from William Point to the southernmost tip of Vendovi Island to the Sinclair Island light.

(4) Area 21B shall include those waters of Puget Sound easterly of and adjacent to Area 21A.

(5) Area 22A shall include those waters of Puget Sound south of Area 20B, westerly of 122° 40' W between Sinclair Island and Fidalgo Island and the Deception Pass Bridge; northerly of a line due east from the international boundary to a point 1 nautical mile from Pile Point, San Juan Island, thence southeasterly along a line 1 nautical mile from the southern shores of San Juan Island and Lopez Island to Davidson Rock near Point Colville, then easterly to a point one nautical mile

south of the buoy at Lawson Reef and then due east to Whidbey Island.

(6) Area 22B shall include those waters of Puget Sound south of Area 21A, east of 22A, and north of the railroad bridges at Swinomish Channel.

(7) Area 23A shall include those waters of Puget Sound southerly of Area 22A; westerly and northerly of a line described as follows: A line segment from Davidson Rock near Point Colville, Lopez Island to a point 2 nautical miles from the Smith Island light thence continuing westerly and southerly 2 nautical miles from the Smith Island light until the line intersects with a line between Smith Island light and the northern tip of Dungeness Spit, continuing along that line to ~~((a point 2 nautical miles from))~~ the buoy at Dungeness Spit, and continuing ~~((westerly 2 nautical miles from shore to a point 2 nautical miles))~~ due west to a line projected due north of the eastern tip of Ediz Hook ~~((; and easterly of a line from a point 2 nautical miles north of Ediz Hook continuing north))~~ to the international boundary.

(8) Area 23B shall include those waters of Puget Sound southerly of Area 22A; easterly of 23A; and northerly of a line due west from Partridge Point, Whidbey Island to its intersection with Area 23A.

(9) Area 23C shall include those waters of Puget Sound westerly of Area 23A and a line due north from the eastern tip of Dungeness Spit to ~~((its intersection with Area 23A))~~ the international boundary; and easterly of a line projected due north from the mouth of the Sekiu river.

(10) Area 23D shall include those waters of Puget Sound southerly of Area 23A and easterly of Area 23C.

(11) Area 24A shall include those waters of Saratoga Passage and Skagit Bay east of a line between Polnell Point and Rocky Point, Camano Island; south of Area 22B; and east of Area 22A, and north of the highway 532 bridge between Camano Island and the mainland.

~~((11))~~ (12) Area 24B shall include those waters of Port Susan south of Area 24A and north of a line from Camano Head on Camano Island to the north tip of Gedney Island and from the southern tip of Gedney Island east to the mainland.

~~((12))~~ (13) Area 24C shall include those waters of Saratoga Passage west of Area 24A; north of a line projected due west of Hackney Island; and northwest of a line from Sandy Point, Whidbey Island to Camano Head, Camano Island.

~~((13))~~ (14) Area 24D shall include Holmes Harbor south of a line projected due west from Hackney Island to Whidbey Island.

~~((14))~~ (15) Area 25A shall include those waters of Puget Sound south of Areas 23A and 23B; east of Area ~~((23C))~~ 23D; north of a line projected from Diamond Point to Cape George, and westerly of a line projected from Point Partridge on Whidbey Island to Point Wilson.

~~((15))~~ (16) Area 25B shall include those waters of Admiralty Inlet east of Area 25A; northeast of a line projected from Point Hudson to Marrowstone Point; and north of a line projected from Olele Point to Foulweather Bluff continuing to Double Bluff on Whidbey Island.

~~((16))~~ (17) Area 25C shall include those waters of Hood Canal south of Area 25B and north of the Hood Canal Floating Bridge.

~~((17))~~ (18) Area 25D shall include those waters of Port Townsend Bay southwest of Area 25B.

~~((18))~~ (19) Area 25E shall include those waters of Discovery Bay south of Area 25A.

~~((19))~~ (20) Area 26A shall include those waters of Puget Sound south of Areas 24B, 24C, and 25B and northerly of a line from Apple Cove Point to Point Edwards.

~~((20))~~ (21) Area 26B shall include those waters of Puget Sound south of Area 26A, and east of a line from Point Monroe, Bainbridge Island to the mouth of Miller Bay, and east of a line from Beans Point on Bainbridge Island to Orchard Point, and northerly of a line from the ferry dock at Point Southworth to Brace Point.

~~((21))~~ (22) Area 26C shall include those waters of Puget Sound westerly and adjacent to Area 26B.

~~((22))~~ (23) Area 26D shall include those waters of Puget Sound southerly of Area 26B and northerly of the Tacoma Narrows Bridge.

~~((23))~~ (24) Area 27A shall include those waters of Hood Canal southerly of the Hood Canal Floating Bridge and northerly of a line from Misery Point to Quatsap Point.

~~((24))~~ (25) Area 27B shall include those waters of Hood Canal south of Area 27A and north of a line from Lilliwaup Creek to Dewatto.

~~((25))~~ (26) Area 27C shall include those waters of Hood Canal south of Area 27B.

~~((26))~~ (27) Area 28A shall include those waters of Puget Sound southerly and westerly of the Tacoma Narrows Bridge, south of a line

projected from Penrose Point to Green Point in Carr Inlet, south of a line projected from Point Wilson to Whiteman Cove in Case Inlet, and east of a line projected from Brisco Point to Dofflemeyer Point.

~~((27))~~ (28) Area 28B shall include all waters of Carr Inlet north of a line projected from Penrose Point to Green Point.

~~((28))~~ (29) Area 28C shall include those waters of Case Inlet and Pickering Passage north of a line projected from Wilson Point to Whiteman Cove, and north of the highway bridge from the west side of Hartstene Island.

~~((29))~~ (30) Area 28D shall include those waters west of Area 28A and south of Area 28C.

~~((30))~~ (31) Area 29 shall include those waters of the Strait of Juan de Fuca west of Area 23C and ~~((east))~~ coastal waters northerly of a line projected ~~((from the Bonilla Point light on Vancouver Island to the Tatoosh Island light, then to the most westerly point of))~~ true west from Cape ~~((Flattery))~~ Alava.

~~((31))~~ (32) This WAC will not apply to hardshell clams, oysters, or geoducks.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-22-410 MARINE FISH-SHELLFISH MANAGEMENT AND CATCH REPORTING AREAS, COASTAL WATERS. (1) Area 50 shall include waters of the Bering Sea north of the Aleutian Islands.

(2) Area 51 shall include waters south of the Aleutian Islands and west of longitude 159° W.

(3) Area 52 shall include waters west of longitude 154° W and east of Area 51.

(4) Area 53 shall include waters west of longitude 147° W and east of Area 52.

(5) Area 54 shall include waters west of longitude 137° W and east of Area 53.

(6) Area 55 shall include waters north of latitude 54° 40' N and east of Area 54.

(7) Area 56 shall include waters north of latitude 50° 30' N and south of Area 55.

(8) Area 57 shall include waters north of latitude 48° 26' N and south of Area 56.

(9) Area 58A shall include waters north of the United States - Canada boundary and south of Area 57.

(10) Area 58B shall include waters west of a line projected 220° True southwest from the equidistant point between the United States and Canada along the Cape Flattery to Bonilla Point line, north of a line projected true west from Point Grenville and south of Area 58A.

(11) Area 59 shall include waters east of the 220° True line, west of a line from Cape Flattery to Bonilla Point, and north of a line true west from Point Grenville excluding coastal waters north of a line projected true west from Cape Alava, which are in Area 29.

(12) Area 60A shall include waters north of a line projected true west from the Washington-Oregon boundary in the Columbia River, and south of Areas 58 and 59, exclusive of the Columbia River estuary, Grays Harbor and Willapa Bay.

(13) Area 60B shall include the waters of Grays Harbor east of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(14) Area 60C shall include the saltwater areas of Willapa Bay east of a line from Leadbetter Point to Cape Shoalwater light.

(15) Area 60D shall include waters of the Columbia River east of a line projected from the inshore end of the north jetty in the state of Washington to the knuckle of the south jetty in the state of Oregon, and west of the Megler-Astoria Bridge.

(16) Area 61 shall include waters north of latitude 42° 00' N, and south of Area 60A, exclusive of the Columbia River estuary.

(17) Area 62 shall include waters north of latitude 38° 00' N, and south of Area 61.

(18) Area 63 shall include waters north of latitude 32° 00' N, and south of Area 62.

(19) Area 64 shall include all waters south of Area 63.

(20) This WAC will not apply to hardshell clams, oysters, or geoducks.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 220-22-010 COLUMBIA RIVER SALMON MANAGEMENT AND CATCH REPORTING AREAS.

(2) WAC 220-22-020 COAST, WILLAPA HARBOR, GRAYS HARBOR SALMON MANAGEMENT AND CATCH REPORTING AREAS.

(3) WAC 220-22-030 PUGET SOUND SALMON MANAGEMENT AND CATCH REPORTING AREAS.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

(1) WAC 220-24-010 UNLAWFUL ACTS.

(2) WAC 220-24-020 LAWFUL ACTS.

(3) WAC 220-24-030 CLOSED AREAS.

NEW SECTION

WAC 220-30-010 DEFINITIONS—GEOGRAPHICAL AREAS. As used in this chapter, unless the context clearly requires otherwise:

(1) "Columbia River" means Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, 1E, 1F, 1G and 1H as defined in WAC 220-30-050 and tributaries to those areas.

(2) "Grays Harbor" means Salmon Management and Catch Reporting Areas 2A, 2B, 2C and 2D as defined in WAC 220-30-060, tributaries to those areas and those waters at the mouth of Grays Harbor lying westerly of a line projected from the Point Chehalis Light at Westport through the Coast Guard tower to the shore at Point Brown and easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(3) "Willapa Harbor" means Salmon Management and Catch Reporting Areas 2G, 2H, 2J, 2K and 2M as defined in WAC 220-30-065 and tributaries to those areas.

(4) "Puget Sound" means Salmon Management and Catch Reporting Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7B, 7C, 7D, 8, 8A, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A and 13B as defined in WAC 220-30-070 and tributaries to those areas.

(5) "Pacific Ocean" means Salmon Management and Catch Reporting Areas 1, 2, 3, 4, and 4A as defined in WAC 220-30-055 and tributaries to those areas, but not including the Columbia River, Grays Harbor and Willapa Harbor.

NEW SECTION

WAC 220-30-020 DEFINITIONS—GENERAL. As used in this chapter, unless the context clearly requires otherwise:

(1) "Mesh size" means the distance between the inside of one knot to the outside of the opposite vertical knot of one mesh, when the mesh is stretched vertically, while wet, by using a tension of ten pounds on any three consecutive meshes and then measuring the middle mesh of the three.

(2) "Fish length" means the shortest distance between the extreme tip of the fish's tail to the extreme tip of its snout or jaw, whichever extends the farthest, measured while the fish is lying in a prone and normal position.

(3) References to time mean Pacific Standard Time, except that during the period from the last Sunday in April to the last Sunday in October, references to time mean Pacific Daylight Time.

(4) "Tributary mouth" means a line projected between the outermost uplands at the downstream end of the tributary, except the Skagit River mouth is a line projected from the white monument on the easterly point of Ika Island, across the Skagit River, to the end of the jetty with McGlenn Island. "Uplands" means those lands not covered by water during an ordinary high tide.

(5) "Snag net" means a drift gill net containing meshes of not less than 14 inches and used to clear snags or similar obstructions from gill net drifts.

(6) "Mile" means nautical mile.

NEW SECTION

WAC 220-30-050 DEFINITIONS—COLUMBIA RIVER MANAGEMENT AREAS. Following are the Columbia River Salmon Management and Catch Reporting Areas. Tributaries to an area, upstream of the mouth of the tributary, are not included in the Salmon Management and Catch Reporting Area.

(1) Area 1A means those waters of the Columbia River easterly of a line projected from the inshore end of the north jetty in the state of Washington to the knuckle of the south jetty in the state of Oregon, and westerly of a line projected from Grays Point in Washington to Tongue Point in Oregon.

(2) Area 1B means those waters of the Columbia River easterly of a line projected from Grays Point in the state of Washington to Tongue Point in the state of Oregon, westerly of a line projected true north from the water storage tank at the Beaver Munitions Storage Terminal in Oregon, including all waters of Grays Bay, those waters of Deep River downstream of the Highway 4 Bridge, all waters of Seal Slough, those waters of Grays River downstream of a line projected between fishing boundary markers on both banks at the Leo Reisticka farm, and those waters of Elokomin Slough and Elokomin River downstream of the Highway 4 Bridge.

(3) Area 1C means those waters of the Columbia River easterly of a line projected true north from the water storage tank at the Beaver Munitions Storage Terminal in the state of Oregon, and downstream of a line projected true west from the east or upstream bank of the Lewis River mouth in Washington.

(4) Area 1D means those waters of the Columbia River upstream of a line projected true west from the east or upstream bank of the Lewis River mouth in Washington state and westerly of a line projected true north from Rooster Rock in Oregon, and those waters of Camas Slough downstream of the westernmost powerline crossing at the Crown Zellerbach mill.

(5) Area 1E means those waters of the Columbia River easterly of a line projected true north from Rooster Rock in the state of Oregon, and downstream of a line projected between fishing boundary markers located 4 miles downstream from Bonneville Dam.

(6) Area 1F (Bonneville Pool) means those waters of the Columbia River upstream from the Bridge of the Gods, located approximately 2.3 miles above Bonneville Dam, and downstream of a line projected from the west end of the Port of The Dalles Dock across the Columbia River to a Washington department of fisheries' boundary marker on the Washington shore.

(7) Area 1G (The Dalles Pool) means those waters of the Columbia River upstream from a line projected from an Oregon department of fish and wildlife deadline marker on the Oregon shore to the five-mile-lock light (six seconds red) on an island near Oregon shore, to an island near the Washington shore to a Washington department of fisheries' fishing boundary marker on the Washington shore at the southwest corner of Horsethief Lake, SP&S Railroad fill and downstream of a line projected across the thread of the Columbia River at the grain elevator at Rufus, Oregon, to a deadline marker on the Washington shore.

(8) Area 1H (John Day Pool) means those waters of the Columbia River upstream from a line projected across the thread of the Columbia River from a fishing boundary marker approximately 1/2 mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream of a line projected across the thread of the Columbia River from the upstream bank of the Umatilla River.

NEW SECTION

WAC 220-30-055 DEFINITIONS—COASTAL MANAGEMENT AREAS. Following are the coastal Salmon Management and Catch Reporting Areas. Tributary waters to an area, upstream of the mouth of the tributary, are not included in the Salmon Management and Catch Reporting Area.

(1) Area 1 means those state waters and offshore waters westerly of a line projected from the inshore end of the north Columbia River jetty in the state of Washington to the knuckle of the south Columbia River jetty in the state of Oregon, northerly of a line projected true west from Cape Falcon in Oregon and southerly of a line projected true west from Leadbetter Point in Washington.

(2) Area 2 means those state waters and offshore waters northerly of a line projected true west from Leadbetter Point and southerly of a line projected true west from the Queets River mouth.

(3) Area 3 means those state waters and offshore waters northerly of a line projected true west from the Queets River mouth and southerly of a line projected true west from Cape Alava.

(4) Area 4 means those state waters and offshore waters northerly of a line projected true west from Cape Alava, westerly of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point and from the Tatoosh Island Light to Bonilla Point and southerly of a line projected true west from the intersection of the

Bonilla-Tatoosh line with the United States-Canada International Boundary Line.

(5) Area 4A means those waters easterly and inside of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point.

NEW SECTION

WAC 220-30-060 DEFINITIONS—GRAYS HARBOR SALMON MANAGEMENT AREAS. Following are the Grays Harbor Salmon Management and Catch Reporting Areas. Tributaries to an area, upstream of the mouth of the tributary, are not included in the Salmon Management and Catch Reporting Area.

(1) Area 2A means those waters of Grays Harbor and the Chehalis River estuary upstream from the Union Pacific Railroad Bridge in Aberdeen to a line projected from the Standard Oil Dock at a right angle to the thread of the stream to a fishing boundary marker set on the opposite shore.

(2) Area 2B means those waters of Grays Harbor lying easterly of a straight line projected from the Point Chehalis Light, located 123 feet above mean high water at Westport, through lighted buoy 13 to where it intersects with the shore at Point Brown, southerly of a line projected from a fishing boundary marker at Ocean Shores Marina, to a fishing boundary marker on Sand Island and thence to the tripod station at Brackenridge Bluff, westerly of a line projected from the tripod station at Brackenridge Bluff southward and extending through channel marker 8 in the south channel at the mouth of Johns River to the mainland, and northerly of the Bay City Bridge.

(3) Area 2C means those waters of Grays Harbor northerly of a line projected from a fishing boundary marker at Ocean Shores Marina to a fishing boundary marker on Sand Island to the tripod station at Brackenridge Bluff and westerly of a line starting at a monument located at the point of Holman Bluff near the mouth of Grass Creek and projected to a monument set on Point New, exclusive of those waters within 1/4 mile of a monument set on the beach near the mouth of Chenois Creek and those waters northerly of a line starting at a monument located near the beach in front of the Giles Hogan residence located west of the mouth of the Humptulips River, thence projected in a southeasterly direction to a monument set on the most southerly tip of the grass spit at the mouth of the Humptulips River, thence projected in an easterly direction to a point on Chenois Bluff at 47° 0' 32" N latitude, 124° 1' W longitude.

(4) Area 2D means those waters of Grays Harbor and the Chehalis River estuary easterly of a line projected from the tripod station at Brackenridge Bluff southward and through channel marker 8 at the mouth of the Johns River in the south channel to the mainland and westerly of the Union Pacific Railroad Bridge in Aberdeen and westerly (downstream) of the Highway 105 Bridge on Johns River.

NEW SECTION

WAC 220-30-065 DEFINITIONS—WILLAPA HARBOR SALMON MANAGEMENT AREAS. Following are the Willapa Harbor Salmon Management and Catch Reporting Areas. Tributaries to an area, upstream of the mouth of the tributary, are not included in the Salmon Management and Catch Reporting Area.

(1) Area 2G means those waters of Willapa Harbor northerly of a line projected from Needle Point approximately 285° true to the Island Sands Light approximately 2 miles south of Riddle Spit Light No. 10 and thence true west to the North Beach Peninsula, westerly of a line projected from Needle Point northerly to Day Beacon No. 14 and thence to Ramsey Point, outside and westerly of a line projected from Stony Point to the Bay Center Channel Light (Fl 4 seconds, 16 feet) to the northern tip of Goose Point, downstream and westerly of a line projected from the north bank to the south bank 235° true through Willapa River Light Number 33 (Fl G 4 seconds, 22 feet), outside and southerly of a line commencing at a boundary marker on the west shore of the North River projected 82° true through channel marker No. 16 to a boundary marker on the east shore, outside and southerly of a line projected Township 15N, and Section 6, Township 14N, Range 10W, W.M., to the meander corner between Sections 36, Township 15N, and Section 1, Township 14N, Range 11W, W.M., and inside and easterly of a straight line projected from the Cape Shoalwater Light through buoy 8A, located between buoy 8 and buoy 10, approximately 1,500 yards from Cape Shoalwater Light on a line 171° true, to Leadbetter Point.

(2) Area 2H means those waters of Willapa Harbor and the Willapa River estuary lying upstream from a line projected from the north

bank to the south bank 235° true through Willapa River Light Number 33 (Fl G 4 seconds, 22 feet) and downstream from a line projected true north from the Standard oil dock in the town of South Bend.

(3) Area 2J means those waters of Willapa Harbor lying southerly and westerly of a line projected from Diamond Point to the Island Sands Light, approximately 2 miles south of Riddle Spit Light No. 10, and thence due west to the North Beach Peninsula, and northerly of a line projected true east-west through marker 20 between Long Island and the North Beach Peninsula.

(4) Area 2K shall include those waters of Willapa Harbor easterly of a line projected from the northern tip of Goose Point to the Bay Center Channel Light (Fl 4 seconds, 16 feet) to Stony Point and westerly of the Palix River Highway 101 Bridge.

(5) Area 2M means those waters of Willapa Harbor lying southerly and easterly of a line projected from Needle Point approximately 285° true to the Island Sands Light, approximately 2 miles south of Riddle Spit Light No. 10, and south to Diamond Point, downstream and westerly of the Highway 101 Bridge over the Naselle River, and northerly and easterly of a line from Stanley Point to Paradise Point.

NEW SECTION

WAC 220-30-070 DEFINITIONS—PUGET SOUND SALMON MANAGEMENT AREAS. Following are the Puget Sound Salmon Management and Catch Reporting Areas. Tributaries to an area, upstream of the mouth of the tributary, are not included in the Salmon Management and Catch Reporting Area.

(1) Area 4B means those waters of Puget Sound easterly of a line projected from the Bonilla Point Light on Vancouver Island to the Tatoosh Island Light, thence to the most westerly point on Cape Flattery and westerly of a line projected true north from the fishing boundary marker at the mouth of the Sekiu River.

(2) Area 5 means those waters of Puget Sound easterly of a line projected true north from the fishing boundary marker at the mouth of the Sekiu River and westerly of a line projected true north from Low Point.

(3) Area 6 means those waters of Puget Sound easterly of a line projected from the Angeles Point Monument to the William Head Light on Vancouver Island, northerly of a line projected from the Angeles Point Monument to the Partridge Point Light, westerly of a line projected from the Partridge Point Light to the Smith Island Light, and southerly of a line projected from the Smith Island Light to vessel traffic lane buoy R to the Trial Island Light.

(4) Area 6A means those waters of Puget Sound easterly of a line projected from the Partridge Point Light to the Smith Island Light to the most northeasterly of the Lawson Reef lighted buoys (RB 1 Qk Fl Bell) to Northwest Island to the Initiative 77 marker on Fidalgo Island and westerly of a line projected from Reservation Head on Fidalgo Island to West Point on Whidbey Island.

(5) Area 6B means those waters of Puget Sound southerly of a line projected from the Angeles Point Monument to the Partridge Point Light, westerly of a line projected from the Partridge Point Light to the Point Wilson Light and easterly of a line projected 155° true from Dungeness Spit Light to Kulo Kala Point.

(6) Area 6C means those waters of Puget Sound easterly of a line projected true north from Low Point and westerly of a line projected from the Angeles Point Monument to the William Head Light on Vancouver Island.

(7) Area 6D means those waters of Puget Sound westerly of a line projected 155° true from Dungeness Spit Light to Kulo Kala Point.

(8) Area 7 means those waters of Puget Sound southerly of a line projected true west from the Sandy Point Light, westerly of a line projected southeasterly from Sandy Point Light to the most westerly point of Gooseberry Point, northerly of a line projected from the Trial Island Light to vessel traffic land buoy R to the Smith Island Light to the most northeasterly of the Lawson Reef lighted buoys (RB 1 Qk Fl Bell) to Northwest Island to the Initiative 77 marker on Fidalgo Island, and westerly of a line projected from Gooseberry Point on the mainland true south to its intersection with Lummi Island (the Initiative 77 line), thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island, thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island, thence to March Point on Fidalgo Island.

(9) Area 7A means those waters of Puget Sound northerly of a line projected true west from the Sandy Point Light.

(10) Area 7B includes those waters of Puget Sound easterly of a line projected from the most westerly point of Gooseberry Point on the

mainland true south to its intersection with Lummi Island (the Initiative 77 line), thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island, thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island, thence to March Point on Fidalgo Island, northerly of the Burlington Northern Railroad bridges at the north entrances to Swinomish Channel and westerly of a line projected from William Point Light on Samish Island 28° true to the range light near Whiskey Rock on the north shore of Samish Bay.

(11) Area 7C means those waters of Puget Sound easterly of a line projected from William Point Light on Samish Island 28° true to the range light near Whiskey Rock on the north shore of Samish Bay.

(12) Area 7D means those waters of Puget Sound easterly of a line projected southeasterly from the Sandy Point Light to the most westerly point of Gooseberry Point.

(13) Area 8 means those waters of Puget Sound easterly of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, westerly of a line projected from the light on East Point 340° true to the light on Camano Island (Saratoga Pass Light #2, Fl Red 4 Sec) southerly of the Burlington Northern Railroad bridges at the north entrances to Swinomish Channel and northerly of the State Highway 532 Bridges between Camano Island and the mainland.

(14) Area 8A means those waters of Puget Sound easterly of a line projected from the East Point Light on Whidbey Island 340° true to the light on Camano Island (Saratoga Pass Light #2, Fl Red 4 Sec), northerly of a line projected from the southern tip of Possession Point true east to the mainland and southerly of the State Highway 532 Bridges between Camano Island and the mainland.

(15) Area 9 means those waters of Puget Sound southerly and easterly of a line projected from the Partridge Point Light to the Point Wilson Light, northerly of the site of the Hood Canal Floating Bridge, northerly of a line projected true west from the shoreward end of the Port Gamble tribal dock on Point Julia to the mainland in the Community of Port Gamble, southerly of a line projected from the southern tip of Possession Point true east to the mainland and northerly of a line projected from the Apple Cove Point Light to Edwards Point.

(16) Area 9A means those waters of Puget Sound known as Port Gamble Bay southerly of a line projected true west from the shoreward end of the Port Gamble tribal dock on Point Julia to the mainland in the community of Port Gamble.

(17) Area 10 means those waters of Puget Sound southerly of a line projected from the Apple Cove Point Light to Edwards Point, westerly of a line projected 233° true from the Golden Tides restaurant near Shilshole Marina through entrance piling No. 8 to the southern shore of the entrance to the Lake Washington Ship Canal, westerly of a line projected 7° true from a point on Duwamish Head through the Duwamish Head Light to Pier 91, northerly of a true east-west line passing through the Point Vashon Light, easterly of a line projected from Orchard Point to Beans Point on Bainbridge Island, and northerly and easterly of a line projected true west from Agate Point on Bainbridge Island to the mainland.

(18) Area 10A means those waters of Puget Sound easterly of a line projected 7° true from a point on Duwamish Head through the Duwamish Head Light to Pier 91.

(19) Area 10B means those waters of Puget Sound easterly of a line projected 233° true from the Golden Tides restaurant near Shilshole Marina through entrance piling No. 8 to the southern shore of the entrance to the Lake Washington Ship Canal, Salmon Bay, the Lake Washington Ship Canal, Lake Union, Portage Bay, Lake Washington northerly of the Evergreen Point Floating Bridge, and waters of the Sammamish River north of the State Highway 908 Bridge.

(20) Area 10C means those waters of Lake Washington southerly of the Evergreen Point Floating Bridge.

(21) Area 10D means those waters of the Sammamish River south of the State Highway 908 Bridge and Lake Sammamish.

(22) Area 10E means those waters of Puget Sound westerly of a line projected from Orchard Point to Beans Point on Bainbridge Island and southerly and westerly of a line projected true west from Agate Point on Bainbridge Island to the mainland.

(23) Area 11 means those waters of Puget Sound southerly of a true east-west line passing through the Point Vashon Light, northerly of a line from Browns Point to the Asarco smelter stack on the opposite shore of Commencement Bay, and northerly of the Tacoma Narrows Bridge.

(24) Area 11A means those waters of Puget Sound southerly of a line from Browns Point to the Asarco smelter stack on the opposite shore of Commencement Bay.

(25) Area 12 means those waters of Puget Sound southerly of the site of the Hood Canal Floating Bridge and northerly and easterly of a line projected from the Tskutsko Point Light to Misery Point.

(26) Area 12A means those waters of Puget Sound northerly of a line projected from Pulali Point true east to the mainland.

(27) Area 12B means those waters of Puget Sound southerly of a line projected from Pulali Point true east to the mainland, northerly of a line projected from Ayock Point true east to the mainland, and westerly of a line projected from the Tskutsko Point Light to Misery Point.

(28) Area 12C means those waters of Puget Sound southerly of a line projected from Ayock Point true east to the mainland and northerly and westerly of a line projected from Ayres Point to the fishing boundary marker at Union.

(29) Area 12D means those waters of Puget Sound easterly of a line projected from Ayres Point to the fishing boundary marker at Union.

(30) Area 13 means those waters of Puget Sound southerly of the Tacoma Narrows Bridge and a line projected 93° true from the marker on the Longbranch Peninsula to the point immediately north of Green Point and northerly and easterly of a line projected from the Devil's Head Light to Treble Point, thence through lighted buoy No. 3 to the mainland.

(31) Area 13A means those waters of Puget Sound northerly of a line projected 93° true from the marker on Longbranch Peninsula to the point immediately north of Green Point.

(32) Area 13B means those waters of Puget Sound westerly of a line projected from the Devil's Head Light to Treble Point, thence through lighted buoy No. 3 to the mainland.

NEW SECTION

WAC 220-30-075 DEFINITIONS—PUGET SOUND SALMON PRESERVES. As used in this chapter, unless the context clearly requires otherwise:

(1) "Discovery Bay Salmon Preserve" means those waters of Discovery Bay and tributaries thereto lying inside and southerly of a line projected true east from Carr Point.

(2) "Drayton Harbor Salmon Preserve" means those waters of Drayton Harbor and tributaries thereto lying inside and easterly of a line projected from Semiahmoo Spit to the Blaine Boathaven Dock.

(3) "Elliot Bay Salmon Preserve" means those waters of Elliott Bay and tributaries thereto lying inside and easterly of a line projected from Four-Mile Rock to Alki Point Light.

(4) "Fidalgo Bay Salmon Preserve" means those waters of Padilla Bay, Fidalgo Bay, Swinomish Slough and Telegraph Slough northerly of the Great Northern Railroad crossings, and inside and easterly of the following lines: A line projected from the northern terminus of Commercial Street in Anacortes true north to Guemes Island; and a line projected from Clark Point to William Point Light on Samish Island.

(5) "Hood Canal Salmon Preserve" means those waters of Hood Canal, Quilcene Bay, Dabob Bay and tributaries thereto lying inside and southerly of the Hood Canal Floating Bridge where it spans Hood Canal.

(6) "Kitsap Salmon Preserve" means those waters of Puget Sound and tributaries thereto lying inside and westerly of the following lines: A line projected from Orchard Point across Rich Passage to Bean Point on Bainbridge Island; and a line projected true west to the mainland from Agate Point on Bainbridge Island.

(7) "Ballard Salmon Preserve" includes those waters of Puget Sound within a radius of three miles of the west entrance to the Ballard Locks, and Lake Union, Lake Washington, Lake Sammamish and all tributaries thereto.

(8) "South Puget Sound Salmon Preserve" includes those waters of Puget Sound and tributaries thereto lying inside, southerly and westerly of the following lines: A line projected 225° true from a monument located at the east entrance of Wollochet Bay to Fox Island; and a line projected from Point Gibson on Fox Island true east to the mainland.

(9) "Point No Point Salmon Preserve" means those waters of Puget Sound lying within the following lines: A line projected from Point No Point Light true north 1,000 feet, thence true west 1,000 feet and thence true south to the mainland.

(10) "Commencement Bay Salmon Preserve" means those waters of Puget Sound, Commencement Bay and tributaries thereto lying inside the following lines: A line projected from Browns Point Light 348°

true to Piner Point on Maury Island; and a line projected from Point Defiance Light 49° true to Point Dalco on Vashon Island.

(11) "Samish Bay Salmon Preserve" means those waters of Samish Bay and tributaries thereto lying inside and easterly of a line projected from William Point on Samish Island 28° true to Whiskey Rock at the north shore of Samish Bay.

(12) "San Juan Island Salmon Preserve" means those waters of Puget Sound lying inside the following lines: A line projected from Decatur Island Light across Lopez Pass to Lopez Island, a line projected from Fautleroy Point on Decatur Island through Lawson Rock to Blakely Island; a line projected from Deer Point on Orcas Island across Spindle Rock to Blakely Island; a line projected from the most southwesterly point of Orcas Island, located in Section 13, Township 36 North, Range 3 West, W.M., to Neck Point on Shaw Island; and a line projected from Flat Point on Lopez Island to the most westerly point on Canoe Island, thence true north to the shoreline of Shaw Island.

(13) "Skagit Bay Salmon Preserve" means those waters of Skagit Bay and tributaries thereto lying inside and easterly of a line projected from Brown Point on Camano Island to a white monument on the easterly point of Ika Island, thence across the Skagit River to the terminus of the jetty with McGlenn Island.

(14) "Port Gardner Salmon Preserve" means those waters of Port Gardner Bay and tributaries thereto lying inside and easterly of a line projected from Hermosa Point to Nun Buoy No. 2 off the entrance to Tulalip Bay, thence through the southeasterly point of Gedney Island, thence 125° true to the Viacom Cablevision tower on the southern shore of Port Gardner.

(15) "Port Susan Salmon Preserve" means those waters of Port Susan and tributaries thereto lying inside and northerly of a line projected true west from Kayak Point to Camano Island.

(16) "The Strait of Juan de Fuca Salmon Preserve" means those waters and tributaries thereto lying both inside and outside the Initiative 77 line and within three miles off shore between a line projected 30° true from a point three miles west of the Sekiu River mouth to a line projected 45° true from a point three miles east of the Dungeness River mouth.

(17) "Washington Harbor Salmon Preserve" means those waters of Washington Harbor and tributaries thereto.

(18) "Gig Harbor Salmon Preserve" means those waters of Gig Harbor and tributaries thereto lying inside and northerly of a line projected from the flashing red Gig Harbor Light true west across the entrance to Gig Harbor.

NEW SECTION

WAC 220-30-100 GENERAL PROVISION—LAWFUL GEAR FOR COMMERCIAL SALMON FISHING DEFINED. It is unlawful to fish for salmon commercially, except with gill net, purse seine, reef net or troll gear. As used in this chapter:

(1) "Gill net" means drift gill nets and trammel gill nets.

(a) "Drift gill net" means a net constructed of a single web of netting, a cork line and a lead line. The net captures the fish by having the fish pass its head through a mesh too small to permit either passage of the rest of the body or withdrawal of the head once the posterior margin of the gill covers has been passed by the mesh. Drift gill nets are not secured or weighted in a manner that prevents them from drifting.

(b) "Trammel gill net" means a net constructed of two or more webs of netting, suspended from a single cork line and having one or more lead lines. Two different mesh sizes of netting area used in a trammel net. In addition to capturing themselves in the manner of a drift gill net, the fish trap themselves in pockets of smaller mesh webbing pushed through the larger mesh webbing. Trammel gill nets are not secured or weighted in a manner that prevents them from drifting.

(2) "Purse seine" means a net constructed of a single web of netting, cork line, lead line, purse line and purse rings. The net captures the fish by encircling them and preventing their escape under the bottom of the net by drawing in the bottom of the net by means of the purse line and purse rings so that it forms a closed bag.

(3) "Reef net" means an open bunt formed from a square or rectangular section of mesh netting suspended between two boats. A lead extends from either or both of the boats and the cork line of the lead floats on the surface except under the stress of tidal conditions. The leads are not attached to pilings and are not constructed of mesh webbing. Fish are captured when they swim into the bunt and the bunt is raised to the surface. Reef nets do not employ a heart, funnel or similar device to trap the fish.

(4) "Troll gear" means a troll line, troll spread and lure. Fish are captured when they bite the lure and are hooked as the lure is dragged behind the vessel by means of the troll line and troll spread.

(a) "Troll line" means a line permanently attached to the vessel and weighted at its end. The troll spreads are attached to the troll line.

(b) "Troll spread" means a detachable line more than four inches in length, which has one or more lures attached to it.

(c) "Lure" means a natural or artificial bait combined with one or more hooks.

Troll lines are not attached to the vessel by means of a pole, unless the pole is immovable during the fishing operation.

NEW SECTION

WAC 220-30-110 GENERAL PROVISION—FISHING FOR, POSSESSION AND TRANSPORTATION OF SALMON REGULATED. Except as otherwise provided in this chapter, it is unlawful to fish for, possess or transport salmon for commercial purposes in state waters and offshore waters.

NEW SECTION

WAC 220-30-115 GENERAL PROVISION—INSPECTION OF SALMON, FISHING GEAR AND DOCUMENTS REQUIRED. It is unlawful to fail to submit salmon, salmon fishing gear, salmon fishing licenses and delivery permits or salmon fish receiving tickets and sales documents for inspection as required by authorized department personnel.

NEW SECTION

WAC 220-30-120 GENERAL PROVISION—COLLECTION OF SAMPLES AND DATA REQUIRED. (1) It is unlawful to fail to comply with the directions of authorized department personnel regarding the collection of samples or sampling data from salmon or salmon fishing gear.

(2) It is unlawful to fail to relinquish to the department, upon request of authorized department personnel, the part of a salmon containing a coded-wire tag.

NEW SECTION

WAC 220-30-125 GENERAL PROVISION—SALE OF SALMON REGULATED. It is unlawful to possess, buy, sell or barter or to offer to buy, sell or barter salmon, unless:

- (1) The salmon were taken lawfully in a commercial fishery; and
- (2) The person has in possession the required commercial salmon fishing license, salmon delivery permit or wholesale dealer's license.

NEW SECTION

WAC 220-30-130 GENERAL PROVISION—PERSONAL USE OF COMMERCIAL SALMON PROHIBITED. It is unlawful for a person licensed to fish commercially for salmon under chapter 75.28 RCW:

- (1) To retain for personal use the salmon taken under the commercial fishing license or delivery permit.
- (2) To sell the salmon taken under the commercial salmon fishing license or delivery permit to anyone other than a wholesale dealer licensed under RCW 75.28.300, unless the person is licensed as a wholesale dealer.

NEW SECTION

WAC 220-30-135 GENERAL PROVISION—PERSONAL USE FISHING ON COMMERCIAL SALMON VESSEL PROHIBITED. It is unlawful to fish for personal use from a vessel that is engaged in commercial salmon fishing or that has commercially caught salmon on board.

NEW SECTION

WAC 220-30-140 GENERAL PROVISION—POSSESSION OF UNDERSIZE SALMON PROHIBITED. While on board a vessel engaged in commercial fishing or having commercially caught fish on board, it is unlawful to possess salmon smaller than the lawful commercial size. Undersized salmon shall be returned to the water with the least possible injury to the fish.

NEW SECTION

WAC 220-30-145 GENERAL PROVISION—MODIFYING THE PHYSICAL CONDITION OF SALMON PROHIBITED. While on board a vessel engaged in commercial fishing or having commercially caught fish on board, it is unlawful to possess salmon in a condition that its species, length, weight, or sex cannot be determined, if a species, length, weight, or sex restriction is prescribed for the species.

NEW SECTION

WAC 220-30-150 GENERAL PROVISION—USE OF SALMON FOR HUMAN CONSUMPTION AND BAIT REQUIRED. It is unlawful to use salmon for purposes other than human consumption or fishing bait, unless the salmon were lawfully obtained from a state or federal fish culture facility.

NEW SECTION

WAC 220-30-155 GENERAL PROVISION—PLACING COMMERCIAL SALMON GEAR IN CLOSED WATERS PROHIBITED. It is unlawful to place gill net, purse seine or troll gear into waters closed to commercial fishing, except when the gear is being tested as provided in WAC 220-20-010.

NEW SECTION

WAC 220-30-160 GENERAL PROVISION—COMBINATIONS OF NETS THAT EXCEED THE SINGLE NET SIZE PROHIBITED. (1) It is unlawful to carry on board a vessel or to use a net or combination of nets that exceed the maximum lawful size prescribed for a single net in that area, except as provided in subsection (2) of this section.

(2) It is unlawful for a purse seine vessel or the vessel's skiff to carry an extra lead or portion of a lead, unless the lead is stowed below decks during the fishing operations.

NEW SECTION

WAC 220-30-165 GENERAL PROVISION—CERTAIN METHODS OF OPERATING GILL NETS PROHIBITED. (1) It is unlawful to operate in a river, stream or channel with a gill net longer than three-fourths of the width of the stream.

(2) It is unlawful to leave a gill net unattended in the commercial salmon fishery.

(3) It is unlawful to operate a gill net in other than a substantially straight line.

NEW SECTION

WAC 220-30-170 GENERAL PROVISION—SNAG NET PERMIT REQUIRED. It is unlawful to operate a snag net without a permit from the department.

NEW SECTION

WAC 220-30-175 GENERAL PROVISION—TRANSPORTING OF SALMON REGULATED. It is unlawful to transport salmon for commercial purposes through state waters or offshore waters unless the salmon were taken lawfully in a commercial fishery.

NEW SECTION

WAC 220-30-300 TROLL—FISHING IN STATE WATERS REGULATED. It is unlawful to fish for salmon with commercial troll gear in state waters or offshore waters or to possess salmon taken from those waters with commercial troll gear, except as provided in WAC 220-30-300 through 220-30-399.

NEW SECTION

WAC 220-30-310 TROLL—OPEN AREAS. It is unlawful to fish for salmon with commercial troll gear in state waters or to possess salmon taken from those waters with commercial troll gear, except in the following Salmon Management and Catch Reporting Areas on the dates specified:

No open areas.

NEW SECTION

WAC 220-30-320 TROLL—GEAR RESTRICTIONS. (1) It is unlawful to fish for salmon commercially with more than six troll lines on one vessel.

(2) It is unlawful to fish for salmon commercially with barbed hooks during the month of May.

NEW SECTION

WAC 220-30-330 TROLL—SALMON SIZE LIMITS. In the commercial salmon troll fishery:

(1) It is unlawful to fish for or possess whole chinook salmon less than 28 inches in length or whole coho salmon less than 16 inches in length.

(2) It is unlawful to possess dressed frozen chinook salmon less than 21-1/2 inches in length or dressed frozen coho salmon less than 12 inches in length as measured from the midpoint of the clavicle arch to the fork of the tail. "Dressed salmon" means one from which the head has been removed. It is unlawful to remove the head from a salmon whose adipose fin has been removed.

NEW SECTION

WAC 220-30-370 TROLL—USE OF OTHER FISHING GEAR PROHIBITED. While on board a commercial salmon troll vessel engaged in commercial fishing or having commercially caught fish on board, it is unlawful to fish for salmon or other food fish with gear other than lawful troll gear.

NEW SECTION

WAC 220-30-400 PURSE SEINE—FISHING IN STATE WATERS REGULATED. It is unlawful to fish for salmon with purse seine gear in state waters or to possess salmon taken from those waters with purse seine gear, except as provided in WAC 220-30-400 through 220-30-499.

NEW SECTION

WAC 220-30-410 PURSE SEINE—OPEN AREAS. It is unlawful to fish for salmon with purse seine gear in state waters or possess salmon taken from those waters with purse seine gear, except:

(1) Subject to the restrictions in subsection (2) of this section, commercial salmon purse seine fishing is lawful in the following Salmon Management and Catch Reporting Areas during the time period specified:

Area 6D

12:01 a.m. October 2 to 4 p.m. November 4.

Area 7B

In that portion north of a line from Post Point to the northern tip of Eliza Island to Point Frances

12:01 a.m. September 12 to 4 p.m. October 21.

5 a.m. to 9 p.m. October 24.

5 a.m. to 8 p.m. October 31.

Area 7B

In that portion south of a line from Post Point to the northern tip of Eliza Island to Point Frances

5 a.m. to 9 p.m. on each of the following days: September 12 through October 21; October 24.

5 a.m. to 8 p.m. October 31.

Area 8

5 a.m. to 9 p.m. October 24.

Area 8A

5 a.m. to 9 p.m. on each of the following days: July 26; August 2 and 3; September 12, 19 and 20; October 17 and 24.

Area 10

5 a.m. to 9 p.m. on each of the following days: September 12, 13, 19 and 20; October 17 and 24.

Area 11

5 a.m. to 9 p.m. on each of the following days: September 12, 13, 19 and 20; October 17 and 24.

Area 12

5 a.m. to 9 p.m. on each of the following days: September 12 and 19; October 17 and 24.

(2) During the time periods specified in subsection (1) of this section, the following portions of Puget Sound remain closed to commercial salmon purse seine fishing:

Areas 7B

Those waters of the Fidalgo Bay Salmon Preserve south and east of a line from William Point on Samish Island to Saddlebag Island to the southeastern tip of Guemes Island.

Area 7C

Those waters inside a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8

Skagit Bay Salmon Preserve.

Area 8A

Port Gardner Salmon Preserve and those waters northerly of a line from Camano Head to Hermosa Point on the north end of Tulalip Bay.

Area 10

Those waters easterly of a line projected from Meadow Point to West Point and that portion of Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

Area 11

Gig Harbor Salmon Preserve and those waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

Area 12

Those waters inside and southeasterly of a line projected from Lone Rock to buoy "BBC Comm Fish" approximately 1/2 mile offshore, thence southwesterly approximately 1-1/2 miles to another buoy "BBC Comm Fish," thence approximately 1/2 mile directly to a fishing boundary marker on shore.

NEW SECTION

WAC 220-30-420 PURSE SEINE—GEAR RESTRICTIONS.

(1) It is unlawful to fish for salmon with purse seine gear in Puget Sound waters or to possess salmon taken from those waters with purse seine gear, if:

(a) The seine exceeds 1,800 feet in length along the cork line while wet;

(b) The seine and lead in combination exceed 2,200 feet in length;

(c) The seine and lead meshes are lashed together to form one continuous piece of webbed gear;

(d) The main body of the seine or the lead contains meshes of less than 4 inches;

(e) The bunt contains meshes of less than 3-1/2 inches;

(f) The mesh webbing is constructed of a twine size smaller than 210/30d nylon, 12 thread cotton or the equivalent diameter in any other material; or

(g) The bunt is greater than ten fathoms in length or 200 meshes deep.

(2) It is unlawful to fish for salmon with purse seine gear in Puget Sound Salmon Management and Catch Reporting Areas 6B, 6D, 8, 8A, 9, 9A, 10, 10A, 10B, 10C, 10D, 10E, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A and 13B or to possess salmon taken from those waters with purse seine gear from the second Monday in September through November 30, unless the purse seine gear is constructed so that the first 100 meshes of the purse seine below the corkline and within 75 fathoms of the bunt, excluding the bunt, are not less than 5-inch mesh.

NEW SECTION

WAC 220-30-430 PURSE SEINE—SALMON SIZE LIMITS. In the commercial salmon purse seine fishery:

(1) It is unlawful to fish for or possess chinook salmon less than 28 inches in length or coho salmon less than 16 inches in length.

(2) It is unlawful to allow undersized salmon entangled in a net to pass through a power block or onto a power reel or drum.

NEW SECTION

WAC 220-30-500 REEF NET—FISHING IN STATE WATERS REGULATED. It is unlawful to fish for salmon with reef net gear in state waters or to possess salmon taken from those waters with reef net gear, except as provided in WAC 220-30-500 through 220-30-599.

NEW SECTION

WAC 220-30-510 REEF NET—OPEN AREAS. It is unlawful to fish for salmon with reef net gear in Puget Sound waters or possess salmon taken from those waters with reef net gear, except in the following Salmon Management and Catch Reporting Areas on the dates specified:

No open areas.

NEW SECTION

WAC 220-30-520 REEF NET—GEAR RESTRICTIONS. It is unlawful to fish for salmon with reef net gear in Puget Sound waters or possess salmon taken from those waters with reef net gear, if:

- (1) The reef net bunt exceeds 300 meshes on any side.
- (2) The reef net bunt contains meshes in size less than 3-1/2 inches.
- (3) The reef net utilizes more than two leads.
- (4) The leads exceed 200 feet in length measured from the bows of the reef net boats to the nearest end of the head buoys.
- (5) The reef net utilizes a false, detached or auxiliary lead.

NEW SECTION

WAC 220-30-530 REEF NET—SALMON SIZE LIMITS. In the commercial salmon reef net fishery, it is unlawful to fish for or possess chinook salmon less than 28 inches in length or coho salmon less than 16 inches in length.

NEW SECTION

WAC 220-30-570 REEF NET—REEF NET SPACING IN LUMMI ISLAND AREA. Within the Lummi Island reef net fishing area described in RCW 75.12.140, it is unlawful to place a reef net in front of or behind another reef net in a manner that the stern of the reef net boats are within 800 feet of the head buoys of the other reef net.

NEW SECTION

WAC 220-30-575 REEF NET—"VILLAGE POINT" DEFINED. As used in describing the Lummi Island reef net fishing area, "Village Point" means a point on Lummi Island located 457 feet from the center of the Village Point Chimney on a true bearing of 43 degrees 53 minutes. The Village Point Chimney is identified on page 612 of the United States Coast and Geodetic Survey list of geographic positions No. G-5455, Rosario Strait.

NEW SECTION

WAC 220-30-600 GILL NET, PUGET SOUND—FISHING IN PUGET SOUND WATERS REGULATED. It is unlawful to fish for salmon with gill net gear in Puget Sound waters or possess salmon taken from those waters with gill net gear, except as provided in WAC 220-30-600 through 220-30-699.

NEW SECTION

WAC 220-30-610 GILL NET, PUGET SOUND—OPEN AREAS. It is unlawful to fish for salmon with gill net gear in Puget Sound waters or to possess salmon taken from those waters with gill net gear, except:

(1) Subject to the restrictions in subsection (2) of this section, commercial gill net fishing is lawful in the following Salmon Management and Catch Reporting Areas during the time periods specified:

Area 6D

12:01 a.m. October 2 to 4 p.m. November 4.

Area 7B

In that portion north of a line from Post Point to the northern tip of Eliza Island to Point Frances
7 p.m. on each of the following days to 9:30 a.m. the next morning:

July 26 and 27; August 1, 2, 3, 9, 10 and 11.

12:01 a.m. September 11 to 4 p.m. October 21.

5 p.m. October 23 to 9 a.m. October 24.

4 p.m. October 31 to 9 a.m. November 1.

Area 7B

In that portion south of a line from Post Point to the northern tip of Eliza Island to Point Frances.

7 p.m. on each of the following days to 9:30 a.m. the next

morning:

July 26 and 27; August 1, 2, 3, 9, 10 and 11.

6 p.m. on each of the following days to 9 a.m. the next morning:

September 11 through September 17.

5 p.m. on each of the following days to 9 a.m. the next morning:

September 18 through October 20; October 23.

4 p.m. October 31 to 9 a.m. November 1.

Area 7C

7 p.m. on each of the following days to 9:30 a.m. the next morning:

July 26 and 27; August 1, 2 and 3.

Area 8

5 p.m. October 17 to 9 a.m. October 18.

5 p.m. October 23 to 9 a.m. October 24.

Area 8A

7 p.m. on each of the following days to 9:30 a.m. the next morning:

July 26; August 1 and 2.

6 p.m. September 11 to 9 a.m. September 12.

5 p.m. on each of the following days to 9 a.m. the next morning:

September 19 and 20; October 17 and 23.

Area 10

6 p.m. September 11 to 9 a.m. September 12.

6 p.m. September 12 to 9 a.m. September 13.

5 p.m. on each of the following days to 9 a.m. the next morning:

September 19 and 20; October 17 and 23.

Area 11

6 p.m. September 11 to 9 a.m. September 12.

6 p.m. September 12 to 9 a.m. September 13.

5 p.m. on each of the following days to 9 a.m. the next morning:

September 19 and 20; October 17 and 23.

Area 12

7 p.m. July 26 to 9:30 a.m. July 27.

7 p.m. August 1 to 9:30 a.m. August 2.

6 p.m. September 11 to 9 a.m. September 12.

5 p.m. on each of the following days to 9 a.m. the next morning:

September 19; October 17 and 23.

(2) During the time periods specified in subsection (1) of this section, the following portions of Puget Sound remain closed to commercial salmon gill net fishing:

Area 7B

Those waters of the Fidalgo Bay Salmon Preserve south and east of a line from William Point on Samish Island to Saddlebag Island to the southeastern tip of Guemes Island.

Area 7C

Those waters inside a line projected from the south of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8

Skagit Bay Salmon Preserve.

Area 8A

Port Gardner Salmon Preserve and those waters northerly of a line from Camano Head to Hermosa Point on the north end of Tulalip Bay.

Area 10

Those waters easterly of a line projected from Meadow Point to West Point and that portion of Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

Area 11

Gig Harbor Salmon Preserve and those waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

Area 12

Those waters inside and southeasterly of a line projected from Lone Rock to buoy "BBC Comm Fish" approximately 1/2 mile offshore, thence southwesterly approximately 1-1/2 miles to another buoy "BBC Comm Fish," thence approximately 1/2 mile directly to a fishing boundary marker on shore.

NEW SECTION

WAC 220-30-620 GILL NET, PUGET SOUND—GEAR RESTRICTIONS. It is unlawful to fish for salmon with gill net gear in Puget Sound waters or possess salmon taken from those waters with gill net gear, if:

- (1) The gill net exceeds 1,800 feet in length along the cork line; or
- (2) The gill net is constructed as a trammel gill net;
- (3) The gill net contains meshes less than the minimums defined for the various Salmon Management and Catch Reporting Areas as follows:

Area 6D

July 24 through September 10 7-inch minimum mesh.
September 25 through November 5 5-inch minimum mesh.

Areas 7B and 7C

July 24 through September 10 7-inch minimum mesh.
September 11 through October 22 5-inch minimum mesh.
October 23 through November 5 6-inch minimum mesh.

Areas 8, 8A, 10, 11 and 12

July 24 through September 10 7-inch minimum mesh.
September 11 through October 15 5-inch minimum mesh.
October 16 through November 5 6-inch minimum mesh.

NEW SECTION

WAC 220-30-700 GILL NET, COLUMBIA RIVER—FISHING IN COLUMBIA RIVER WATERS REGULATED. It is unlawful to fish for salmon with gill net gear in Columbia River waters or possess salmon taken from those waters with gill net gear, except as provided in WAC 220-30-700 through 220-30-799.

NEW SECTION

WAC 220-30-710 GILL NET, COLUMBIA RIVER—OPEN AREAS. It is unlawful to fish for salmon with gill net gear in Columbia River waters or possess salmon taken from those waters except in the following Salmon Management and Catch Reporting Areas on the dates specified:

No open areas

NEW SECTION

WAC 220-30-720 GILL NET, COLUMBIA RIVER—GEAR RESTRICTIONS. It is unlawful to fish for salmon with gill net gear in Columbia River waters or possess salmon taken from those waters with gill net gear, if:

- (1) The gill net exceeds 1,500 feet in length along the cork line; or
- (2) The gill net contains meshes less than the minimums defined for the various Salmon Management and Catch Reporting Areas as follows:

Areas 1A, 1B, 1C, 1D and 1E

February 24 through March 10 7-1/4 inch minimum mesh

NEW SECTION

WAC 220-30-800 GILL NET, WILLAPA HARBOR—FISHING IN WILLAPA HARBOR WATERS REGULATED. It is unlawful to fish for salmon with gill net gear in Willapa Harbor waters or possess salmon taken from those waters with gill net gear, except as provided in WAC 220-30-800 through 220-30-899.

NEW SECTION

WAC 220-30-810 GILL NET, WILLAPA HARBOR—OPEN AREAS. It is unlawful to fish for salmon with gill net gear in Willapa Harbor waters or possess salmon taken from those waters with gill net gear, except:

- (1) Subject to the restrictions in subsection (2) of this section, commercial gill net fishing is lawful in the following Salmon Management and Catch Reporting Areas during the time periods specified:

Area 2G

6 p.m. on each of the following days to 6 p.m. the next day: July 5 through August 19; September 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 28, 29 and 30; October 3, 4, 5, 6, 7, 17 and 24. 6 p.m. November 1 to 11:59 p.m. November 30.

Area 2H

6 p.m. October 17 to 6 p.m. October 18. 6 p.m. October 24 to 6 p.m. October 25. 6 p.m. November 1 to 11:59 p.m. November 30.

Area 2J

6 p.m. on each of the following days to 6 p.m. the next day: July 5 through August 19; September 13, 16, 19, 22, 26 and 29; October 3, 6, 17 and 24. 6 p.m. November 1 to 11:59 p.m. November 30.

Area 2K

6 p.m. on each of the following days to 6 p.m. the next day: July 5 through August 19; September 13, 16, 19, 22, 26 and 29; October 3, 6, 17 and 24. 6 p.m. November 1 to 11:59 p.m. November 30.

Area 2M

6 p.m. on each of the following days to 6 p.m. the next day: July 5-30; September 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 28, 29 and 30; October 3, 4, 5, 6, 7, 17 and 24. 6 p.m. November 1 to 11:59 p.m. November 30.

- (2) During the time periods specified in subsection (1) of this section, the following portions of Willapa Harbor remain closed to commercial salmon gill net fishing:

Area 2G

During the period September 13 through October 8, that portion of Area 2G east of a line drawn true north and south through Willapa River Light 13.

Area 2J

After October 6, that portion of Area 2J between Long Island and the North Beach Peninsula, south of a line drawn true east and west through Marker Piling 18.

NEW SECTION

WAC 220-30-820 GILL NET, WILLAPA HARBOR—GEAR RESTRICTIONS. It is unlawful to fish for salmon with gill net gear in Willapa Harbor waters or possess salmon taken from those waters with gill net gear, if:

- (1) The gill net exceeds 1,500 feet in length along the cork line;
- (2) The gill net is constructed as a trammel gill net;
- (3) The gill net contains meshes less than the minimums or greater than the maximums defined for the various Salmon Management and Catch Reporting Areas as follows:

Areas 2G, 2H, 2J, 2K and 2M

July 5 to 12:01 a.m. November 19

5-inch minimum mesh

6-1/2-inch maximum mesh

12:01 a.m. November 19 to November 30 7-1/2-inch minimum mesh

NEW SECTION

WAC 220-30-900 GILL NET, GRAYS HARBOR—FISHING IN GRAYS HARBOR WATERS REGULATED. It is unlawful to fish for salmon with gill net gear in Grays Harbor waters or possess salmon taken from those waters with gill net gear, except as provided in WAC 220-30-900 through 220-30-999.

NEW SECTION

WAC 220-30-910 GILL NET, GRAYS HARBOR—OPEN AREAS. It is unlawful to fish for salmon with gill net gear in Grays Harbor waters or possess salmon taken from those waters with gill net gear, except:

- (1) Subject to the restrictions in subsection (2) of this section, commercial gill net fishing is lawful in the following Salmon Management and Catch Reporting Areas during the time periods specified:

Area 2A

6 p.m. October 2 to 6 p.m. October 7.

Areas 2B, 2C and 2D

6 p.m. July 5 to 6 p.m. August 14

6 p.m. October 2 to 6 p.m. October 7.

- (2) During the time periods specified in subsection (1) of this section, the following portions of Grays Harbor remain closed to commercial salmon gill net fishing:

Those waters at the mouth of Grays Harbor lying westerly of a line projected from the Point Chehalis Light at Westport through the Coast Guard tower to the shore at Point Brown and easterly of a line

projected from the outermost end of the north jetty to the outermost end of the south jetty.

NEW SECTION

WAC 220-30-920 GILL NET, GRAYS HARBOR—GEAR RESTRICTIONS. It is unlawful to fish for salmon with gill net gear in Grays Harbor waters or to possess salmon taken from those waters with gill net gear, if:

- (1) The gill net exceeds 1,500 feet in length along the cork line;
- (2) The gill net is constructed as a trammel gill net;
- (3) The gill net contains meshes less than the minimums or greater than the maximums defined for the various Salmon Management and Catch Reporting Areas as follows:

Areas 2A, 2B, 2C and 2D
July 5 through October 6
5-inch minimum mesh
6-1/2-inch maximum mesh

AMENDATORY SECTION (Amending Order 82-105, filed 8/13/82)

WAC 220-32-055 OFF-RESERVATION INDIAN SUBSISTENCE FISHING. (1) It is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess salmon or other food fish for subsistence purposes except in accordance with the provisions of this section.

(2) It is lawful for individuals possessing treaty fishing rights pursuant to the Yakima Treaty, the Warm Springs Treaty, the Umatilla Treaty, and the Nez Perce Treaty to fish for food fish for subsistence family-use purposes subject to the following provisions:

(a) Such fishing is permitted year-round in the following areas: That area of the mainstem Columbia River from a point at Light #7 on Sheridan Point upstream to a point at the four-second flashing light #67 approximately 1/2 mile downstream of the Dalles Bridge; that area of the mainstem Columbia River from a point 200 feet above the Dalles Dam fishway exit upstream to a point 600 feet downstream of the John Day Dam fishway entrance; that area of the mainstem Columbia River from a point 200 feet above the John Day Dam fishway exit upstream to a point at the downstream end of the wingwall of the McNary Dam boat lock; that area of Columbia River from a point 200 feet above the McNary Dam fishway exit upstream to the Highway 12 bridge; excluding those areas within 1/4 mile radius of the mouth of Wind River, Little White Salmon River (Drano Lake), Klickitat River, and Spring Creek Hatchery fishway entrance.

(b) Lawful fishing gear by treaty Indians in the above-designated area includes dip nets and bag nets of a mesh size not exceeding 5 inches attached to a hoop 24 feet or less in circumference, spear, gaff, club, and foul hook.

(c) It is lawful to use sport angling gear in places and at times allowed under chapter 220-56 WAC series for treaty Indian subsistence purposes.

(d) It is unlawful to use drift gill nets or set gill nets for treaty Indian subsistence fishing in the mainstem of the Columbia River except as authorized by the director of the department of fisheries under the provisions of WAC 220-32-060.

(e) It is unlawful to use gill nets, set nets, hoop nets, dip or bag nets with a mesh size exceeding 5 inches, set lines, or any other type of fishing gear not otherwise specifically authorized except during times and in areas where such gear is authorized for commercial fishing purposes.

(3) In accordance with RCW (~~75.12.300 and 75.12.310~~) 75.08.265, it is lawful for the following Wanapum Indians to take, fish for, and possess food fish for subsistence purposes in the vicinity of Priest Rapids Dam in specified areas at specified times using specified gear authorized by the director of the department of fisheries. The individuals designated below may be revised from time to time by agreement between the Wanapum Indians and the director of the department of fisheries:

Frank Buck	Jade Buck
Stanley Buck	Robert S. Tomanawash, Sr.
Willie Buck	Lester Umtuch
Harry Buck	Grant Wyena
Ken Buck	Jerry Wyena
Rex Buck, Jr.	Douglas Wyena
Phillip Buck	Jimmy Wyena
Richard Buck	Patrick Wyena

The following provisions apply to this fishery:

(a) It is unlawful to fish at any time, place, or using gear other than that designated by the director of the department of fisheries and authorized by regulation.

(b) It is unlawful for Wanapum Indian fishermen to fail to report, in writing, their total catch to the department of fisheries within five days of the end of fishing activity under subsection (3)(a) of this section.

(c) Should any Wanapum Indian be convicted of violating the provisions of this section, or sell, barter, or attempt to sell or barter any fish taken in this fishery or any treaty Indian fishery, that fishermen will be ineligible to further participate in the Wanapum Indian subsistence fishery unless otherwise determined by the director of the department of fisheries.

(4) It is unlawful to sell, barter, or offer for sale or barter, buy, or for a commercially licensed buyer or wholesale fish dealer to have in possession food fish taken in an Indian subsistence fishery under the provisions of subsections (2) and (3) of this section.

~~((4))~~ (5) It is unlawful for fishermen participating in an Indian subsistence fishery to fail to submit their catch to department of fisheries employees for the conduct of biological sampling or to fail to allow necessary biological samples to be taken.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 220-32-020 LAWFUL GEAR—SALMON.
- (2) WAC 220-32-030 SALMON SEASONS—AREAS.
- (3) WAC 220-32-031 WEEKLY OPEN FISHING PERIODS—AREAS.
- (4) WAC 220-32-032 LAWFUL SALMON GEAR—MESH.
- (5) WAC 220-32-033 COLUMBIA RIVER—CLOSED AREA SALMON—GILL NETS.
- (6) WAC 220-32-034 COLUMBIA RIVER—CLOSED AREA SALMON—TROLL LINE.
- (7) WAC 220-32-036 CLOSED AREAS SALMON—RIVER MOUTHS.

AMENDATORY SECTION (Amending Order 83-30, filed 4/26/83)

WAC 220-36-025 CLOSED (~~AREAS~~) AREA—GRAYS HARBOR AND TRIBUTARIES. ~~((1) It is unlawful to take, fish for, or possess salmon taken for commercial purposes from those waters at the mouth of Grays Harbor lying westerly of a line projected from the Point Chehalis Light at Westport through the Coast Guard tower to the shore at Point Brown and easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.~~

~~((2))~~ During the period March 1 through July 31, it is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess foodfish taken for any purpose from the waters of the Chehalis river or any tributary of the Chehalis river upstream of the Porter bridge.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 220-36-020 SALMON FISHING AREAS—SEASONS AND LAWFUL GEAR—SALMON.
- (2) WAC 220-36-021 SALMON FISHING AREAS—GILL NET—SEASONS.
- (3) WAC 220-36-022 SALMON FISHING AREAS—WEEKLY PERIODS.
- (4) WAC 220-36-024 SALMON FISHING AREAS—MESH SIZES—GEAR.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 220-40-020 WILLAPA HARBOR—SEASONS AND LAWFUL GEAR—SALMON.
- (2) WAC 220-40-021 WILLAPA HARBOR—GILL NET—SEASONS.
- (3) WAC 220-40-022 WILLAPA HARBOR—WEEKLY PERIODS.

- (4) WAC 220-40-024 WILLAPA HARBOR—MESH SIZES—GEAR.
 (5) WAC 220-40-025 WILLAPA HARBOR—CLOSED AREA.

Chapter 220-44 WAC
 COASTAL WATERS—MARINE FISH

AMENDATORY SECTION (Amending Order 79-38, filed 6/4/79)

WAC 220-44-020 ((SEASONS)) COASTAL BAITFISH GEAR. (1) ~~((It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in that portion of Coastal Salmon Management and Catch Reporting Area 4 north of Point of the Arches and inside the 3-mile limit during weekly closed periods extending from 11:59 p.m. Friday to 12:01 a.m. Monday.~~

~~((2) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes with purse seine, drag seine, or gill net gear from Coastal Salmon Management and Catch Reporting Areas 1, 2, 3 and 4.~~

~~((3)) It shall be unlawful to take, fish for or possess smelt taken for commercial purposes with purse seine, drag seine, or gill net gear from Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, and that portion of Area 58 within the United States 200-mile fishery conservation zone.~~

~~((4)) (2) It shall be ~~((lawful))~~ unlawful to take, fish for and possess smelt taken for commercial purposes except by hand net gear not exceeding 72 inches maximum frame width in Marine Fish-Shellfish Management and Catch Reporting Areas 59 and 60A ~~((except))~~. It is unlawful to take smelt for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 59 and 60A during weekly closed periods extending from 8:00 a.m. Friday to 8:00 a.m. Sunday, and it is unlawful to take smelt for commercial purposes from any waters bounding Olympic National Park at any time.~~

~~((5)) (3) It shall be lawful to take, fish for and possess for commercial purposes sturgeon, shad, candlefish, anchovies and pilchards taken in Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, and that portion of Area 58 within the United States 200-mile fishery conservation zone with any lawful commercial fishing gear.~~

~~((6)) (4) It shall be unlawful except by permit to take and fish for herring for commercial purposes or possess herring taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, and that portion of Area 58 within the United States 200-mile fishery conservation and management zone with any type of gear.~~

~~((7) It shall be unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, and 4 or to land in the state of Washington, any salmon taken for commercial purposes contrary to the provisions of chapter 220-47 WAC relative to seasons and species and as provided in WAC 220-24-020.))~~

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-44-030 COASTAL BOTTOMFISH GEAR. It is unlawful to take, fish for, possess, transport through the waters of the state or land in any Washington state ports, bottomfish taken for commercial purposes in ~~((coastal or Pacific Ocean waters))~~ Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A and that portion of Area 58 within the United States 200-mile fishery conservation zone with any gear except as provided in this section:

(1) Otter trawl and beam trawl.

(a) It is unlawful to use, operate or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches.

(b) ~~((Effective January 1, 1983,))~~ It is unlawful to use or operate any bottom trawl having meshes less than 4.5 inches. A bottom trawl must have a minimum of two continuous riblines sewn to the net and extending from the mouth of the trawl net to the terminal end of the codend if the fishing vessel is simultaneously carrying aboard a net of less than 4.5-inch minimum mesh size.

For all bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(c) ~~((Effective January 1, 1983,))~~ It is unlawful to use or operate a roller or bobbin trawl with meshes less than 3.0 inches. It is unlawful to use a double wall codend in any roller or bobbin trawl. Chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

~~((Effective January 1, 1983,))~~ It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches. It is unlawful to use a double wall codend in any pelagic trawl. Chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6 inches. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material. Sweepines, including the bottom leg of the bridle, must be bare.

(2) Set lines. ~~((In fishing with set lines within state waters, it is unlawful to use more than three lines and more than 500 hooks per line.))~~ It is unlawful for the operator of set lines to leave such gear unattended unless marked as provided in WAC ~~((222-16-090))~~ 220-20-010(5). Set lines must be attended at least once every seven days. Set lines must be marked at the surface at each terminal end with a pole, flag, light, radar reflector, and a buoy displaying clear identification of the owner or operator.

(3) Bottomfish pots. It is unlawful for the operator of bottomfish pots to leave such gear unattended unless marked as provided in WAC ~~((220-16-145))~~ 220-20-010(5). Bottomfish pots must be attended at least once every seven days. Bottomfish pots set individually must be marked at the surface with a pole and a flag, light, or radar reflector, and a buoy displaying clear identification of the owner. Bottomfish pots laid on a groundline must be marked at the surface at each terminal end of the groundline with a pole and a flag, light, and radar reflector, and a buoy displaying clear identification of the owner or operator.

(4) ~~((Hand line))~~ Commercial jig gear. ~~((In fishing with hand line jig gear within state waters, it is unlawful to use more than three hooks per license with a maximum of six hooks per vessel unless otherwise authorized by a permit from the director of the department of fisheries.))~~

(5) Troll lines. It is unlawful to take, fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license, except that in any coastal waters it is lawful to retain for commercial purposes any species of bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery.

(6) Shrimp trawls. It is unlawful in any coastal waters, to retain for commercial purposes more than 1,500 pounds per day of any bottomfish species other than Pacific whiting, shortbelly rockfish or arrowtooth flounder taken with shrimp trawl gear incidental to a lawful shrimp fishery.

(7) It is unlawful to take, fish for or possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC 220-52-053, 220-52-063, 220-52-066, 220-52-069, and 220-52-071.

AMENDATORY SECTION (Amending Order 83-88, filed 8/10/83)

WAC 220-44-050 COASTAL BOTTOMFISH CATCH LIMITS. It is unlawful to possess, transport through the waters of the state, or land in any Washington state port bottomfish taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the species indicated:

(1) Widow rockfish (*Sebastes entomelas*) - ~~((30,000))~~ 1,000 pounds per vessel trip; no minimum size.

(2) Shortbelly rockfish (*Sebastes jordani*) and Idiot Rockfish (*Sebastomus* spp.) - no maximum poundage per vessel trip; no minimum size.

(3) Pacific ocean perch (*Sebastes alutus*) - 5,000 pounds or 10 percent of total weight of fish on board, whichever is greater, per vessel trip; no minimum size.

(4) All other species of rockfish (*Sebastes* spp.) - ~~((40,000))~~ 3,000 pounds of all other species combined per vessel trip; no minimum size. ~~((It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds of other rockfish species in any calendar week, defined as Sunday through the following Saturday.))~~

(5) Sablefish - minimum size 22 inches in length, unless dressed in which case minimum size 16 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail, except that an incidental catch less than the minimum size of 5,000 pounds is allowed.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 220-47-001 GENERAL PROVISION.
 (2) WAC 220-47-121 TREATY INDIAN VESSEL AND GEAR IDENTIFICATION.

- (3) WAC 220-47-251 PUGET SOUND—SALMON PRESERVE—DISCOVERY BAY.
- (4) WAC 220-47-252 PUGET SOUND—SALMON PRESERVE—DRAYTON HARBOR.
- (5) WAC 220-47-253 PUGET SOUND—SALMON PRESERVE—ELLIOTT BAY.
- (6) WAC 220-47-254 PUGET SOUND—SALMON PRESERVE—FIDALGO BAY.
- (7) WAC 220-47-255 PUGET SOUND—SALMON PRESERVE—HOOD CANAL.
- (8) WAC 220-47-256 PUGET SOUND—SALMON PRESERVE—KITSAP.
- (9) WAC 220-47-257 PUGET SOUND—SALMON PRESERVE—BALLARD.
- (10) WAC 220-47-258 PUGET SOUND—SALMON PRESERVE—SOUTH PUGET SOUND—SALMON PRESERVE.
- (11) WAC 220-47-259 PUGET SOUND—SALMON PRESERVE—POINT NO POINT.
- (12) WAC 220-47-260 PUGET SOUND—SALMON PRESERVE—COMMENCEMENT BAY.
- (13) WAC 220-47-261 PUGET SOUND—SALMON PRESERVE—SAMISH BAY.
- (14) WAC 220-47-262 PUGET SOUND—SALMON PRESERVE—SAN JUAN ISLAND—SALMON PRESERVE.
- (15) WAC 220-47-263 PUGET SOUND—SALMON PRESERVE—SKAGIT BAY.
- (16) WAC 220-47-264 PUGET SOUND—SALMON PRESERVE—PORT GARDNER.
- (17) WAC 220-47-265 PUGET SOUND—SALMON PRESERVE—PORT SUSAN.
- (18) WAC 220-47-266 PUGET SOUND—SALMON PRESERVE—STRAIT OF JUAN DE FUCA.
- (19) WAC 220-47-267 PUGET SOUND—SALMON PRESERVE—WASHINGTON HARBOR.
- (20) WAC 220-47-268 PUGET SOUND—SALMON PRESERVE—GIG HARBOR.
- (21) WAC 220-47-301 PUGET SOUND—LAWFUL GEAR—PURSE SEINE.
- (22) WAC 220-47-302 PUGET SOUND—LAWFUL GEAR—GILL NET.
- (23) WAC 220-47-303 PUGET SOUND—LAWFUL GEAR—REEF NETS.
- (24) WAC 220-47-304 PUGET SOUND—LAWFUL GEAR—TROLL LINE.
- (25) WAC 220-47-307 CLOSED AREAS—PUGET SOUND SALMON.
- (26) WAC 220-47-311 PURSE SEINE—SEASONS.
- (27) WAC 220-47-312 PURSE SEINE—WEEKLY PERIODS.
- (28) WAC 220-47-313 PURSE SEINE—DAILY HOURS.
- (29) WAC 220-47-314 POINT ROBERTS.
- (30) WAC 220-47-319 SPECIAL MESH SIZE.
- (31) WAC 220-47-401 REEF NET—SEASONS.
- (32) WAC 220-47-402 REEF NET—WEEKLY PERIODS.
- (33) WAC 220-47-403 REEF NET—DAILY HOURS.
- (34) WAC 220-47-411 GILL NET—SEASONS.
- (35) WAC 220-47-412 GILL NET—WEEKLY PERIODS.
- (36) WAC 220-47-413 GILL NET—DAILY HOURS.
- (37) WAC 220-47-414 GILL NET—MESH SIZES.
- (38) WAC 220-47-50101 TROLL LINE SEASONS—SALMON.
- (39) WAC 220-47-50201 TROLL LINE WEEKLY PERIODS.
- (40) WAC 220-47-503 TROLL LINE CLOSED AREAS.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-48-001 PUGET SOUND BOTTOMFISH GEAR. It is unlawful to fish for bottomfish for commercial purposes in Puget Sound with any gear except as follows:

- (1) Beam trawl and otter trawls, which include bottom trawl, roller trawl, and pelagic trawl.
- (2) Set lines.
- (3) ((Hand-line)) Commercial jig.
- (4) Troll lines.
- (5) Drag seines.
- (6) Bottomfish pots.
- (7) Set nets, which include Pacific cod set nets and dogfish set nets.

NOTE: Gear specifications and seasons are provided for in the rest of chapter 220-48 WAC.

AMENDATORY SECTION (Amending Order 82-215, filed 12/1/82, effective 1/1/83)

WAC 220-48-005 PUGET SOUND BOTTOMFISH—GENERAL PROVISIONS. (1) It is unlawful to retain for commercial purposes any ((species of dab or)) English sole less than 12 inches in length taken by any commercial bottomfish gear in all Marine Fish-Shellfish Management and Catch Reporting Areas ((20A from March 1 through April 15)) except Areas 28A, 28B, 28C, and 28D.

(2) It is unlawful to take, fish for, or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial bottomfish gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(3) It is unlawful to take or possess lingcod taken for commercial purposes with any gear the entire year in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 23D, 24A, 24B, 24C, 24D, 25B, 25C, 25D, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(4) It is unlawful to take or possess lingcod taken for commercial purposes with any gear from December 1 through April 14 in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 25A, 25E and 29.

(5) It is unlawful to take, fish for or possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC 220-52-053, 220-52-063, 220-52-066, 220-52-069, and 220-52-071.

(6) "Puget Sound" means Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 23D, 24A, 24B, 24C, 25A, 25B, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, 28D, and 29.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-48-011 BEAM TRAWL AND OTTER TRAWL—GEAR. (1) Mesh sizes. It is unlawful to use or operate beam trawls or otter trawls having mesh size in the codend section less than 4 1/2 inches in waters of Puget Sound, unless otherwise provided.

(a) It is lawful to use or operate bottom trawl gear having mesh size in the codend section of not less than 3 inches in Marine Fish-Shellfish Catch Reporting Areas 28A, 28B, 28C, and 28D, during December 1 through March 31, and in Area 20A from March 1 through April 15.

(b) It is lawful to use or operate roller trawl gear having mesh size in the codend section of not less than 3 inches in Marine Fish-Shellfish Catch Reporting Area 20A from March 1 through April 15.

(c) It is lawful to use or operate pelagic trawl gear having mesh size of not less than 2 inches while fishing for Pacific ((hake)) whiting during the season provided in WAC 220-48-017(1), and not less than 3 inches while fishing for walleye pollock during the season provided in WAC 220-48-017(2).

(2) Chafing gear.

(a) For bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(b) For roller trawls and pelagic trawls chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches.

AMENDATORY SECTION (Amending Order 83-04, filed 1/27/83)

WAC 220-48-015 BEAM TRAWL AND BOTTOM TRAWL—SEASONS. (1) It is lawful to take, fish for and possess bottomfish taken with bottom trawl and beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 22A, 22B, 23A, 23B, 23C, 25A, 25B, 25D, and 29 the entire year with the following exceptions:

(a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A east of a line projected from Point Whitehorn to Sandy Point shall be closed the entire year.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A lying southerly and westerly of a line projected from Klapot Point to Gibson Spit (Sequim Bay) are closed the entire year.

(2) It is lawful to take, fish for and possess bottomfish with bottom trawl and beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 26A, 26B, and 26D from April 15 through February 14 with the following exceptions:

(a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24A west of a line from Strawberry Point on Whidbey Island to Brown Point on Camano Island, are closed except from June 15 through February 14.

(b) Elliot Bay inside a line projected from Four Mile Rock to Alki Point is closed the entire year.

(c) Those waters of Area 26D south of lines projected from Dash Point to Point Piner on Maury Island, and from Point Dalco on Vashon Island true west to the Kitsap Peninsula are closed the entire year.

(d) Those waters provided for in WAC 220-20-020(4).

(e) It is lawful to take, fish for and possess Pacific ~~((take))~~ whiting taken with bottom trawl and beam trawl gear the entire year.

(3) It is unlawful to take, fish for or possess bottomfish taken with bottom trawl and beam trawl gear for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 24D (Holmes Harbor), 25C, 27A, 27B, and 27C (Hood Canal) except on Mondays and Tuesdays from December 1 through February 14.

(4) It is unlawful to take, fish for, or possess bottomfish taken with bottom trawl or beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 25E except on Monday through Thursday from December 1 through February 14 with the following exception: Those waters of Area 25E lying southerly of a line projected from Mill Point due east to the opposite shore, are closed the entire year.

(5) It is lawful to take, fish for and possess bottomfish taken with bottom trawl and beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 28A, 28B, 28C, and 28D from December 1 through April 14, with the exception of the following closed waters:

(a) Those waters of Hale Passage and the Narrows east and north of lines projected from Fox Point on Fox Island true east to the mainland, and from the northwest point on Fox Island true north to the mainland.

(b) Budd Inlet south of the northern boundary of the restricted berthage area shown on United States Coast Guard Chart No. 6460.

(c) Eld Inlet south and west of a line projected true south from Flapjack Point.

(d) Totten Inlet south and west of lines projected true north and true east from the outermost point on the west side of Gallagher Cove.

(e) Henderson Inlet south of a line projected true east from Dickerson Point; the waters inside Hartstene Island between lines projected from Unsal Point to Brisco Point and Salmon Point true east to Hartstene Island; and all of Hammersley Inlet.

(f) Those waters provided for in WAC 220-20-010(6).

~~(g) ((Those waters of Drayton Passage south of a line due west from the northernmost point of McNeil Island; west of a line running north and south between McNeil and Anderson Islands through Eagle Island; and north of a line from Devil's Head to Treble Point.~~

~~((h)) Those waters of area 28A south of a line projected due west from ((Johnson)) the northernmost point of McNeil Island; west of a line running north and south between McNeil and Anderson Islands through Eagle Island; and west of a line projected due south from Lyle Point ((to Hartstene)) on Anderson Island ((Dana Passage)).~~

(6) It is unlawful to take, fish for or possess bottomfish taken with bottom trawl or beam trawl gear for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 21B, 23D, and 26C the entire year.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-48-025 SET NET—PACIFIC COD—GEAR. (1) It is lawful to take, fish for and possess Pacific cod with the following set net gear:

(a) Maximum three nets per vessel, each net having a length not to exceed 600 feet.

(b) Net mesh must not be less than 5 inches.

(c) Net depth must not exceed 25 meshes.

(2) Pacific cod set net tags, issued by the department of fisheries for the current year, must be affixed to buoys on each end of each net.

AMENDATORY SECTION (Amending Order 82-215, filed 12/1/82, effective 1/1/83)

WAC 220-48-026 SET NET—PACIFIC COD—SEASONS. It is unlawful to take, fish for and possess Pacific cod and other species of bottomfish ~~((, except halibut, salmon and shellfish,))~~ taken with Pacific cod set net gear for commercial purposes except in that portion of

Marine Fish-Shellfish Management and Catch Reporting Area 25C east of a line from Twin Spits to the Port Gamble Mill Stack, and all of Catch Reporting Area 25D from February 1 through April 14. It is unlawful to take or possess halibut, salmon, or shellfish taken with Pacific cod set net gear.

NEW SECTION

WAC 220-48-027 SET NET—PACIFIC COD—LOGBOOKS. It is unlawful for any operator of Pacific cod set net gear to fail to obtain and accurately maintain the appropriate harvest log available from the department. The harvest log must be kept aboard the vessel while the vessel is engaged in harvest or has commercial caught bottomfish aboard. The vessel operator must submit the log for inspection upon request by authorized department representatives. Vessel operators shall record the vessel identity, and, for each date and ground fished, the number and length of nets, mesh and thread size of nets, hours fished, and number and estimated weight of each species caught, including discards. The department's copy of the completed harvest log must be submitted to the department for each calendar month in which fishing activity occurs. State copies must be received within ten days following any calendar month in which fishing activity occurred and by the tenth day following the termination of commercial fishing activity, whichever occurs first.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-48-028 SET NET—DOGFISH—GEAR. (1) It is lawful to take, fish for and possess dogfish with set net gear as described below:

(a) Maximum four nets, per vessel each net having a length not to exceed 1,000 feet.

(b) Net depth must not exceed 25 meshes.

(c) Net mesh must not be less than 5 inches.

(d) Net web material must be no finer than 210/30 denier nylon which is regular seine thread size number 12, or 0.048 inches in diameter.

(e) Dogfish set net tags, issued by the department of fisheries for the current year must be affixed to buoys on each end of each net.

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-48-031 SET LINE—GEAR. It is ~~((lawful))~~ unlawful to take, fish for, and possess bottomfish in Puget Sound except with set line gear as described below:

~~(1) ((Three set lines per license, having not more than 500 hooks per line.~~

~~((2)) Hook size must not be smaller than 7/0.~~

~~((3)) (2) Gangions made of single strand monofilament synthetic material are unlawful.~~

~~((4)) (3) Set lines must be marked at the surface at each terminal end as described in WAC 220-20-010(5).~~

AMENDATORY SECTION (Amending Order 82-72, filed 7/1/82)

WAC 220-48-041 ~~((HAND LINE))~~ COMMERCIAL JIG—GEAR. It is lawful to ~~((take))~~ fish ~~((;))~~ for ~~((;))~~ and possess bottomfish with ~~((hand line))~~ commercial jig gear ~~((so long as no more than 3 hooks per license or 6 hooks per vessel may be used unless otherwise authorized by a permit from the director)).~~

AMENDATORY SECTION (Amending Order 82-215, filed 12/1/82, effective 1/1/83)

WAC 220-48-042 ~~((HAND LINE))~~ COMMERCIAL JIG—SEASONS. It shall be unlawful to take, fish for, and possess bottomfish for commercial purposes with ~~((hand line))~~ commercial jig gear except in the following Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

(1) Areas 20A, 21A, 21B, 23A, and 23B - Open April 15 through November 30.

(2) Areas 23C and 23D - Open December 1 through April 14.

(3) Area 29 - Open all year.

AMENDATORY SECTION (Amending Order 82-215, filed 12/1/82, effective 1/1/83)

WAC 220-48-046 ~~((HAND LINE))~~ COMMERCIAL JIG—LOGBOOKS. It shall be unlawful for any operator of ~~((hand line))~~

commercial jig gear to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fisheries. The harvest log must be kept aboard the vessel while the vessel is engaged in harvest or has commercial caught bottomfish aboard. The vessel operator must submit the log for inspection upon request by authorized department of fisheries representatives. Each day fished, vessel operators shall record the vessel identity and registration number, and, for each date and ground fished, the number of lures, hours fished, and number and estimated weight of each species caught (including discards). The department's copies of the completed harvest log must be submitted to the department for each calendar month in which fishing activity occurs. State copies must be received within ten days following any calendar month in which fishing activity occurred and by the tenth day following the termination of commercial fishing activity, whichever occurs first.

AMENDATORY SECTION (Amending Order 82-215, filed 12/1/82, effective 1/1/83)

WAC 220-48-052 TROLL LINES—BOTTOMFISH—SEASONS. (1) It is unlawful to take, fish for, and possess bottomfish, unless otherwise provided, with troll lines for commercial purposes except in the following Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

(a) Areas 20A, 21A, 21B, 23A, and 23B - Open April 15 through November 30.

(b) ~~((Area 23C - Open December 1 through April 14.~~
(c)) Area 29 - Open all year.

(2) It is unlawful to take, fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license, provided; in any waters of Puget Sound it is lawful to retain for commercial purposes bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery, except lingcod during closures provided in WAC 220-48-005.

AMENDATORY SECTION (Amending Order 82-215, filed 12/1/82, effective 1/1/83)

WAC 220-48-056 TROLL LINES—BOTTOMFISH—LOGBOOKS. It shall be unlawful for any operator of bottomfish troll gear to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fisheries. The harvesting log must be kept aboard the vessel while the vessel is engaged in harvest or has commercial caught bottomfish aboard. The vessel operator must submit the log for inspection upon request by authorized department of fisheries representatives. Vessel operators shall record the vessel identity, and, for each date and ground fished, the number of lures, hours fished, and number and estimated weight of each species caught (including discards). The department's copies of the completed harvest log must be submitted to the department for each calendar month in which fishing activity occurs. State copies must be received within ten days following any calendar month in which fishing activity occurred and by the tenth day following the termination of commercial fishing activity, whichever occurs first.

AMENDATORY SECTION (Amending Order 83-04, filed 1/27/83)

WAC 220-49-020 SEASONS—LAWFUL GEAR—PURPOSES. It shall be unlawful to take, fish for or possess for commercial purposes herring, candlefish, anchovy or pilchards in Puget Sound except during lawful seasons, with lawful gear and for such purposes as provided for hereinafter in each respective fishing area:

(1) Areas 20A, 20B, 21A, and 21B.

(a) Closed ~~((March 1))~~ September 1 through April 15 to all commercial fishing gear.

(b) Open April 16 through May 31, with purse seine, lampara, dip bag net, and gill net, except as provided in WAC 220-49-021.

(c) Open June 1 through August 31 with drag seine, purse seine, lampara, and dip bag net for bait and human consumption only.

~~((d))~~ Open September 1 through February 28 with drag seine, purse seine, lampara, and dip bag net for any purposes except sac-roc.

(2) Areas 22A, 22B, 23A, 23B, 23C, and 29 - Open entire year with drag seine, purse seine, lampara, and dip bag net for human consumption or bait only.

(3) Areas 24A, 24B, 24C, 24D, 25A, 25B, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D - Open entire year, with drag seine, lampara, or dip bag net, for human consumption or bait only: PROVIDED, That it shall be unlawful for any

fisherman, including treaty Indian fishermen, to take, fish for or possess herring with any net gear which exceeds 200 feet in length, except drag seine gear (350 foot length).

AMENDATORY SECTION (Amending Order 81-3, filed 1/7/81)

WAC 220-49-023 REPORTING. (1) It shall be unlawful for the original receiver of herring taken from Puget Sound herring Fishing Areas 20A, 20B, 21A, and 21B during the period April 16 through May 31 to fail to report each calendar day's receipts by noon of the following day to the Washington department of fisheries, Olympia, Washington; telephone (206) 753-6637.

(2) It shall be unlawful for original buyer of herring from Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A or 21B to process or resell such herring until after the herring have been landed at a shore station.

AMENDATORY SECTION (Amending Order 83-04, filed 1/27/83)

WAC 220-49-056 SMELT FISHING—SEASONS. It shall be unlawful during any open season to take, fish for or possess smelt for commercial purposes in Puget Sound except during the following seasons:

(1) Area 21A - July ~~((25))~~ 1 to ((April 30)) March 31.

(2) Area 22B - December 1 to ~~((April 30))~~ March 31.

(3) Areas 24A, 24B, 24C, and 24D - July 1 to ~~((April 30))~~ March 31.

(4) Areas 25A ~~((and)),~~ 25E, and 26C - ~~((October 15))~~ November 1 to ((April 30)) March 31.

(5) Areas ~~((26C,))~~ 27B, 27C, 28A, 28B, 28C, and 28D - October 1 to ~~((April 30))~~ March 31.

(6) ~~((Areas 28A and 28B - September 1 to April 30.~~

~~((7))~~ All other areas open the entire year.

NEW SECTION

WAC 220-52-001 SHELLFISH—GEOGRAPHICAL DEFINITIONS. (1) "Puget Sound" means Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 23D, 24A, 24B, 24C, 25A, 25B, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, 28D, and 29.

(2) "Grays Harbor" means Marine Fish-Shellfish Management and Catch Reporting Area 60B.

(3) "Willapa Harbor" means Marine Fish-Shellfish Management and Catch Reporting Area 60C.

(4) "Columbia River" means Marine Fish-Shellfish Management and Catch Reporting Area 60D.

(5) "Coastal Waters" means Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59, and 60A.

AMENDATORY SECTION (Amending Order 77-145, filed 12/13/77)

WAC 220-52-010 ~~((CLAMS))~~ SHELLFISH—UNLAWFUL ACTS. (1) It shall be unlawful to take, dig for or possess geoduck clams for commercial purposes ~~((provided that it shall be lawful to take, dig for and possess geoduck clams for commercial purposes))~~ except as provided in WAC 220-52-019.

(2) It shall be unlawful to take, dig for or possess clams taken for commercial purposes within the boundaries of any state park located on tidewater.

(3) It shall be unlawful to take oysters or clams for commercial purposes from tidelands reserved for public use.

(4) It shall be unlawful to take oysters, clams, or mussels for commercial purposes from state oyster reserves without being licensed under RCW 75.28.290 and having permission of the director of fisheries.

(5) It shall be unlawful to take from any building, scow, boat, live-box, container, trap, net or vehicle any caught or impounded shellfish with intent to deprive the rightful owner of such shellfish.

~~((5))~~ (6) All geoduck and mechanical clam harvester vessels shall be issued an identification number. This number will be placed in a visible location on each side of the vessel and on the top of the cabin or deck awning to be visible from the air. A sign board or banner arranged so the numbers can be seen at all times from directly overhead may be substituted if the vessel does not have a fixed roof. The numbers shall be black on a white background and shall be not less than 18 inches high and of proportionate width.

~~((6))~~ (7) It shall be unlawful for a commercial clam digger to harvest clams from intertidal ground without having on his person a

signed authorization from the licensed clam farmer for whom he is harvesting. The digger will also be required to have suitable personal identification with him when engaged in clam harvesting. The authorization from the licensed clam farmer must be legible, dated and must contain the date on which the authorization expires, provided that in no instance may the authorization go beyond the end of any calendar year. The authorization must additionally contain the name of each bay or area where the licensed clam farmer has owned or leased ground from which the named clam digger is authorized to harvest.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-018 CLAMS—GEAR. It shall be unlawful to take, dig for or possess clams or mussels taken for commercial purposes from any of the tidelands in the state of Washington except with a pick, mattock, fork or shovel operated by hand: PROVIDED, That permits for the use of mechanical clam digging devices may be obtained from the director of fisheries subject to the following conditions:

(1) Any or all types of mechanical devices used in the taking or harvesting of shellfish must be approved by the director of fisheries.

(2) A separate permit shall be required for each and every device and the permit shall be attached to the specific unit at all times.

(3) All types of clams to be taken for commercial use must be of legal size and in season during the proposed operations unless otherwise provided in specially authorized permits for the transplanting of seed to growing areas or for research purposes.

(4) The holder of a permit to take shellfish from tidelands by mechanical means shall limit operations to privately owned or leased land.

(5) The taking of clams from bottoms under navigable water below the level of mean lower low water by any mechanical device shall be prohibited except as authorized by the director of fisheries. Within the enclosed bays and channels of Puget Sound, Strait of Juan de Fuca, Grays Harbor and Willapa Harbor, the operators of all mechanical devices shall confine their operations to bottoms leased from the Washington department of natural resources, subject to the approval of the director of fisheries. The harvesting of shellfish from bottoms of the Pacific Ocean westward from the western shores of the state shall not be carried out in waters less than two fathoms deep at mean lower low water. In said waters more than two fathoms deep the director of fisheries may reserve all or certain areas thereof and prevent the taking of shellfish in any quantity from such reserves established on the ocean bottoms.

(6) Noncompliance with any part of these regulations or with special requirements of individual permits will result in immediate cancellation of and/or subsequent nonrenewal of all permits held by the operator.

(7) Applications must be made on the forms provided by the department of fisheries and permits must be in the possession of the operator before digging commences.

(8) All permits to take or harvest shellfish by mechanical means shall expire on December 31 of the year of issue.

(9) All mechanical clam harvesting machines must have approved instrumentation that will provide deck readout of water pressure.

(10) ~~(Effective July 1, 1977,)~~ All mechanical clam harvest machines must have approved instrumentation that will provide deck readout of:

(a) Depth of cut.

(b) Harvest head angle with bottom.

(11) All clam harvest machines operating on intertidal grounds where less than ten percent of the substrate material is above 500 microns in size must be equipped with a propeller guard suitable for reducing the average propeller wash velocity at the end of the guard to approximately twenty-five percent of the average propeller wash velocity at the propeller. The propeller guard must also be positioned to provide an upward deflection to propeller wash.

(12) Clam harvest machines operating in fine substrate material where less than ten percent of the substrate material is above 500 microns in size, shall have a maximum harvest head width of 3 feet (overall) and the maximum pump volume as specified by the department of fisheries commensurate with the basic hydraulic relationship of 828 gpm at 30 pounds per square inch, pressure to be measured at the pump discharge.

(13) Clam harvest machines operating in coarser substrate material where more than ten percent of the substrate material is above 500 microns in size, shall have a maximum harvest head width of 4 feet (overall) and a maximum pump volume as specified by the department of fisheries commensurate with a basic hydraulic relationship of 1,252

gpm at 45 pounds per square inch, pressure to be measured at the pump discharge.

(14) All clam harvest machine operators must submit accurate performance data showing revolutions per minute, gallons per minute, and output pressure for the water pump on their machine. In addition, they shall furnish the number and sizes of the hydraulic jets on the machines. If needed, the operator shall thereafter modify the machine (install a sealed pressure relief valve) as specified by the department of fisheries to conform with values set forth in either WAC 220-52-018(12) or 220-52-018(13). Thereafter, it shall be illegal to make unauthorized changes to the clam harvester water pump or the hydraulic jets. Exact description of the pump volume, maximum pressure and number and size of the hydraulic jet for each harvester machine shall be included in the department of fisheries' clam harvest permit. ~~(All existing clam harvest machines must complete the needed steps to comply with the provisions of this regulation no later than July 1, 1976.)~~

(15) All clam harvest machines shall be equipped with a 3/4-inch pipe thread tap and valve that will allow rapid coupling of a pressure gauge for periodic testing by enforcement personnel.

(16) Each mechanical clam harvester must have controls so arranged and situated near the operator which will allow the operator to immediately cut off the flow of water to the jet manifold without affecting the capability of the vessel to maneuver.

AMENDATORY SECTION (Amending Order 81-31, filed 5/11/81)

WAC 220-52-019 GEODUCK CLAMS—GEAR AND UNLAWFUL ACTS. (1) It is unlawful to take, fish for or possess geoduck clams taken for commercial purposes from any of the tidelands of the state of Washington ~~(-PROVIDED, That pursuant to RCW 75.24.100,)~~

(2) Validations for the use of hand-held manually operated water jet or suction devices for harvesting geoduck clams for commercial purposes, pursuant to RCW 75.24.100, may be obtained from the director of fisheries subject to the following conditions:

~~((+))~~ (a) All harvesting methods and types of water jet and suction devices used in the taking or harvesting of geoduck clams must be approved by the director of fisheries prior to their use, except that water jet devices meeting the following requirements are approved for use:

~~((a) The)~~ Any water jet ~~((must have))~~ having an automatic spring-triggered shutoff valve or a manual valve capable of being operated from full flow to completely off within one-half turn ~~(:~~

~~(b) The device must consist))~~ and consisting of not more than one jet, the nozzle of which shall not exceed 5/8 inch inside diameter.

~~((c))~~ (b) It is unlawful in the commercial harvest of geoducks for through-hull fittings for water discharge hoses connected to the harvest gear to be below the surface of the water. Any through-hull fitting connected to the harvest gear which is above the surface of the water must be visible at all times.

~~((2) One geoduck validation must be physically present on board the harvest vessel for each and every geoduck personal commercial fishing license in use. It is the responsibility of the holder of the harvest agreement to issue validations only to divers authorized to harvest on the specific tract or tracts. It is the responsibility of the holder of the harvest agreement to ensure that the required number of validation cards are on board the harvesting vessel engaged in geoduck harvesting:))~~

(3) It is unlawful to take, fish for or possess geoduck clams taken from one-half hour before official sunset to official sunrise or to 6:00 a.m. whichever is later. It is unlawful to take, fish for or possess geoduck clams taken on Sunday.

(4) It is unlawful to harvest geoduck clams with any instrument that penetrates the skin, neck or body of the geoduck.

(5) It is unlawful to retain any shellfish other than geoduck clams during geoduck harvesting operations unless the operator is licensed for the taking of clams other than geoduck clams as provided for in chapter 75.28 RCW ((75.24.100)). It is unlawful to take, fish for or possess sea cucumbers during geoduck clam harvesting operations, or possess sea cucumbers on a vessel that has geoducks aboard.

(6) It ~~((shall be))~~ is unlawful for more than six divers to harvest geoducks at any one time on a single geoduck tract. It ~~((shall be))~~ is the responsibility of the holder of the harvest agreement to assure that no more than six divers are harvesting at one time.

(7) At all times when geoduck harvest is occurring, copies of the official geoduck tract map and complete tract boundary identification

documents or photographs as issued by the department of natural resources for the specific tract must be on board the vessel.

(8) ~~((No processing of))~~ It is unlawful to process geoducks ((is permitted)) on board ((the)) any harvest vessel.

(9) ~~((It shall be unlawful to take, fish for or possess geoduck clams for commercial purposes except those taken within boundaries of subtidal tracts for which geoduck harvest agreements have been issued by the department of natural resources or from subtidal tracts which were leased from the department of natural resources prior to June 30, 1979 for geoduck harvest.~~

(10) ~~It shall be unlawful to harvest from bottoms which are shallower than 10 feet below mean lower low water (0.0 feet), or which lie in areas bounded by the line of ordinary high tide (mean high tide), and a line 1/4 mile seaward from and parallel to said line of ordinary high tide on subtidal tracts which were leased for geoduck harvest prior to June 30, 1979.~~

~~((+)) It shall be unlawful to harvest from bottoms which are shallower than 18 feet below mean lower low water (0.0 feet), or which lie in areas bounded by the line of ordinary high tide (mean high tide), and a line 200 yards seaward from and parallel to said line of ordinary high tide on subtidal tracts for which geoduck harvest agreements have been issued after June 30, 1979.~~

AMENDATORY SECTION (Amending Order 80-123, filed 9/17/80)

WAC 220-52-01901 GEODUCK VALIDATIONS. (1) Numbered validations will be issued only to holders of valid subtidal geoduck harvest agreements issued by the department of natural resources and persons who hold current geoduck tract licenses issued by the department of fisheries. The validation will be issued for each licensed tract.

(2) The number of validations to be issued to each holder of a harvest agreement shall be determined by the director of fisheries based upon the number of individual geoduck tracts for which harvest agreements have been issued by the department of natural resources, their total acreage, past geoduck production, present number of nozzle licenses held for the operation, and other factors as deemed appropriate by the director of fisheries.

(3) The number of geoduck validations held by the holder of the harvest agreement may be adjusted from time to time as deemed necessary by the director of fisheries and when changes in leases occur.

(4) The geoduck validation will expire at the end of each calendar year, provided that the director may issue temporary validations for restricted time periods. In the event a validation is lost, a new validation will be issued upon receipt of a signed affidavit from the holder of the harvest agreement attesting to the loss. Any request to assign or transfer a validation from one holder of a harvest agreement to another must be made in writing. No validation will be assigned or transferred without the written approval of the director of fisheries.

(5) The holder of the harvest agreement is ~~((held))~~ responsible for notifying each vessel operator and diver to whom he provides a validation of all the laws and regulations of the state of Washington department of fisheries pertaining to commercial geoduck harvest. The holder of the harvest agreement ~~((and/or))~~, vessel operator or diver may be held ~~((criminally or civilly))~~ liable for violation of the applicable rules and regulations of the department of fisheries. ~~((Any))~~ Violations by ~~((either))~~ the holder of the harvest agreement ~~((and/or))~~, vessel operator or the diver can result in suspension ~~((and a))~~ or cancellation of the validation subject to the holder's right to opportunity for a hearing as specified in chapter 34.04 RCW. The director of fisheries may refuse to issue a validation to any holder of a harvest agreement who has failed to comply with these regulations.

(6) Applications for geoduck validations must be made on forms provided by the department of fisheries.

(7) At all times when geoduck harvest is occurring, the geoduck personal commercial fishing license and validation card for each and every diver who is harvesting or attempting to harvest geoducks from that tract must be physically on board the harvesting vessel, and evidence of the geoduck tract license for the specific tract must be prominently displayed on board the vessel. It is the responsibility of the holder of the harvest agreement to ensure that the required number of validation cards are on board the harvesting vessel during geoduck harvesting.

AMENDATORY SECTION (Amending Order 807, filed 1/2/69, effective 2/1/69)

WAC 220-52-020 CLAMS—PUGET SOUND—SEASONS AND AREAS. (1) It shall be ~~((lawful))~~ unlawful to take, dig for or possess clams, cockles, borers, and mussels, not including geoduck clams, taken for commercial purposes from the tidelands of licensed clam farms in Puget Sound except during the following seasons:

(a) Those tidelands lying west of the tip of Dungeness Spit from November 1 through March 31.

(b) Elsewhere on Puget Sound the entire year.

(2) It shall be unlawful to take, dig for or possess clams, cockles, borers and mussels taken for commercial purposes from the tidelands of ~~((the state of Washington))~~ Puget Sound except from licensed clam farms.

AMENDATORY SECTION (Amending Order 79-6, filed 1/30/79)

WAC 220-52-043 CRAB FISHERY—GEAR. (1) It shall be unlawful to take or fish for crabs for commercial purposes except with shellfish pots and ring nets.

(2) It shall be unlawful to use or operate any shellfish pot gear in the commercial crab fishery unless such gear meets the following requirements:

(a) ~~((Effective October 1, 1975 through September 30, 1979 shellfish pot gear must have one or more escape rings or ports, not less than 4-1/8 inches inside diameter.~~

~~((b))~~ ~~Effective October 1, 1979 shellfish))~~ Pot gear must have not less than two escape rings or ports not less than 4-1/4 inches inside diameter.

~~((c))~~ (b) Escape rings or ports described above must be located in the upper half of the trap.

AMENDATORY SECTION (Amending Order 83-24, filed 4/12/83)

WAC 220-52-075 SHELLFISH HARVEST LOGS. It is unlawful for any vessel operator engaged in commercial crawfish, sea cucumber, sea urchin, scallop, or shrimp fishing or operator of mechanical clam digging device to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fisheries. The harvest log must be kept aboard the vessel while the vessel is engaged in harvest or has crawfish, sea cucumbers, sea urchins, shrimp, scallops, or clams aboard. The vessel operator must submit the log book for inspection upon request by authorized department of fisheries representatives. The department's copies of the completed harvest log must be submitted to the department for each calendar month in which fishing activity occurs. State copies must be received within ten days following any calendar month in which fishing activity occurred and by the tenth day following the termination of commercial fishing activity, whichever occurs first. Vessel operators engaged in commercial harvest of:

(1) Shrimp or crawfish with shellfish pot or ring net gear must record the vessel Washington department of fisheries boat registration number, number of pots or ring nets pulled, date pulled, soak time~~((+))~~, and gear location before leaving the catch area where taken~~((+))~~, and weights must be recorded upon landing or sale. In addition, vessel operators engaged in commercial harvest of shrimp in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B, or 27C (Hood Canal) must record the total number of pots they have in the water and the total number of buoys attached to those pots, and the department's copy of the completed harvest log must be submitted weekly, postmarked no later than Friday and showing harvest activity for the period Thursday of the week previous to submission through Wednesday of the week the harvest log is submitted.

(2) Shrimp with beam trawl or shrimp trawl gear must record the vessel identity, date, location, duration and estimated weight of shrimp caught for each tow before leaving the catch area where taken.

(3) Sea urchins or sea cucumbers must record the vessel identity, date, location, and ~~((the))~~ the approximate number of sea urchins or sea cucumbers before leaving the catch area where taken and the exact weight must be recorded upon landing or sale.

(4) Clams with mechanical digging devices must record the vessel identity, location, and date of harvest before the end of each day's fishing and the weights by clam species must be recorded upon landing or sale.

(5) Scallops with dredge or trawl gear must record the vessel identity, date, location, and duration of harvest and estimated weight of scallops caught for each tow before leaving the catch area where taken.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-015 CLAMS—LAWFUL ACTS.

AMENDATORY SECTION (Amending Order 80-123, filed 9/17/80)

WAC 220-55-065 EXPIRATION. The expiration date of each resident or nonresident license shall be June 30th next following the date of issuance. In case of a free license, the license shall not expire, except:

- (1) A license issued to a person under 16 years of age shall expire on that person's 16th birthday.
- (2) Any free license issued to a nonresident under the provisions of chapter 75.25 RCW (~~(75.25-030 shall expire)~~) has expired June 30, 1980.

AMENDATORY SECTION (Amending Order 248, filed 3/1/60)

WAC 220-60-070 PURCHASERS' LICENSES. All purchasers of oysters or clams from any of the state oyster reserves shall, in advance of the removal of any oysters and/or clams from any such reserve, obtain from the department an oyster reserve license as required by (~~(section 71, chapter 112, Laws of 1949,)~~) RCW 75.28.290.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-215 COMPLIANCE AND MISREPRESENTATION. It shall be unlawful for any person (~~(partnership, association, corporation, or similar entity)~~) dealing with or possessing food fish, shellfish, or parts thereof:

- (1) To fail to completely and accurately carry out the provisions of this chapter.
- (2) To misrepresent, falsify, or omit any required entry made upon official state of Washington fish receiving ticket, sport salmon catch record, or production report, or to enter information that is so illegible as to be misinterpreted.
- (3) To utilize any forms other than official state of Washington fish receiving tickets, sport salmon catch record, or production report as described in this chapter for catch reporting.

AMENDATORY SECTION (Amending Order 78-7, filed 2/17/78)

WAC 220-69-220 DEFINITION OF TERMS. (1) DEPARTMENT OF FISHERIES as referred to in this chapter (~~(shall)~~) means:

Department of fisheries
Data Processing Section
Room 115 General Administration Building
Olympia, Washington 98504
Telephone (206) 753-2540 or (206) 753-6580

(2) DEALER as referred to in this chapter (~~(shall)~~) means the original purchaser or receiver of food fish, shellfish, or parts thereof.

(3) BUYER as referred to in this chapter means the person who originally receives food fish, shellfish, or parts thereof on behalf of a dealer whose name appears on the buyer's license.

(4) FISHERMAN as referred to in this chapter (~~(shall)~~) means the person who catches or delivers food fish, shellfish, or parts thereof.

(5) ORIGINAL RECEIVER as referred to in this chapter means the first person in constructive possession of food fish or shellfish after the food fish or shellfish have been caught or harvested by a licensed commercial fisherman, except for individuals or consumers at retail.

(~~(6)~~) (6) IPSFC as referred to in this chapter (~~(shall)~~) means:
International Pacific Salmon Fisheries Commission
P.O. Box 30
New Westminster, British Columbia CANADA

(~~(7)~~) (7) TREATY as referred to in this chapter (~~(shall)~~) means any person, group, or activity thereof made unique by virtue of descendancy from Indian tribes signatory to treaties made with the United States government in the mid-1850's where such treaties reserved certain rights in what is now the state of Washington or waters bordering that state.

(~~(8)~~) (8) NONTREATY as used in this chapter (~~(shall)~~) means all entities not qualified by definition as treaty.

(9) TREATY INDIAN as referred to in this chapter means an individual treaty Indian fisherman.

AMENDATORY SECTION (Amending Order 80-27, filed 5/2/80)

WAC 220-69-230 DESCRIPTION OF (~~(CANNERY)~~) WASHINGTON STATE NONTREATY FISH RECEIVING TICKETS. (1) There is hereby created (~~(a cannery)~~) the following nontreaty fish receiving ticket forms to be prepared, printed, and distributed upon request, by the department of fisheries (~~(which)~~): Cannery, troll, marine, utility, and shellfish. These forms shall contain space for the following information:

- (a) Fisherman (~~(or owner)~~): Name of (~~(seller or)~~) licensed deliverer.
- (b) Address: Address of (~~(seller or)~~) licensed deliverer.
- (c) Boat name: Name or Coast Guard number of landing vessel.
- (d) WDF boat registration: Washington department of fisheries boat registration number.
- (e) Gear: Code number or name of specific type of gear used.
- (f) Fisherman's signature: Signature of (~~(seller or)~~) licensed deliverer.
- (g) Date: Date of landing.
- (h) Dealer: Name of dealer, and department of fisheries' number assigned to dealer.
- (i) Buyer: Name of buyer, and department of fisheries' number assigned to buyer.
- (j) (~~(Dealer's)~~) Receiver's signature: Signature (~~(of purchaser or)~~) of original receiver.
- (k) Number of days fished: Days spent catching fish.
- (l) Fish caught inside or outside 3-mile limit: Check one box.
- (m) Catch area: Salmon catch area code if salmon are caught. Marine fish/shellfish catch area code if marine fish are caught or shellfish are caught or harvested.

- (n) Tally space for dealer's use: Used at dealer's discretion.
- (o) Species code: Department of fisheries' assigned species code.
- (p) Number of fish, species description, pounds, and value: Summary information for species landed.
- (q) Work area for dealer's use: Used at dealer's discretion.
- (r) Total amount: Total value of landing.
- (~~(s) 2 1/2% tax. 2 1/2% tax collected.~~)
- (~~(t) 1 1/2% tax. 1 1/2% tax collected.~~)
- (~~(u) 1% tax. 1% tax collected.~~)
- (~~(v) Amount paid. Value paid to seller.~~)
- (2) The cannery fish receiving ticket shall be used for:
- (a) Deliveries of nontreaty salmon caught in inland waters.
- (b) Any other delivery of nontreaty salmon where the catch may be easily recorded.

- (c) Any imports of fresh salmon into the state of Washington.
- (3) The troll fish receiving ticket shall be used for:
- (a) Deliveries of nontreaty coastal salmon and incidental catch.
- (b) Any other nontreaty deliveries where the species delivered may be easily recorded.

- (c) Any imports of fresh salmon into the state of Washington.
- (4) The marine fish receiving ticket shall be used for:
- (a) Nontreaty deliveries of marine fish or bottomfish that do not include salmon.

- (b) Any imports of fresh marine fish or bottomfish.
- (5) The utility fish receiving ticket shall be used for:
- (a) Any nontreaty deliveries that do not include salmon, where other fish receiving tickets are not appropriate.

- (b) Any imports of fresh fish or shellfish that do not include salmon.
- (6) The shellfish receiving ticket shall be used for:
- (a) Any nontreaty deliveries of shellfish.
- (b) Any imports of fresh shellfish.
- (c) Any incidental catch of bottomfish made while fishing for shellfish. The species name, total pounds, and price per pounds must be entered for each species of bottomfish caught.

AMENDATORY SECTION (Amending Order 80-27, filed 5/2/80)

WAC 220-69-234 DESCRIPTION OF TREATY INDIAN FISH RECEIVING TICKET. (1) There is hereby created a treaty Indian fish receiving ticket form to be prepared, printed, and distributed upon request, by the department of fisheries, which shall contain space for the following information:

- (a) Tribal name: Name of tribe.
- (b) Fisherman: Name of (~~(seller or)~~) deliverer.

- (c) Identification card number: Treaty Indian identification number.
 (d) Signature: Signature of ~~((seller or))~~ deliverer.
 (e) Date: Date of landing.
 (f) Dealer: Name of dealer, and department of fisheries' number assigned to dealer.
 (g) Buyer: Name of buyer, and department of fisheries' number assigned to buyer.
 (h) Gear: Code name or number of specific gear type used.
 (i) Receiver's signature: Signature of original receiver.
 (j) On-reservation catch area: River name for river catch, salmon catch area for saltwater salmon catch, marine fish/shellfish catch area for nonsalmon saltwater catch.
 ((~~(j)~~)) (k) Off-reservation catch area: River name for river catch, salmon catch area for saltwater salmon catch, marine fish/shellfish catch area for nonsalmon saltwater catch.
 ((~~(k)~~)) (l) Physical gear used: Circle physical gear actually used.
 ((~~(l)~~)) (m) Tally space for dealer's use: Used at dealer's discretion.
 ((~~(m)~~)) (n) Species and description: Species name of fish landed.
 ((~~(n)~~)) (o) Number of fish, pounds, and value: Information for each species landed.
 ((~~(o)~~)) (p) Subtotal: Total price of catch landed.
 ((~~(p)~~)) (q) Tribal tax: Tribal tax collected.
 ((~~(q)~~)) (r) Total: Total price paid seller or deliverer.
 (2) The treaty Indian fish receiving ticket shall be used for any deliveries of fish caught by treaty Indians exercising a treaty fishing right in established treaty waters.

AMENDATORY SECTION (Amending Order 81-6, filed 1/13/81)

WAC 220-69-23501 DESCRIPTION OF HARDSHELL CLAM AND MUSSEL PRODUCTION REPORT. (1) There is hereby created a hardshell clam and mussel production report form to be prepared, printed and distributed on request by the department of fisheries which shall contain space for the following information:

- (a) Firm name: Name of licensee or firm
 (b) Firm address: Address of licensee or firm
 (c) Clam farm registration number: Department of fisheries assigned registration number
 (d) Report for month of: Month and year covered by the report
 (e) Number of employees: Number of employees employed by the firm during reporting month
 (f) Tract location: Geographical location of clam farm
 (g) Area code: Department of fisheries assigned geographical area code
 (h) Species: Species of clam or mussel
 (i) Species code: Department of fisheries assigned species code
 (j) Pounds: Pounds of clams or mussels harvested
 (k) Price: Price per pound received
 (l) Value: Value of monthly harvest
 (m) Signature: Signature of licensee or authorized representative
 (2) The hardshell clam production report shall be used for monthly reporting of hardshell clam or mussel production as specified in WAC 220-69-241(4).

AMENDATORY SECTION (Amending Order 77-121, filed 10/19/77)

WAC 220-69-237 DESCRIPTION OF SPORT SALMON CATCH RECORD. (1) There is hereby created a sport salmon catch record form to be prepared, printed, and distributed on request, by the department of fisheries,

(2) The sport salmon catch record stub shall contain space for the following information:

- (a) Name of angler.
 (b) Home address.
 (c) City, state, zip code.
 (d) Angler's driver's license number, or, in the case the angler does not have a driver's license, the first five letters of the anglers last name and the initial for the angler's first and middle name. If the last name is less than five letters, enter the entire last name followed by the first and middle initial. If no middle name, leave blank the initial space.
 (e) Home phone.
 ((~~(e)~~)) (f) Date of issue.
 (3) The sport salmon catch record card shall contain space for the following information:
 (a) Name of angler.
 (b) Home address.
 (c) City, state, zip code.

- (d) Space for the license validation stamp.
 (e) Month of catch.
 (f) Day of catch.
 (g) Marine code or stream: Location of catch.
 (h) Species: Species code for salmon.
 ((~~(i)~~)) Total days fished: Length of time spent fishing.
 (j) Method fish were caught (~~charter boat, private boat, rental boat, from shore~~);)

AMENDATORY SECTION (Amending Order 82-105, filed 8/13/82)

WAC 220-69-240 DUTIES OF COMMERCIAL PURCHASERS AND RECEIVERS. (1) Every person (~~(partnership, association, corporation, or similar entity)~~) originally receiving or purchasing fresh or iced food fish or shellfish or parts thereof, or frozen food fish or shellfish or parts thereof that have not been previously landed in another state (~~(or)~~), territory, or country from fishermen, firms, or individuals, regardless of whether or not the receiver or purchaser holds a license as required under Title 75 RCW, must immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket regarding each and every purchase or receipt of such commodities. Each delivery must be recorded on a separate state of Washington fish receiving ticket: PROVIDED, That provisions of this section do not apply to purchases or receipts made by individuals or consumers at retail: PROVIDED FURTHER, That the provisions of this section do not apply to fresh, iced, or frozen food fish or shellfish, or parts thereof purchased from any person (~~(partnership, association, corporation, or similar entity)~~) possessing a valid Washington wholesale dealer's license except that a wholesale dealer purchasing fish from a commercial fisherman or shellfish grower shall complete the appropriate fish receiving ticket regardless of whether the commercial fisherman or shellfish grower possesses a wholesale dealer's license. It is the purchaser's responsibility to obtain the name, address, and Washington wholesale dealer's license number, together with such sales receipt documents or information as may be required, to show the ~~((seller's))~~ deliverer's name, quantity of fish, and date of the transaction and retain these with the food fish or shellfish.

(2) State of Washington fish receiving tickets are required for:

(a) Fresh food fish or shellfish previously landed in another state, territory, or country and shipped or transported into the state of Washington.

(b) Any frozen food fish or shellfish received in the state of Washington which were not previously landed in another state (~~(or)~~), territory, or country.

(3) Fishermen, fishermen-wholesalers, and wholesalers shall determine the weight of baitfish contained in an average and normal trail and multiply the number of such trailers of baitfish by this weight factor and report such baitfish in both dozens and total weight: PROVIDED, That it is lawful for such fishermen, fishermen-wholesalers, and wholesalers, when receiving herring, candlefish, anchovy, or pilchards for bait purposes, to delay completing that portion of the fish receiving ticket which indicates number of herring received, only if the herring, candlefish, anchovy, or pilchards are sold individually or counted as dozens. Such counts must be entered on the fish tickets immediately. An estimate of herring, candlefish, anchovy, or pilchards caught but not sold due to mortality must be included on the fish ticket as "Loss Estimate."

(4) It is lawful for an original receiver, when receiving purse seine-caught herring taken from Areas 20A, 20B, 21A, and 21B during the period April 15 through May 31, to delay completing that portion of the fish receiving ticket which indicates the weight of herring received only until the herring are off-loaded from the original receiver's vessel. The herring must then be weighed and the weight immediately entered in the appropriate space on the ticket. A separate state of Washington fish receiving ticket must be initiated at the time of each individual receipt of herring from the purse seine catching vessel.

(5) The original receiver of herring taken from Puget Sound Marine Fish-Shellfish Catch Areas 20A, 20B, 21A, and 21B, during the period April 16 through May 31 must report each calendar day's receipts by noon of the following day to the Department of Fisheries, Olympia, Washington; telephone (206) 753-6637.

(6) It is unlawful for any person (~~(partnership, association, corporation, or similar entity)~~) receiving or purchasing geoducks from fishermen, firms, or individuals, regardless of whether or not the purchaser or receiver holds a license as required under Title 75 RCW, to fail to accurately and legibly complete the fish receiving ticket initiated on the harvest tract immediately upon the actual landing of geoducks

from the harvesting vessel onto the shore. This fish receiving ticket shall accompany the harvested geoducks from the department of natural resources harvest tract to the point of landing.

(7) It is unlawful for the original receiver of Pacific whiting to fail to enter an estimated weight of Pacific whiting on the fish receiving ticket immediately upon completion of the landing. The exact weights of whiting, by grade, and all incidental species in the landing must be entered on the fish receiving ticket within twenty-four hours of the landing.

AMENDATORY SECTION (Amending Order 81-31, filed 5/11/81)

WAC 220-69-241 DUTIES OF COMMERCIAL FISHERMAN AND GROWERS. (1) Every fisherman, or food fish or shellfish grower, selling his food fish or shellfish to the consumer, restaurant, boathouse, or other retail outlet, and every fisherman, or food fish or shellfish grower, who places, or attempts to place, into inter-state commerce any food fish or shellfish previously landed in this state, or caught, or harvested from the territorial waters of this state, is required to:

(a) Immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket in his own name for each retail sale or out-of-state shipment so made, or

(b) At the close of each day's business, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket in his own name for the total day's activities, or

(2) In the commercial geoduck fishery, a vessel operator so designated by the geoduck tract holder must be present at all times on each vessel commercially harvesting geoducks or having commercially harvested geoducks aboard. For each day's harvest of geoducks from each tract, the designated operator must legibly and accurately enter the following information on a fish receiving ticket before leaving the department of natural resources geoduck harvest tract:

(a) Enter in the "dealer's use" column the number of cages of geoducks harvested.

(b) Write across the top of the fish receiving ticket directly below the tear strip, the harvest vessel name, its Washington department of fisheries identification number and the date.

(c) Sign the fish receiving ticket as the fisherman.

(3) Food fish growers who sell their product as a wholesale dealer or make a direct sale out of state may, upon written approval from the department of fisheries, completely, accurately and legibly prepare a monthly state of Washington aquaculture production report for each and every month irrespective of whether aquaculture harvest was done during that month, or

(4) Clam farm licensees harvesting hardshell clams or mussels may, upon written approval from the department of fisheries, completely, accurately and legibly prepare a monthly state of Washington hardshell clam and mussel production report for each and every month irrespective of whether hardshell clams or mussels were harvested that month.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-242 DUTIES OF COMMERCIAL OYSTER PURCHASERS, RECEIVERS, AND SHUCKERS. Every person(~~;~~ partnership, association, corporation, or similar entity;) receiving, purchasing, or shucking oysters for resale, or any grower shipping oysters out of the state, shall keep complete and accurate records showing the grower from whom the oysters were received, the quantity received, the quantity of oysters shucked or opened, and the location from which the oysters were harvested, and shall either:

(1) Completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket for each and every day's activities, or

(2) Upon written approval from the department of fisheries, completely, accurately, and legibly prepare a monthly state of Washington oyster production report for each and every month irrespective of whether oysters were received, harvested, shucked, or shipped during that month.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-245 DUTIES OF SPORT SALMON CATCH RECORD ISSUERS. Any person(~~;~~ partnership, association, corporation, or similar entity) issuing sport salmon catch records shall be subject to the following orders:

(1) Sport salmon catch records shall be issued in numerical sequence starting with the lowest numbered record book in possession of the issuer.

(2) Sport salmon catch record books shall not be transferred from one issuer to another without written permission of the department of fisheries.

(3) Any issuer terminating business shall return all sport salmon card records to the department of fisheries within 30 days after terminating business.

(4) All sport salmon catch records that are void, lost, destroyed, or otherwise missing, shall be accounted for in writing to the department of fisheries.

(5) All sport salmon catch record books in which all punch cards have been issued shall be returned to the department of fisheries within 30 days of the date of issuance of the last punch card in each book.

(6) All sport salmon catch record books, whether used or unused, shall be returned to the department of fisheries by January 31 of the year following the year of issuance.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-250 REQUIRED INFORMATION ON ~~(CAN-~~ NERY) NONTREATY FISH RECEIVING TICKETS. Entries (a) through (m) and entry (p) of subsection (1) of WAC 220-69-230 shall be required on each completed ~~(cannery)~~ nontreaty fish receiving ticket.

PROVIDED, That a valid license card or duplicate license card issued by the department of fisheries shall be used in conjunction with an approved mechanical imprinter in lieu of entries (a) through ~~((ff))~~ (e) of subsection (1) of WAC 220-69-230 except as provided in WAC 220-69-273.

PROVIDED FURTHER, That a valid dealer or buyer card issued by the department of fisheries shall be used in conjunction with an approved mechanical imprinter in lieu of entries (h) through (j) of subsection (1) of WAC 220-69-230 except as provided in WAC 220-69-273.

AMENDATORY SECTION (Amending Order 78-7, filed 2/17/78)

WAC 220-69-254 REQUIRED INFORMATION ON TREATY INDIAN FISH RECEIVING TICKETS. Entries (a) through ~~((f))~~ (l) and entries ~~((m))~~ (n) and ~~((n))~~ (o) of subsection (1) of WAC 220-69-234 shall be required on each completed treaty Indian fish receiving ticket.

PROVIDED, That a valid treaty Indian identification card may be used in lieu of entries (a) through ~~((f))~~ (c) of subsection (1) of WAC 220-69-234.

PROVIDED FURTHER, That a valid dealer or buyer card issued by the department of fisheries may be used in lieu of entries (f) and (g) of subsection (1) of WAC 220-69-234.

AMENDATORY SECTION (Amending Order 81-6, filed 1/13/81)

WAC 220-69-25501 REQUIRED INFORMATION ON HARDSHELL CLAM AND MUSSEL PRODUCTION REPORT. Entries (a) through (h) and entries (j), (k) and (m) of subsection (1) of WAC 220-69-23501 shall be required on each completed hardshell clam and mussel production report.

AMENDATORY SECTION (Amending Order 80-27, filed 5/2/80)

WAC 220-69-260 DISTRIBUTION OF COPIES OF CANNERY AND TROLL FISH RECEIVING TICKET. State of Washington cannery and troll fish receiving tickets shall be made out in quintuplicate (five copies) at the time of landing. Upon completion of the ~~(cannery)~~ fish receiving ticket the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by ~~((purchaser or))~~ receiver for their use.

(2) The state copy (green) shall be mailed each day to the department of fisheries.

(3) The IPSFC copy (pink) shall be mailed each day to the IPSFC, P.O. Box 30, New Westminster, B.C.: PROVIDED, That in the event the fish receiving ticket does not contain any pink or sockeye salmon caught in Catch Areas 3, 4, 4A, 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7B, 7C, 57, 58 and 59 the fish receiving ticket shall be mailed each day to the department of fisheries with the state copy.

(4) Dealer copy #2 (yellow) shall be retained by ~~((purchaser-or))~~ receiver for their use.

(5) Fisherman copy (gold) shall be retained by the ~~((seller-or))~~ deliverer for their use.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-262 DISTRIBUTION OF COPIES OF MARINE AND UTILITY FISH RECEIVING TICKET. State of Washington marine and utility fish receiving tickets shall be made out in quadruplicate (four copies) at the time of landing. Upon completion of the ~~((marine))~~ fish receiving ticket, the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by ~~((purchaser-or))~~ receiver for their use.

(2) The state copy (green) shall be mailed each day to the department of fisheries except for tickets recording landings of Pacific whiting as specified in WAC 220-69-240(7), which must be mailed within twenty-four hours of completion.

(3) The dealer copy #2 (yellow) shall be retained by ~~((purchaser-or))~~ receiver for their use.

(4) The fisherman copy (gold) shall be retained by the ~~((seller-or))~~ deliverer for their use.

AMENDATORY SECTION (Amending Order 80-27, filed 5/2/80)

WAC 220-69-264 DISTRIBUTION OF COPIES OF TREATY INDIAN FISH RECEIVING TICKETS. State of Washington treaty Indian fish receiving tickets shall be made out in quintuplicate (five copies) at the time of landing. Upon completion of the treaty Indian fish receiving ticket, the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by ~~((purchaser-or))~~ receiver for their use.

(2) The state copy (green) shall be mailed each day to the department of fisheries.

(3) The IPSFC copy (pink) shall be mailed each day to the IPSFC, P.O. Box 30, New Westminster, B.C.: PROVIDED, That in the event the fish receiving ticket does not contain any pink or sockeye salmon caught in Catch Areas 3, 4, 4A, 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7B, 7C, 57, 58 and 59 the fish receiving ticket shall be mailed each day to the department of fisheries with the state copy.

(4) The tribal copy (yellow) shall be mailed each day to the department of fisheries: PROVIDED, That upon written agreement received by the department of fisheries from a specific tribe and buyer indicating the desire to transmit the tribe's copy directly to the fisherman's tribe, then that one copy may be so disposed.

(5) The fisherman copy (gold) shall be retained by the ~~((seller-or))~~ deliverer for their use.

AMENDATORY SECTION (Amending Order 80-27, filed 5/2/80)

WAC 220-69-26401 DISTRIBUTION OF COPIES OF SHELLFISH RECEIVING TICKET. State of Washington shellfish receiving tickets shall be made out in quintuplicate (five copies) at the time of landing. Upon completion of the shellfish receiving ticket, the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by ~~((purchaser-or))~~ receiver for their use.

(2) The state copy #1 (green) shall be mailed each day to the department of fisheries.

(3) The state copy #2 (pink) shall be mailed each day to the department of fisheries.

(4) The dealer copy #2 shall be retained by the ~~((purchaser-or))~~ receiver for their use.

(5) The fisherman copy (gold) shall be retained by the ~~((seller-or))~~ deliverer for their use.

AMENDATORY SECTION (Amending Order 81-6, filed 1/13/81)

WAC 220-69-26501 DISTRIBUTION OF COPIES OF HARSHHELL CLAM AND MUSSEL PRODUCTION REPORT. State of Washington hardshell clam and mussel production reports

must be made out in duplicate (two copies). The dealer's copy must be retained by the licensee for his use and the state copy must be mailed to the department of fisheries within fifteen days after the end of the month for which the hardshell clam or mussel production report is prepared.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-270 LICENSE CARDS. (1) Upon lawful application, a commercial fishing license or permit in the form of a license card will be issued by the department of fisheries. The license card will be designed for use with an approved mechanical imprinting device. The license card will contain the boat owner's name; boat name or number, length, and gear type; boat operator's name, description, and address; license expiration date; gear code; license number; and department of fisheries' boat plate number.

(2) It shall be unlawful for any person to use or possess a license card other than the fisherman to whom the card is issued, or the ~~((buyer))~~ receiver to whom the fish are being offered for receipt.

(3) Upon written request to the department of fisheries by any person holding a valid license card, a duplicate license card will be issued. The duplicate license card will contain the names of the boat owner and operator, boat name or number, gear code, license number, and department of fisheries' boat plate number. The duplicate license card shall be retained by the buyer for preparing the appropriate state of Washington fish receiving ticket in the ~~((seller-or))~~ deliverer's absence.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-272 TREATY INDIAN IDENTIFICATION CARDS. Treaty Indians delivering fish caught in treaty waters while exercising a treaty fishing right may use a treaty Indian identification card, properly embossed with the tribe number and treaty Indian identification number, in lieu of hand-written fisherman information except that the fisherman's signature is required.

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-273 IMPRINTERS. (1) Use of a mechanical printer approved by the department of fisheries, in conjunction with a license card, duplicate license card, or treaty Indian identification card to identify the deliverer (~~((or-seller))~~), and a dealer plate or buyer plate to identify the ~~((purchaser-or))~~ receiver on all state of Washington fish receiving tickets is hereby made mandatory.

PROVIDED, That license card information may be recorded manually on the state of Washington fish receiving tickets in the following exceptions:

(a) Oregon licensed fishermen delivering fish caught in the Columbia River.

(b) Purchases made from out-of-state firms.

(d) Fishermen selling on a single-delivery vessel delivery permit.

(d) Clam and oyster farmers.

(e) For nontreaty fishermen, any instance where a commercial gear license is not required and license card has not been issued.

(f) Upon written approval from the department of fisheries, license card and dealer or buyer plate information may be recorded manually by a dealer or buyer having a minimal number of transactions.

~~((2) Any purchaser or receiver terminating business shall notify the department of fisheries in writing and shall return to the department of fisheries any and all mechanical imprinters leased from the department of fisheries.))~~

AMENDATORY SECTION (Amending Order 76-153, filed 12/17/76)

WAC 220-69-274 SIGNATURES. The ~~((seller-or))~~ deliverer of food fish, shellfish, or parts thereof, shall sign the complete fish receiving ticket, which signature shall be deemed certification of the correctness of all entries thereon: PROVIDED, That should the ~~((purchaser-or))~~ receiver receive the food fish, shellfish, or parts thereof, by other than direct delivery, the receiver shall affix his or her signature to the fish receiving ticket, and the fish receiving ticket shall be completed and submitted without the ~~((seller's-or))~~ deliverer's signature together with a statement as to the reasons the signature was not obtained, and the ~~((purchaser-or))~~ receiver shall assume complete responsibility for

the correctness of all entries(~~(-PROVIDED FURTHER, That a license card or duplicate license card as provided for in WAC 220-69-270, when used with an approved mechanical imprinter shall meet the signature requirement of this section and shall be deemed as certification of the correctness of all entries)).~~

AMENDATORY SECTION (Amending Order 82-105, filed 8/13/82)

WAC 220-69-280 FISH RECEIVING TICKET ACCOUNTABILITY. Only Series G, Series H, Series J or Series K state of Washington fish receiving tickets shall be used, and shall be subject to the following orders:

(1) Official state of Washington fish receiving tickets may be ordered free of charge from the department of fisheries.

(2) Fish receiving ticket books shall be used in numerical sequence, starting with the lowest numbered ticket book issued to the purchaser or receiver. (~~(All Series G tickets shall be used before using Series H; all Series H tickets shall be used before using Series J, and all Series J tickets shall be used before using Series K tickets.)~~)

(3) Fish receiving tickets or ticket books shall not be transferred from one purchaser or receiver to another purchaser or receiver without written permission from the department of fisheries.

(4) Any purchaser or receiver terminating business shall notify the department of fisheries in writing and shall return all unused fish receiving tickets and ticket books to the department of fisheries within 30 days after termination of business.

(5) All fish receiving tickets that are incorrectly made out, voided, or otherwise unused, shall be submitted to the department of fisheries accompanying, and in sequence with, other fish receiving tickets.

(6) All fish receiving tickets that are lost, destroyed, or otherwise missing, shall be accounted for in writing to the department of fisheries.

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 220-69-231 DESCRIPTION OF TROLL FISH RECEIVING TICKET.

(2) WAC 220-69-232 DESCRIPTION OF MARINE FISH RECEIVING TICKET.

(3) WAC 220-69-233 DESCRIPTION OF UTILITY FISH RECEIVING TICKET.

(4) WAC 220-69-23401 DESCRIPTION OF SHELLFISH RECEIVING TICKET.

(5) WAC 220-69-251 REQUIRED INFORMATION ON TROLL FISH RECEIVING TICKETS.

(6) WAC 220-69-252 REQUIRED INFORMATION ON MARINE FISH RECEIVING TICKETS.

(7) WAC 220-69-253 REQUIRED INFORMATION ON UTILITY FISH RECEIVING TICKETS.

(8) WAC 220-69-25401 REQUIRED INFORMATION ON SHELLFISH RECEIVING TICKET.

(9) WAC 220-69-261 DISTRIBUTION OF COPIES OF TROLL FISH RECEIVING TICKETS.

(10) WAC 220-69-263 DISTRIBUTION OF COPIES OF UTILITY FISH RECEIVING TICKET.

AMENDATORY SECTION (Amending Order 79-75, filed 9/7/79)

WAC 220-74-022 CERTAIN SALES DISALLOWED. (1) Sales of surplus eggs as described in WAC 220-74-020 shall not be allowed where the person or corporation seeking to buy said eggs has not paid all fees and taxes due and owing to the state of Washington(~~(; department of fisheries, including but not limited to, license fees and privilege and tax fees due and owing as provided in chapter 75.32 RCW)).~~

(2) Notwithstanding the provisions of chapter 220-74 WAC, the department reserves the right to refuse to sell surplus salmon eggs to any purchaser for good cause.

AMENDATORY SECTION (Amending Order 980, filed 2/3/72)

WAC 220-76-010 AQUACULTURE—PERMITS. (1) It shall be unlawful for any person, firm, or corporation to engage in cultivation of food fish, shellfish, or other aquatic animals for commercial purposes without first having obtained from the director of fisheries an

aquaculture permit, and it shall be unlawful for any person, firm, or corporation to fail to comply with the provisions of said aquaculture permit.

(2) Aquaculture permits are nontransferable. In the event there is a change of ownership of a fish farm established under chapter 220-76 WAC and RCW (~~(75.16.100)~~) 75.28.265, the aquaculture permit issued to the previous owner shall be invalid.

(3) Applications for aquaculture permits shall be submitted on forms supplied by the department setting forth the following:

(a) Name and address of owner and operator.

(b) Location of project, including legal description and location map.

(c) Proposed layout of facilities, equipment, operation plans and procedures including disease control, and such other pertinent data as may be required.

AMENDATORY SECTION (Amending Order 1104, filed 11/26/73)

WAC 220-80-090 COPYING. No fee shall be charged for the inspection of public records. The department shall charge a fee per page of copy for providing copies of public records as follows:

Loose leaf material up to 11" x 18" (Xerox copy)	\$(0-10)
	0.30 per sheet
Bound material (Xerox copy)	\$(0-15)
	0.45 per sheet
Blueprints and material over 11" x 18" (Bruning)	\$(1-00)
	3.00 per sheet
Microfilm or microfiche (paper copies)	\$(0-10)
	0.30 per sheet

These charges are the approximate amounts necessary to reimburse the department for its actual costs.

AMENDATORY SECTION (Amending Order 80-194, filed 12/11/80)

WAC 220-85-015 LICENSE MORATORIUM REVIEW BOARDS. The director shall appoint advisory boards of review as necessary to hear appeals pursuant to the commercial salmon license moratorium (~~((RCW 75.28.455 through 75.28.480))~~), the salmon charter boat license moratorium (~~((RCW 75.30.010 through 75.30.060))~~), and the Puget Sound commercial crab license moratorium (~~((RCW 75.28.274 through 75.28.277))~~) (chapter 75.30 RCW).

AMENDATORY SECTION (Amending Order 80-194, filed 12/11/80)

WAC 220-85-050 MORATORIUM ADVISORY REVIEW BOARDS—WHO MAY APPEAL. Any person aggrieved by a decision of the department pursuant to chapter 75.30 RCW (~~(75.28.274; 75.28.275, 75.28.455 through 75.28.475 or 75.30.020)~~), may voluntarily request that a board of review be impaneled to hear his case.

AMENDATORY SECTION (Amending Order 80-194, filed 12/11/80)

WAC 220-85-070 MORATORIUM ADVISORY REVIEW BOARDS—APPEALS—REQUIREMENTS—FORM FOR APPEAL. (1) Appeals by an aggrieved person pursuant to chapter 75.30 RCW (~~(75.28.274, 75.28.275, 75.28.475, 75.28.480 or 75.30.020)~~), from determinations of the department shall be in writing and should include:

(a) a concise statement of why the appeal is made,

(b) the basis upon which the aggrieved person believes a different decision should be made,

(c) a statement of any other relevant facts.

(2) Appeals must be postmarked within thirty days of the date of denial, or received in person at the department of fisheries not more than thirty days from the date of denial. The director may waive the thirty day requirement for good cause.

(3) The appeal may be in any written form; however, the department will furnish or make available upon request a form that can be used for making appeals pursuant to the provisions of these regulations.

AMENDATORY SECTION (Amending Order 80-194, filed 12/11/80)

WAC 220-85-110 MORATORIUM ADVISORY REVIEW BOARDS—APPEALS—INFORMATION PROCEDURES OPTIONAL. Pursuant to the provisions of chapter 75.30 RCW ((75-28-277, 75-28-480 or 75-30-660)), an aggrieved person may proceed under chapter 34.04 RCW (Administrative Procedure Act) and the procedural rules for appeal and hearing thereunder applicable to all state agencies as provided for in WAC 1-08-010 through 1-08-590 will govern proceedings initiated thereunder.

AMENDATORY SECTION (Amending Order 82-141, filed 9/21/82)

WAC 220-95-026 SURVEYS—VESSELS—LICENSE—PERMIT VALUES. (1) The department shall conduct a yearly market survey in consultation with the advisory board established pursuant to RCW ((75-28-530)) 75.30.050 in order to determine the fair market value of licenses in each license category.

(2) The department shall establish fair market value for vessels using the following method:

(a) Each vessel shall be surveyed by two marine surveyors chosen by the applicant from a list provided by the department.

(b) A third survey shall be done if the value of the lower survey is less than fifty thousand dollars and the difference between the surveys is more than twenty percent of the lower survey, or the value of the lower survey is more than fifty thousand dollars and the difference between the surveys is more than ten percent of the lower survey value. The department shall randomly select the third surveyor from the same list supplied to the applicant. The department shall not conduct a third survey until the applicant provides the department with paid receipts for the first two surveys.

(c) The applicant and program manager or their representatives shall be in attendance during each survey.

(d) Each surveyor shall send copies of the survey to the applicant and to the department.

(e) The cost of the first two surveys shall be borne by the applicant. The department shall reimburse this cost if the applicant accepts the purchase offer. The cost of the third survey shall be borne by the department.

(f) The fair market value of the vessel shall be computed by the department averaging the two closest survey values.

(g) The department shall maintain confidentiality of the surveys prior to completion of the purchase by the department.

WSR 83-20-094
PROPOSED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed October 5, 1983]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Labor and Industries intends to adopt, amend, or repeal rules concerning rules and fee schedule governing payment to doctors, other health care vendors, and vocational providers rendering services to injured workers;

that the agency will at 9:30 a.m., Monday, November 14, 1983, in the Conference Room, First Floor, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on November 30, 1983.

The authority under which these rules are proposed is RCW 51.04.020(4) and 51.04.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before November 30, 1983.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed rules or amendments of rules on economic values pursuant to chapter 43.21H RCW. Correspondence relating to this notice and proposed rules attached should be addressed to:

Mr. Sam Kinville, Director
 Department of Labor and Industries
 General Administration Building
 Olympia, Washington 98504

Dated: October 5, 1983

By: Sam Kinville
 Director

STATEMENT OF PURPOSE

The proposals for rule changes which follow amend portions of chapter 296-20 and 296-23 WAC. These chapters pertain to rules and fees for treatment and vocational services provided to injured workers.

The Purpose of These Proposed Rules is to Make the Following Substantive Changes in Title 296 WAC as Previously Enacted: Revise treatment rules and fee schedule pertaining to reimbursement of health care practitioners and other vendors for service on workmen's compensation claims.

Statutory Authority: RCW 51.04.020(4) and 51.04.030.

In Summary, the Following Changes are Accomplished by the Proposed Rules: Fee schedules are revised, reflecting 4.1 percent increase over the amount presently in effect; some vocational procedure numbers have been added or otherwise modified to reflect current vocational measures practiced; and adoption of codes for providers of equipment, nursing, ambulance, transportation and other miscellaneous services.

The Agency Personnel Responsible for Drafting: Loris Jenkins, Linda Randall and Mary Jo Mathies; Implementation and Enforcement: Richard Slunaker and other industrial insurance division personnel.

These rules changes are proposed by the Department of Labor and Industries, an agency of the state of Washington.

The proposing agency has no comments regarding statutory language, implementation, enforcement or fiscal matters beyond those appearing above.

These rules are not necessitated by any federal law or federal or state court action.

The department has considered whether these rules are subject to the Regulatory Fairness Act, (chapter 6, Laws of 1982) and has determined that they are not for the following reason: There is no unfavorable economic impact for small business because the rule's effect is to increase payment from the department for health care and vocational services provided by these businesses or individuals.

AMENDATORY SECTION (Amending Order 83-23, filed 8/2/83)

WAC 296-20-01002 DEFINITIONS. TERMINATION OF TREATMENT: When treatment is no longer required and/or the industrial condition is stabilized, a report indicating the date of stabilization should be submitted to the department or self-insurer. This is necessary to initiate closure of the industrial claim. The patient may require continued treatment for conditions not related to the industrial condition; however, financial responsibility for such care must be the patient's.

UNUSUAL OR UNLISTED PROCEDURE: Value of unlisted services or procedures should be substantiated "by report" (BR).

"BY REPORT": BR (by report) in the value column indicates that the value of this service is to be determined by report (BR) because the service is too unusual, variable or new to be assigned a unit value. The report should provide an adequate definition or description of the services or procedure (e.g., operative or narrative report), using any of the following as indicated:

- (1) Diagnosis;
- (2) Size, location and number of lesion(s) or procedure(s) where appropriate;
- (3) Major surgical procedure and supplementary procedure(s);
- (4) Whenever possible, list the nearest similar procedure by number according to this schedule;
- (5) Estimated follow-up;
- (6) Operative time.

The department or self-insurer may adjust BR procedures when such action is indicated.

"INDEPENDENT OR SEPARATE PROCEDURE": Certain of the listed procedures are commonly carried out as an integral part of a total service, and as such do not warrant a separate charge. When such a procedure is carried out as a separate entity, not immediately related to other services, the indicated value for "independent procedure" is applicable.

Sv. ITEMS: Sv (service) procedures are not essentially a single procedure, rather they are comprised of several other procedures. These "Sv" procedures although identified by a specific code number, can be described only in terms of the several services included. Therefore, unit values are not indicated for Sv procedures and total value is derived from the values of the individual services performed. These Sv procedures require "BR" (see above) information to substantiate billing.

MODIFIED WORK STATUS: The injured worker is not able to return to his previous work, but is physically capable of carrying out work of a lighter nature. Injured workers should be urged to return to modified work as soon as reasonable as such work is frequently beneficial for body conditioning and regaining self confidence.

Under RCW 51.32.090, when the employer has modified work available for the worker, the employer must furnish the doctor and the worker with a statement describing the available work in terms that will enable the doctor to relate the physical activities of the job to the worker's physical limitations and capabilities. The doctor shall then determine whether the worker is physically able to perform the work described. The employer may not increase the physical requirements of the job without requesting the opinion of the doctor as to the worker's ability to perform such additional work. If after a trial period of reemployment the worker is unable to continue with such work, his time loss compensation will be resumed upon certification by the attending doctor.

If the employer has no modified work available, the department should be notified immediately, so vocational assessment can be conducted to determine whether the worker will require assistance in returning to work.

REGULAR WORK STATUS: The injured worker is physically capable of returning to his/her regular work. It is the duty of the attending doctor to notify the worker and the department or self-insurer, as the case may be, of the specific date of release to return to regular work. Compensation will be terminated on the release date. Further treatment can be allowed as requested by the attending doctor if the condition is not stationary and such treatment is needed and otherwise in order.

TOTAL TEMPORARY DISABILITY: Full-time loss compensation will be paid when the worker is unable to return to any type of reasonably continuous gainful employment as a direct result of an accepted industrial injury or exposure.

TEMPORARY PARTIAL DISABILITY: Partial time loss compensation may be paid when the worker can return to work on a limited basis or return to lesser paying job is necessitated by the accepted injury or condition. The worker must have a reduction in wages of at least five

percent before consideration of partial time loss can be made. No partial time loss compensation can be paid after the worker's condition is stationary.

ALL TIME LOSS COMPENSATION MUST BE CERTIFIED BY THE ATTENDING DOCTOR BASED ON OBJECTIVE FINDINGS.

PERMANENT PARTIAL DISABILITY: Any anatomic or functional abnormality or loss after maximum rehabilitation has been achieved, which is determined to be stable or nonprogressive at the time the evaluation is made. When the attending doctor has reason to believe a permanent impairment exists, the department or self-insurer should be notified. Specified disabilities (amputation or loss of function of extremities, loss of hearing or vision) are to be rated utilizing ~~((the American Medical Association "guide to the evaluation of permanent impairment."))~~ a nationally recognized impairment rating guide. Unspecified disabilities (internal injuries, spinal injuries, mental health, etc.) are to be rated utilizing the category system detailed under WAC 296-20-200 et al. for injuries occurring on or after October 1, 1974. Appendix D contains a schedule of the permanent disability maximum awards. **UNDER WASHINGTON LAW DISABILITY AWARDS ARE BASED SOLELY ON PHYSICAL OR MENTAL IMPAIRMENT DUE TO THE ACCEPTED INJURY OR CONDITIONS WITHOUT CONSIDERATION OF ECONOMIC FACTORS.**

TOTAL PERMANENT DISABILITY: Loss of both legs or arms, or one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the worker from performing any work at any gainful employment. When the attending doctor feels a worker may be totally and permanently disabled, he should communicate this information immediately to the department or self-insurer. A vocational evaluation and an independent rating of disability may be arranged by the department prior to a determination as to total permanent disability. Coverage for treatment does not usually continue after the date an injured worker is placed on pension.

FATAL: When the attending doctor has reason to believe a worker has died as a result of an industrial injury or exposure, the doctor should notify the nearest department service location (see Appendix C) or the self-insurer immediately. Often an autopsy is required by the department or self-insurer. If so, it will be authorized by the service location manager or the self-insurer. Benefits payable include burial stipend and monthly payments to the surviving spouse and/or dependents.

DOCTOR: For these rules, means a person licensed to practice one or more of the following professions: Medicine and surgery; osteopathic; chiropractic; drugless therapeutics; podiatry; dentistry; optometry.

Only those persons so licensed may sign report of accident forms and time loss cards except as provided in WAC 296-20-100.

PRACTITIONER: For these rules, means any person defined as a "doctor" under these rules, or licensed to practice one or more of the following professions: Audiology; physical therapy; pharmacy; prosthetics; orthotics; psychology; nursing; physician or osteopathic assistant; or other healing art licensed under the method or means permitted by such license.

PHYSICIAN: For these rules, means any person licensed to perform one or more of the following professions: Medicine and surgery; or osteopathic.

AMENDATORY SECTION (Amending Order 82-39, filed 11/29/82, effective 7/1/83)

WAC 296-20-135 CONVERSION FACTOR TABLE—MEDICINE, CHIROPRACTIC, PHYSICAL THERAPY, DRUGLESS THERAPEUTICS AND NURSE PRACTITIONER SECTIONS. This table is a conversion of fee schedule unit values to fees in dollar amounts at ~~\$(+13))~~ 1.18 per unit. This conversion factor is to be applied to the medicine section of the fee schedule, the chiropractic, physical therapy, drugless therapeutic and nurse practitioner sections.

Unit Value	@\$(+13)) <u>1.18</u>	Unit Value	@\$(+13)) <u>1.18</u>	Unit Value	@\$(+13)) <u>1.18</u>
.1	((+2)) <u>.11</u>	5.0	((5-65)) <u>5.90</u>	9.9	((+1+9)) <u>11.68</u>
.2	<u>.23</u>	5.1	((5-77)) <u>6.01</u>	10.0	((+1+36)) <u>11.80</u>
.3	((+34)) <u>.35</u>	5.2	((5-88)) <u>6.13</u>	10.5	((+1+87)) <u>12.39</u>
.4	((+46)) <u>.47</u>	5.3	((5-99)) <u>6.25</u>	11.0	((+2+43)) <u>12.98</u>
.5	((+57)) <u>.59</u>	5.4	((6-11)) <u>6.37</u>	11.5	((+3+00)) <u>13.57</u>

Unit Value	@\$(+/-)	Unit Value	@\$(+/-)	Unit Value	@\$(+/-)
1.18	1.18	1.18	1.18	1.18	1.18
.6	((-.68))	5.5	((6.22))	12.0	((13.56))
	.70		6.49		14.16
.7	((-.80))	5.6	((6.33))	12.5	((14.13))
	.82		6.60		14.75
.8	((-.91))	5.7	((6.45))	13.0	((14.69))
	.94		6.72		15.34
.9	((-1.02))	5.8	((6.56))	13.5	((15.26))
	1.06		6.84		15.93
1.0	((-1.13))	5.9	((6.67))	14.0	((15.82))
	1.18		6.96		16.52
1.1	((-1.25))	6.0	((6.78))	14.5	((16.39))
	1.29		7.08		17.11
1.2	((-1.36))	6.1	((6.90))	15.0	((16.95))
	1.41		7.19		17.70
1.3	((-1.47))	6.2	((7.01))	16.0	((18.08))
	1.53		7.31		18.88
1.4	((-1.59))	6.3	((7.12))	17.0	((19.21))
	1.65		7.43		20.06
1.5	((-1.70))	6.4	((7.24))	18.0	((20.34))
	1.77		7.55		21.24
1.6	((-1.81))	6.5	((7.35))	19.0	((21.47))
	1.88		7.67		22.42
1.7	((-1.93))	6.6	((7.46))	20.0	((22.60))
	2.00		7.78		23.60
1.8	((-2.04))	6.7	((7.58))	21.0	((23.73))
	2.12		7.90		24.78
1.9	((-2.15))	6.8	((7.69))	22.0	((24.86))
	2.24		8.02		25.96
2.0	((-2.26))	6.9	((7.80))	23.0	((25.99))
	2.36		8.14		27.14
2.1	((-2.38))	7.0	((7.91))	24.0	((27.12))
	2.47		8.26		28.32
2.2	((-2.49))	7.1	((8.03))	25.0	((28.25))
	2.59		8.37		29.50
2.3	((-2.60))	7.2	((8.14))	30.0	((30.90))
	2.71		8.49		35.40
2.4	((-2.72))	7.3	((8.25))	35.0	((39.55))
	2.83		8.61		41.30
2.5	((-2.83))	7.4	((8.37))	40.0	((45.20))
	2.95		8.73		47.20
2.6	((-2.94))	7.5	((8.48))	45.0	((50.85))
	3.06		8.85		53.10
2.7	((-3.06))	7.6	((8.59))	50.0	((56.58))
	3.18		8.96		59.00
2.8	((-3.17))	7.7	((8.71))	55.0	((62.15))
	3.30		9.06		64.90
2.9	((-3.28))	7.8	((8.82))	60.0	((67.88))
	3.42		9.20		70.80
3.0	((-3.39))	7.9	((8.93))	65.0	((73.45))
	3.54		9.32		76.70
3.1	((-3.51))	8.0	((9.04))	70.0	((79.10))
	3.65		9.44		82.60
3.2	((-3.62))	8.1	((9.16))	75.0	((84.75))
	3.77		9.55		88.50
3.3	((-3.73))	8.2	((9.27))	80.0	((90.40))
	3.89		9.67		94.40
3.4	((-3.85))	8.3	((9.38))	85.0	((96.85))
	4.01		9.79		100.30
3.5	((-3.96))	8.4	((9.50))	90.0	((101.70))
	4.13		9.91		106.20
3.6	((-4.07))	8.5	((9.61))	95.0	((107.35))
	4.24		10.03		112.10
3.7	((-4.19))	8.6	((9.72))	100.0	((113.00))
	4.36		10.14		118.00
3.8	((-4.30))	8.7	((9.84))	105.0	((118.65))
	4.48		10.26		123.90
3.9	((-4.41))	8.8	((9.95))	110.0	((124.30))
	4.60		10.38		129.80
4.0	((-4.52))	8.9	((10.06))	115.0	((129.95))
	4.72		10.50		135.70
4.1	((-4.64))	9.0	((10.17))	120.0	((135.60))
	4.83		10.62		141.60
4.2	((-4.75))	9.1	((10.29))	125.0	((141.25))
	4.95		10.73		147.50
4.3	((-4.86))	9.2	((10.40))	130.0	((146.90))
	5.07		10.85		153.40
4.4	((-4.98))	9.3	((10.51))	140.0	((158.20))
	5.19		10.97		165.20
4.5	((-5.09))	9.4	((10.63))	150.0	((169.50))
	5.31		11.09		177.00
4.6	((-5.20))	9.5	((10.74))	160.0	((180.80))
	5.42		11.21		188.80
4.7	((-5.32))	9.6	((10.85))	170.0	((192.10))
	5.54		11.32		200.60

Unit Value	@\$(+/-)	Unit Value	@\$(+/-)	Unit Value	@\$(+/-)
1.18	1.18	1.18	1.18	1.18	1.18
4.8	((5.43))	9.7	((10.97))	180.0	((203.40))
	5.66		11.44		212.40
4.9	((5.54))	9.8	((11.08))	190.0	((214.70))
	5.78		11.56		224.20
				200.0	((226.00))
					236.00

AMENDATORY SECTION (Amending Order 82-39, filed 11/29/82, effective 7/1/83)

WAC 296-20-140 CONVERSION FACTOR TABLE-ANESTHESIA. This table is a conversion of fee schedule unit values to fees in dollar amounts at \$(+6.82)17.56 per unit. This conversion factor is to be applied to the anesthesia section of the fee schedule.

Unit Value	@\$(+6.82)	Unit Value	@\$(+6.82)	Unit Value	@\$(+6.82)
17.56	17.56	17.56	17.56	17.56	17.56
.1	((1.69))	5.0	((84.10))	9.9	((166.52))
	1.75		87.80		173.84
.2	((3.37))	5.1	((85.79))	10.0	((168.20))
	3.51		89.55		175.60
.3	((5.05))	5.2	((87.47))	10.5	((176.61))
	5.26		91.31		184.38
.4	((6.73))	5.3	((89.15))	11.0	((185.62))
	7.02		93.06		193.16
.5	((8.41))	5.4	((90.83))	11.5	((193.43))
	8.78		94.82		201.94
.6	((10.10))	5.5	((92.51))	12.0	((201.84))
	10.53		96.58		210.72
.7	((11.78))	5.6	((94.20))	12.5	((210.25))
	12.29		98.33		219.50
.8	((13.46))	5.7	((95.88))	13.0	((218.66))
	14.04		100.09		228.28
.9	((15.14))	5.8	((97.56))	13.5	((227.07))
	15.80		101.84		237.06
1.0	((16.82))	5.9	((99.24))	14.0	((235.48))
	17.56		103.60		245.84
1.1	((18.51))	6.0	((100.92))	14.5	((243.89))
	19.31		105.36		254.62
1.2	((20.19))	6.1	((102.61))	15.0	((252.30))
	21.07		107.11		263.40
1.3	((21.87))	6.2	((104.29))	16.0	((269.12))
	22.82		108.87		280.96
1.4	((23.55))	6.3	((105.97))	17.0	((285.94))
	24.58		110.62		298.52
1.5	((25.23))	6.4	((107.65))	18.0	((302.76))
	26.34		112.38		316.08
1.6	((26.92))	6.5	((109.33))	19.0	((319.58))
	28.09		114.14		333.64
1.7	((28.60))	6.6	((111.02))	20.0	((336.40))
	29.85		115.89		351.20
1.8	((30.28))	6.7	((112.70))	21.0	((353.22))
	31.60		117.65		368.76
1.9	((31.96))	6.8	((114.38))	22.0	((370.04))
	33.36		119.40		386.32
2.0	((33.64))	6.9	((116.06))	23.0	((386.86))
	35.12		121.16		403.88
2.1	((35.33))	7.0	((117.74))	24.0	((403.68))
	36.87		122.92		421.44
2.2	((37.61))	7.1	((119.43))	25.0	((420.50))
	38.63		124.67		439.00
2.3	((38.69))	7.2	((121.11))	30.0	((504.60))
	40.38		126.43		526.80
2.4	((40.37))	7.3	((122.79))	35.0	((588.70))
	42.14		128.18		614.60
2.5	((42.05))	7.4	((124.47))	40.0	((672.80))
	43.90		129.94		702.40
2.6	((43.74))	7.5	((126.15))	45.0	((756.90))
	45.65		131.70		790.20
2.7	((45.42))	7.6	((127.84))	50.0	((841.00))
	47.41		133.45		878.00
2.8	((47.10))	7.7	((129.52))	55.0	((925.10))
	49.16		135.21		965.80
2.9	((48.78))	7.8	((131.20))	60.0	((1,009.20))
	50.92		136.96		1,053.60
3.0	((50.46))	7.9	((132.88))	65.0	((1,093.30))
	52.68		138.72		1,141.40
3.1	((52.15))	8.0	((134.56))	70.0	((1,177.40))
	54.43		140.48		1,229.20
3.2	((53.83))	8.1	((136.25))	75.0	((1,261.50))

Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56	Unit Value	@\$(+16.82) 17.56
3.3	56.19 (55.51)	8.2	142.23 (137.93)	80.0	1,317.00 (1,345.60)	1.6	93.16 (95.19)	6.5	397.50 (386.69)	19.0	1,117.98 (1,130.31)				
3.4	57.94 (57.19)	8.3	143.99 (139.61)	85.0	1,404.80 (1,429.70)	1.7	99.37 (101.14)	6.6	403.71 (392.64)	20.0	1,180.09 (1,189.80)				
3.5	59.70 (58.87)	8.4	145.74 (141.29)	90.0	1,492.60 (1,513.80)	1.8	105.58 (107.69)	6.7	409.92 (398.59)	21.0	1,242.20 (1,249.29)				
3.6	61.46 (60.56)	8.5	147.50 (142.97)	95.0	1,580.40 (1,597.90)	1.9	111.79 (113.04)	6.8	416.13 (404.54)	22.0	1,304.31 (1,308.78)				
3.7	63.21 (62.24)	8.6	149.26 (144.66)	100.0	1,668.20 (1,682.00)	2.0	118.00 (118.98)	6.9	422.34 (410.49)	23.0	1,366.42 (1,368.27)				
3.8	64.97 (63.92)	8.7	151.01 (146.34)	105.0	1,756.00 (1,766.10)	2.1	124.22 (124.93)	7.0	428.55 (416.40)	24.0	1,428.53 (1,427.76)				
3.9	66.72 (65.60)	8.8	152.77 (148.02)	110.0	1,843.80 (1,850.20)	2.2	130.43 (130.88)	7.1	434.77 (422.38)	25.0	1,490.64 (1,487.25)				
4.0	68.48 (67.28)	8.9	154.52 (149.70)	115.0	1,931.60 (1,934.30)	2.3	136.64 (136.83)	7.2	440.98 (428.33)	30.0	1,552.75 (1,784.70)				
4.1	70.24 (68.97)	9.0	156.28 (151.38)	120.0	2,019.40 (2,018.40)	2.4	142.85 (142.78)	7.3	447.19 (434.28)	35.0	1,614.86 (2,082.15)				
4.2	71.99 (70.65)	9.1	158.04 (153.07)	125.0	2,107.20 (2,102.50)	2.5	149.06 (148.73)	7.4	453.40 (440.23)	40.0	1,676.97 (2,379.66)				
4.3	73.75 (72.33)	9.2	159.71 (154.75)	130.0	2,195.00 (2,186.60)	2.6	155.27 (154.68)	7.5	459.61 (446.18)	45.0	1,739.08 (2,677.05)				
4.4	75.50 (74.01)	9.3	161.55 (156.43)	140.0	2,282.80 (2,354.80)	2.7	161.48 (160.63)	7.6	465.82 (452.13)	50.0	1,801.19 (2,974.50)				
4.5	77.26 (75.69)	9.4	163.30 (158.11)	150.0	2,370.60 (2,523.00)	2.8	167.69 (166.58)	7.7	472.03 (458.08)	55.0	1,863.30 (3,271.55)				
4.6	79.02 (77.38)	9.5	165.06 (159.79)	160.0	2,458.40 (2,691.20)	2.9	173.90 (172.53)	7.8	478.24 (464.63)	60.0	1,925.41 (3,569.40)				
4.7	80.77 (79.06)	9.6	166.82 (161.48)	170.0	2,546.20 (2,859.40)	3.0	180.11 (178.47)	7.9	484.45 (469.98)	65.0	1,987.52 (3,866.85)				
4.8	82.53 (80.74)	9.7	168.57 (163.16)	180.0	2,634.00 (3,027.60)	3.1	186.33 (184.42)	8.0	490.66 (475.92)	70.0	2,049.63 (4,164.30)				
4.9	84.28 (82.42)	9.8	170.33 (164.84)	190.0	2,721.80 (3,195.80)	3.2	192.54 (190.37)	8.1	496.88 (481.37)	75.0	2,111.74 (4,461.75)				
	86.04		172.08	200.0	2,809.60 (3,364.00)	3.3	198.75 (196.32)	8.2	503.09 (487.82)	80.0	2,173.85 (4,759.20)				
					3,512.00	3.4	204.96 (202.27)	8.3	509.30 (493.77)	85.0	2,235.96 (5,056.65)				
						3.5	211.17 (208.22)	8.4	515.51 (499.72)	90.0	2,298.07 (5,354.10)				
						3.6	217.38 (214.17)	8.5	521.72 (505.67)	95.0	2,360.18 (5,651.55)				
						3.7	223.59 (220.13)	8.6	527.93 (511.62)	100.0	2,422.29 (5,949.00)				
						3.8	229.80 (226.07)	8.7	534.14 (517.57)	105.0	2,484.40 (6,246.45)				
						3.9	236.01 (232.02)	8.8	540.35 (523.52)	110.0	2,546.51 (6,543.90)				
						4.0	242.22 (237.96)	8.9	546.56 (529.47)	115.0	2,608.62 (6,841.35)				
						4.1	248.44 (243.91)	9.0	552.77 (535.41)	120.0	2,670.73 (7,138.38)				
						4.2	254.65 (249.86)	9.1	558.99 (541.36)	125.0	2,732.84 (7,436.25)				
						4.3	260.86 (255.81)	9.2	565.20 (547.31)	130.0	2,794.95 (7,733.70)				
						4.4	267.07 (261.76)	9.3	571.41 (553.26)	140.0	2,857.06 (8,328.60)				
						4.5	273.28 (267.71)	9.4	577.62 (559.21)	150.0	2,919.17 (8,923.50)				
						4.6	279.49 (273.66)	9.5	583.83 (565.16)	160.0	2,981.28 (9,518.40)				
						4.7	285.70 (279.61)	9.6	590.04 (571.11)	170.0	3,043.39 (10,113.30)				
						4.8	291.91 (285.56)	9.7	596.25 (577.06)	180.0	3,105.50 (10,708.20)				
						4.9	298.12 (291.51)	9.8	602.46 (583.01)	190.0	3,167.61 (11,303.10)				
							304.33		608.67	200.0	3,229.72 (11,898.00)				
											12,422.00				

AMENDATORY SECTION (Amending Order 82-39, filed 11/29/82, effective 7/1/83)

WAC 296-20-145 CONVERSION FACTOR TABLE—SURGERY. This table is a conversion of fee schedule unit values to fees in dollar amounts at \$(59.49)62.11 per unit. This conversion factor applies only to the surgery section of the fee schedule.

Unit Value	@\$(59.49) 62.11	Unit Value	@\$(59.49) 62.11	Unit Value	@\$(59.49) 62.11
.1	(5.95)	5.0	(297.45)	9.9	(588.96)
.2	6.21 (11.90)	5.1	310.55 (303.40)	10.0	614.88 (594.90)
.3	12.42 (17.85)	5.2	316.76 (309.35)	10.5	621.10 (624.65)
.4	18.63 (23.80)	5.3	322.97 (315.30)	11.0	627.31 (654.39)
.5	24.84 (29.75)	5.4	329.18 (321.25)	11.5	633.52 (684.14)
.6	31.05 (35.70)	5.5	335.39 (327.20)	12.0	639.73 (713.88)
.7	37.26 (41.65)	5.6	341.60 (333.15)	12.5	645.94 (743.63)
.8	43.47 (47.60)	5.7	347.81 (339.70)	13.0	652.15 (773.37)
.9	49.68 (53.55)	5.8	354.02 (345.85)	13.5	658.36 (803.12)
1.0	55.89 (59.49)	5.9	360.23 (351.00)	14.0	664.57 (832.86)
1.1	62.11 (65.44)	6.0	366.44 (356.94)	14.5	670.78 (862.61)
1.2	68.32 (71.39)	6.1	372.66 (362.89)	15.0	677.00 (892.35)
1.3	74.53 (77.34)	6.2	378.87 (368.84)	16.0	683.21 (921.84)
1.4	80.74 (83.29)	6.3	385.08 (374.79)	17.0	689.42 (951.33)
1.5	86.95 (89.24)	6.4	391.29 (380.74)	18.0	695.63 (980.82)

AMENDATORY SECTION (Amending Order 81-28, filed 11/30/81, effective 1/1/82)

WAC 296-20-150 CONVERSION FACTOR TABLE—RADIOLOGY. This table is a conversion of the fee schedule unit values to fees in dollar amounts at \$(5.19)5.42 per unit. This conversion factor is to be applied only to the radiology section of the fee schedule.

Unit Value	@\$(5-19) 5.42	Unit Value	@\$(5-19) 5.42	Unit Value	@\$(5-19) 5.42	Unit Value	@\$(5-19) 5.42	Unit Value	@\$(5-19) 5.42	Unit Value	@\$(5-19) 5.42
.1	((52)) 54	5.0	((25.95)) 27.10	9.9	((51.38)) 53.65	4.3	((22.32)) 23.30	9.2	((47.75)) 49.86	130.0	((674.70)) 704.60
.2	((104)) 1.08	5.1	((26.47)) 27.64	10.0	((51.90)) 54.20	4.4	((22.84)) 23.84	9.3	((48.28)) 50.40	140.0	((726.60)) 758.80
.3	((156)) 1.62	5.2	((26.99)) 28.18	10.5	((54.50)) 56.91	4.5	((23.36)) 24.39	9.4	((48.79)) 50.94	150.0	((778.50)) 813.00
.4	((208)) 2.16	5.3	((27.51)) 28.72	11.0	((57.09)) 59.62	4.6	((23.87)) 24.93	9.5	((49.31)) 51.49	160.0	((830.40)) 867.20
.5	((260)) 2.71	5.4	((28.03)) 29.26	11.5	((59.69)) 62.33	4.7	((24.39)) 25.47	9.6	((49.85)) 52.03	170.0	((882.30)) 921.40
.6	((312)) 3.25	5.5	((28.56)) 29.81	12.0	((62.28)) 65.04	4.8	((24.91)) 26.01	9.7	((50.34)) 52.57	180.0	((934.20)) 975.60
.7	((363)) 3.79	5.6	((29.06)) 30.35	12.5	((64.88)) 67.75	4.9	((25.43)) 26.55	9.8	((50.86)) 53.11	190.0	((986.10)) 1,029.80
.8	((415)) 4.33	5.7	((29.58)) 30.89	13.0	((67.47)) 70.46					200.0	((1,038.00)) 1,084.00
.9	((467)) 4.87	5.8	((30.10)) 31.43	13.5	((70.07)) 73.17						
1.0	((519)) 5.42	5.9	((30.63)) 31.97	14.0	((72.66)) 75.88						
1.1	((571)) 5.96	6.0	((31.14)) 32.52	14.5	((75.26)) 78.59						
1.2	((623)) 6.50	6.1	((31.66)) 33.06	15.0	((77.85)) 81.30						
1.3	((675)) 7.04	6.2	((32.18)) 33.60	16.0	((83.04)) 86.72						
1.4	((727)) 7.58	6.3	((32.70)) 34.14	17.0	((88.23)) 92.14						
1.5	((779)) 8.13	6.4	((33.22)) 34.68	18.0	((93.42)) 97.55						
1.6	((830)) 8.67	6.5	((33.74)) 35.23	19.0	((98.61)) 102.98						
1.7	((882)) 9.21	6.6	((34.26)) 35.77	20.0	((103.80)) 108.40	.1	.05	5.0	((2.45)) 2.55	9.9	((4.85)) 5.04
1.8	((934)) 9.75	6.7	((34.78)) 36.31	21.0	((108.99)) 113.82	.2	.10	5.1	((2.50)) 2.60	10.0	((4.90)) 5.10
1.9	((986)) 10.29	6.8	((35.29)) 36.85	22.0	((114.18)) 119.24	.3	.15	5.2	((2.55)) 2.65	10.5	((5.15)) 5.35
2.0	((1038)) 10.84	6.9	((35.81)) 37.39	23.0	((119.37)) 124.66	.4	.20	5.3	((2.60)) 2.70	11.0	((5.39)) 5.61
2.1	((1090)) 11.38	7.0	((36.33)) 37.94	24.0	((124.56)) 130.08	.5	.25	5.4	((2.65)) 2.75	11.5	((5.64)) 5.86
2.2	((1142)) 11.92	7.1	((36.85)) 39.48	25.0	((129.75)) 135.50	.6	((2.29)) 30	5.5	((2.70)) 2.80	12.0	((5.88)) 6.12
2.3	((1194)) 12.46	7.2	((37.37)) 39.02	30.0	((155.70)) 162.60	.7	((3.34)) 35	5.6	((2.75)) 2.85	12.5	((6.13)) 6.37
2.4	((1246)) 13.00	7.3	((37.89)) 39.56	35.0	((181.65)) 189.70	.8	((3.39)) 40	5.7	((2.80)) 2.90	13.0	((6.37)) 6.63
2.5	((1298)) 13.55	7.4	((38.41)) 40.10	40.0	((207.60)) 216.80	.9	((4.44)) 45	5.8	((2.85)) 2.95	13.5	((6.62)) 6.88
2.6	((1350)) 14.09	7.5	((38.93)) 40.65	45.0	((233.55)) 243.90	1.0	((4.49)) 51	5.9	((2.90)) 3.00	14.0	((6.86)) 7.14
2.7	((1401)) 14.63	7.6	((39.44)) 41.19	50.0	((259.50)) 271.00	1.1	((5.54)) 56	6.0	((2.94)) 3.06	14.5	((7.11)) 7.39
2.8	((1453)) 15.17	7.7	((39.96)) 41.73	55.0	((285.45)) 298.10	1.2	((5.59)) 61	6.1	((2.99)) 3.11	15.0	((7.35)) 7.65
2.9	((1505)) 15.71	7.8	((40.48)) 42.27	60.0	((311.40)) 325.20	1.3	((6.64)) 66	6.2	((3.04)) 3.16	16.0	((7.84)) 8.16
3.0	((1557)) 16.26	7.9	((41.00)) 42.81	65.0	((337.35)) 352.30	1.4	((6.67)) 71	6.3	((3.09)) 3.21	17.0	((8.33)) 8.67
3.1	((1609)) 16.80	8.0	((41.52)) 43.36	70.0	((363.30)) 379.40	1.5	((7.74)) 76	6.4	((3.14)) 3.26	18.0	((8.82)) 9.18
3.2	((1661)) 17.34	8.1	((42.04)) 43.90	75.0	((389.25)) 406.50	1.6	((7.78)) 81	6.5	((3.19)) 3.31	19.0	((9.31)) 9.69
3.3	((1713)) 17.88	8.2	((42.56)) 44.44	80.0	((415.20)) 433.60	1.7	((8.83)) 86	6.6	((3.23)) 3.36	20.0	((9.80)) 10.20
3.4	((1765)) 18.42	8.3	((43.08)) 44.98	85.0	((441.15)) 460.70	1.8	((8.88)) 91	6.7	((3.28)) 3.41	21.0	((10.29)) 10.71
3.5	((1817)) 18.97	8.4	((43.60)) 45.52	90.0	((467.10)) 487.80	1.9	((9.93)) 96	6.8	((3.33)) 3.46	22.0	((10.78)) 11.22
3.6	((1869)) 19.51	8.5	((44.12)) 46.07	95.0	((493.05)) 514.90	2.0	((9.98)) 1.02	6.9	((3.38)) 3.51	23.0	((11.27)) 11.73
3.7	((1921)) 20.05	8.6	((44.63)) 46.61	100.0	((519.00)) 542.00	2.1	((10.03)) 1.07	7.0	((3.43)) 3.57	24.0	((11.76)) 12.24
3.8	((1973)) 20.59	8.7	((45.15)) 47.15	105.0	((544.95)) 569.10	2.2	((10.08)) 1.12	7.1	((3.48)) 3.62	25.0	((12.25)) 12.75
3.9	((2024)) 21.13	8.8	((45.67)) 47.69	110.0	((570.90)) 596.20	2.3	((11.13)) 1.17	7.2	((3.53)) 3.67	30.0	((14.70)) 15.30
4.0	((2076)) 21.68	8.9	((46.19)) 48.23	115.0	((596.85)) 623.30	2.4	((11.18)) 1.22	7.3	((3.58)) 3.72	35.0	((17.15)) 17.85
4.1	((2128)) 22.22	9.0	((46.71)) 48.78	120.0	((622.80)) 650.40	2.5	((12.23)) 1.27	7.4	((3.63)) 3.77	40.0	((19.60)) 20.40
4.2	((2180)) 22.76	9.1	((47.23)) 49.32	125.0	((648.75)) 677.50	2.6	((12.27)) 1.32	7.5	((3.68)) 3.82	45.0	((22.05)) 22.95

AMENDATORY SECTION (Amending Order 81-28, filed 11/30/81, effective 1/1/82)

WAC 296-20-155 CONVERSION FACTOR TABLE—PATHOLOGY. This table is a conversion of the fee schedule unit values to fees in dollar amounts at \$((-49)).51 per unit. This conversion factor is to be applied only to the pathology section of the fee section schedule.

Unit Value	@\$((-49)) .51	Unit Value	@\$((-49)) .51	Unit Value	@\$((-49)) .51
.1	.05	5.0	((2.45)) 2.55	9.9	((4.85)) 5.04
.2	.10	5.1	((2.50)) 2.60	10.0	((4.90)) 5.10
.3	.15	5.2	((2.55)) 2.65	10.5	((5.15)) 5.35
.4	.20	5.3	((2.60)) 2.70	11.0	((5.39)) 5.61
.5	.25	5.4	((2.65)) 2.75	11.5	((5.64)) 5.86
.6	((2.29)) .30	5.5	((2.70)) 2.80	12.0	((5.88)) 6.12
.7	((3.34)) .35	5.6	((2.75)) 2.85	12.5	((6.13)) 6.37
.8	((3.39)) .40	5.7	((2.80)) 2.90	13.0	((6.37)) 6.63
.9	((4.44)) .45	5.8	((2.85)) 2.95	13.5	((6.62)) 6.88
1.0	((4.49)) .51	5.9	((2.90)) 3.00	14.0	((6.86)) 7.14
1.1	((5.54)) .56	6.0	((2.94)) 3.06	14.5	((7.11)) 7.39
1.2	((5.59)) .61	6.1	((2.99)) 3.11	15.0	((7.35)) 7.65
1.3	((6.64)) .66	6.2	((3.04)) 3.16	16.0	((7.84)) 8.16
1.4	((6.67)) .71	6.3	((3.09)) 3.21	17.0	((8.33)) 8.67
1.5	((7.74)) .76	6.4	((3.14)) 3.26	18.0	((8.82)) 9.18
1.6	((7.78)) .81	6.5	((3.19)) 3.31	19.0	((9.31)) 9.69
1.7	((8.83)) .86	6.6	((3.23)) 3.36	20.0	((9.80)) 10.20
1.8	((8.88)) .91	6.7	((3.28)) 3.41	21.0	((10.29)) 10.71
1.9	((9.93)) .96	6.8	((3.33)) 3.46	22.0	((10.78)) 11.22
2.0	((9.98)) 1.02	6.9	((3.38)) 3.51	23.0	((11.27)) 11.73
2.1	((10.03)) 1.07	7.0	((3.43)) 3.57	24.0	((11.76)) 12.24
2.2	((10.08)) 1.12	7.1	((3.48)) 3.62	25.0	((12.25)) 12.75
2.3	((11.13)) 1.17	7.2	((3.53)) 3.67	30.0	((14.70)) 15.30
2.4	((11.18)) 1.22	7.3	((3.58)) 3.72	35.0	((17.15)) 17.85
2.5	((12.23)) 1.27	7.4	((3.63)) 3.77	40.0	((19.60)) 20.40
2.6	((12.27)) 1.32	7.5	((3.68)) 3.82	45.0	((22.05)) 22.95

Unit Value	@\$((-49)) .51	Unit Value	@\$((-49)) .51	Unit Value	@\$((-49)) .51
2.7	((+32))	7.6	((373))	50.0	((2450))
	1.37		3.87		25.50
2.8	((+37))	7.7	((377))	55.0	((2695))
	1.42		3.92		28.05
2.9	((+42))	7.8	((382))	60.0	((2940))
	1.47		3.97		30.60
3.0	((+47))	7.9	((387))	65.0	((3185))
	1.53		4.02		33.15
3.1	((+52))	8.0	((392))	70.0	((3430))
	1.58		4.08		35.70
3.2	((+57))	8.1	((397))	75.0	((3675))
	1.63		4.13		38.25
3.3	((+62))	8.2	((402))	80.0	((3920))
	1.68		4.18		40.80
3.4	((+67))	8.3	((407))	85.0	((4165))
	1.73		4.23		43.35
3.5	((+71))	8.4	((412))	90.0	((4410))
	1.78		4.28		45.90
3.6	((+76))	8.5	((417))	95.0	((4655))
	1.83		4.33		48.45
3.7	((+81))	8.6	((421))	100.0	((4900))
	1.88		4.38		51.00
3.8	((+86))	8.7	((426))	105.0	((5145))
	1.93		4.43		53.55
3.9	((+91))	8.8	((431))	110.0	((5390))
	1.98		4.48		56.10
4.0	((+96))	8.9	((436))	115.0	((5635))
	2.04		4.53		58.65
4.1	((204))	9.0	((441))	120.0	((5880))
	2.09		4.59		61.20
4.2	((206))	9.1	((446))	125.0	((6125))
	2.14		4.64		63.75
4.3	((211))	9.2	((451))	130.0	((6370))
	2.19		4.69		66.30
4.4	((217))	9.3	((456))	140.0	((6860))
	2.24		4.74		71.40
4.5	((221))	9.4	((461))	150.0	((7350))
	2.29		4.79		76.50
4.6	((225))	9.5	((466))	160.0	((7840))
	2.34		4.84		81.60
4.7	((230))	9.6	((470))	170.0	((8330))
	2.39		4.89		86.70
4.8	((235))	9.7	((475))	180.0	((8820))
	2.44		4.94		91.80
4.9	((240))	9.8	((480))	190.0	((9310))
	2.49		4.99		96.90
				200.0	((9800))
					102.00

AMENDATORY SECTION (Amending Order 80-24, filed 12/1/80, effective 1/1/81)

WAC 296-20-17001 ALLOWANCE AND PAYMENT FOR MEDICATION. The department or self-insurer will pay for medications or supplies dispensed for the treatment of conditions resulting from an industrial injury and/or conditions which are retarding the recovery from the industrial injury, for which the department or self-insurer has accepted temporary responsibility.

Approved generics are to be substituted for brand name pharmaceuticals in all cases unless the prescribing physician indicates no substitution is permitted. A list of approved generics and their base cost will be published periodically by the department.

Items not normally paid include: Syringes, injectables, heating pads, vibrators, personal appliances, oral nutritional supplements, anorexiant, and medications normally prescribed for systemic conditions. These items may be authorized to certain individuals in unusual circumstances; prior approval from the department or self-insurer is mandatory.

Rental or purchase of medical equipment must be prior authorized by the department or self-insurer.

No bills will be paid for medication dispensed after the date of order and notice of claim closure, on an accepted claim; nor, on rejected claims; nor for conditions unrelated to the industrial condition even though the prescription may be written on departmental prescription forms.

AMENDATORY SECTION (Amending Order 80-24, filed 12/1/80, effective 1/1/81)

WAC 296-20-17002 BILLING. In addition to the billing procedures described in WAC 296-20-125 the current national drug code number for each prescribed drug, followed by the average wholesale ((cost)) price to the pharmacy must be entered on each prescription. In addition, the claimant's name, claim number, date of injury, prescribing doctor's name and department of labor and industries provider number; and the assigned department provider number for the pharmacy must be on the bill. Bills for medication not containing this information will be returned to the pharmacy. Billing must be made within ninety days of service. It is requested bills be presented on a monthly basis.

AMENDATORY SECTION (Amending Order 80-24, filed 12/1/80, effective 1/1/81)

WAC 296-20-17003 FEES. Payment for drugs and medications including all oral nonlegend drugs will be made at the average wholesale ((cost)) price plus an additional fee, on the following basis:

Wholesale cost	Additional fee
up to \$(+99)	\$(3.25)
3.00	5.00
\$(2.00) to \$(3.99)+	\$(4.75)
3.01 8.00	6.00
\$(4.00) to \$(7.99)+	\$(5.75)
8.01 15.00	7.50
((88.00 to \$19.99 +))	((57.00))
\$(20.00) & over	+(7.00) + 10% average wholesale ((cost)) price
15.01 8.00	

Orders may be written for over-the-counter nonoral drugs or non-drug items on department prescription forms. ((However, these items should be billed at normal retail price. No allowance will be made for professional fees for filling such prescriptions.)) These items are to be priced on a forty percent margin (the average wholesale price ÷ .6).

Compounded prescriptions will be paid at the cost of the ingredients plus the applicable professional component based on that cost as indicated above.

Per RCW 82.08.0281 prescription drugs and oral or topical over-the-counter medications are nontaxable.

NEW SECTION

WAC 296-23-500 MISCELLANEOUS SERVICES AND APPLIANCES. The department or self-insurer will approve certain miscellaneous services and appliances needed as the result of an industrial accident. Nursing care, attendant care, transportation, medical equipment, prosthetics, orthotics, eye glasses, hearing aids, and walking aids are included in this classification. The qualifications and instances when this approval is appropriate are described in WAC 296-20-091 through 296-20-1103.

Bills for these miscellaneous services and appliances must be itemized per the instructions in WAC 296-20-125 to include identification of type, manufacturer, model, place of origin, place of destination, hours and mileage as applicable.

The rate of reimbursement will be the provider's usual and customary charge or the department's current established rate.

NEW SECTION

WAC 296-23-50001 NURSING SERVICES AND ATTENDANT CARE. See WAC 296-20-091 for qualifications. Specify skill level and hours of service.

- M00855 Professional Nurse Services
- M00856 Nonprofessional Attendant Care
- M00877 Home Health Office Call
- M00878 Home Health Aide Care
- M00879 Visiting Nurse Call
- M01200 Home Health-Nurse Visit, Agency Based
- M01201 Home Health-Physical Therapy, Agency Based
- M01202 Home Health-Occupational Therapy, Agency Based
- M01203 Home Health-Speech Therapy, Agency Based
- M01204 Home Health-Aide Visit, Agency Based

- M01210 Home Health-Nurse Visit, Free Standing
- M01211 Home Health-Physical Therapy, Free Standing
- M01212 Home Health-Occupational Therapy, Free Standing
- M01213 Home Health-Speech Therapy, Free Standing
- M01214 Home Health-Aide Visit, Free Standing
- M03333 Visiting Nurse-Physical Therapy
- M04444 Visiting Nurse-Occupational Therapy
- M05555 Visiting Nurse-Speech Therapy
- M08900 Special Duty Nurse-RN-First Shift
- M08901 Special Duty Nurse-RN-Second Shift
- M08902 Special Duty Nurse-RN-Third Shift
- M08903 Special Duty Nurse-RN-Partial Shift
- M08904 Special Duty Nurse-LPN-First Shift
- M08905 Special Duty Nurse-LPN-Second Shift
- M08906 Special Duty Nurse-LPN-Third Shift
- M08907 Special Duty Nurse-LPN-Partial Shift
- M08908 Special Duty Nurse-RN-Holiday
- M08909 Special Duty Nurse-LPN-Holiday

NEW SECTION

WAC 296-23-50002 TRANSPORTATION SERVICES. Specify place of departure, destination, purpose of trip and mileage as applicable.

- M00001 Base Rate - Ground or Air
- M00002 Ambulance - Each Additional Patient
- M00003 Ambulance-One-Way Mileage - Per Mile
- M00004 Ambulance-Return Pickup - Same Patient, Same Day
- M00005 Ambulance-Return Pickup One-Way Mileage - Per Mile
- M00006 Ambulance-Return Pickup - Additional Patient
- M00008 Ambulance - Oxygen Administration
- M00009 Ambulance-Waiting Time - Per Minute
- M00010 Bridge and Ferry Tolls
- M00011 Chartered Air Transportation
- M00012 Advanced Life Support - Ground or Air
- M00023 Ambulance - Extra Attendant
- M00024 Ambulance - Monitoring
- M00025 Cabulance - One-Way Mileage - Per Mile
- M00026 Cabulance - Waiting Time - Per Minute
- M00028 Private Transportation - 18¢ Per Mile
- M00029 Commercial Transportation
- M00030 Taxi - One-Way Mileage - Per Mile
- M00036 Licensed Air Ambulance - One-Way Mileage
- M00060 Ambulance - Suction Catheter
- M00061 Ambulance - Oxygen Mask
- M00062 Ambulance - Oxygen Cannula
- M00063 Ambulance - Airway
- M00064 Ambulance - Cardboard Splint
- M00065 Ambulance - Disposable Cervical Collar
- M00066 Ambulance - Dressing
- M00067 Ambulance - Triangular Bandage
- M00069 Ambulance - Ice Packs
- M00070 Ambulance - Trauma Pads
- M00071 Ambulance - Burn Kit
- M00072 Ambulance - Mast Trouser
- M00073 Ambulance - Heart/Lung Resuscitation
- M00074 Ambulance - IV Administration - Per IV
- M00075 Lodging - Receipt Required
- M00076 Breakfast - Receipt Required \$5.00
- M00077 Lunch - Receipt Required \$5.00
- M00078 Dinner - Receipt Required \$10.00
- M00079 Per Diem Lodging/Meals \$50.00
- M00080 Parking
- M00081 Interpreter

NEW SECTION

WAC 296-23-50003 HEARING AIDS AND MASKING DEVICES. See Wac 296-20-1101 for qualifications. Specify manufacturer and model number.

- M03500 Hearing Aid
- M03505 Tinnitus Masker
- M03539 Hearing Aid Casing
- M03559 Hearing Aid Earmold
- M03579 Hearing Aid Repairs

NEW SECTION

WAC 296-23-50004 EYEGLASSES AND CONTACT LENSES. See WAC 296-20-100 for qualifications.

- M03200 Eyeglass Left Lens
- M03201 Eyeglass Right Lens
- M03202 Frames - Repair
- M03203 Frames - Purchase
- M03204 Contact Lens - Left
- M03205 Contact Lens - Right

NEW SECTION

WAC 296-23-50005 ORTHOTICS AND PROSTHETICS. See WAC 296-20-1102 for qualifications. Specify type, manufacturer, and model number when applicable.

- M01000 Prosthetic - Other
- M01400 Orthotic - Other
- M01600 Orthotic - Podiatry
- M01602 Podiatry Impression Casting
- M06401 Prosthetic - Upper Extremity
- M06402 Prosthetic - Lower Extremity
- M06403 Prosthetic - Accessories/Supplies
- M06407 Prosthetic Repair, Including Labor
- M06431 Orthotic - Upper Extremity
- M06432 Orthotic - Lower Extremity
- M06440 Orthotic Accessories/Supplies
- M06442 Orthotic Fitting Fee
- M06444 Orthotic Repair, Including Labor
- M06445 SACRO Ease Seat
- M06450 Braces to Neck/Spine/Trunk
- M06451 Collars/Casts/Splints
- M06452 Brace Accessories/Supplies
- M06453 Brace Repairs, Including Labor
- M06458 Pressure Garments
- M06459 Support Hose
- M06460 Orthopedic Shoes Without Brace
- M06461 Orthopedic Shoes With Brace
- M06463 Heel Lift
- M06764 Prosthetic Fitting Fee

NEW SECTION

WAC 296-23-50006 MEDICAL SUPPLIES. Specify type, manufacturer, and model when applicable.

- M06411 Urinary Collection Systems Supplies - Itemize
- M06466 Colostomy Bags
- M06467 Colostomy Accessories/Supplies - Itemize
- M06769 Other Small Appliances/Supplies - Itemize
- M07444 Sterile Distilled Water
- M07447 Twill Tape - Per Roll
- M07448 Nonlisted Disposable Supplies

NEW SECTION

WAC 296-23-50007 PULMONARY AND RESPIRATORY SERVICES AND SUPPLIES. Specify manufacturer and model number when applicable. See WAC 296-20-1102 for Qualifications.

- M06605 Initial Oxygen
- M06606 Oxygen
- M06608 Oxygen Transportation/Delivery
- M06609 Oxygen Regulator - Purchase
- M06611 Oxygen Concentrator - Rental
- M06613 Oxygen Concentrator - Purchase
- M06617 Unlisted Oxygen Related Equipment - Rental
- M06618 Unlisted Oxygen Related Equipment - Purchase
- M06695 Repairs - Oxygen Related
- M06696 Oxygen Tank Rental
- M06690 Portable Liquid Oxygen System
- M07117 Emergency Delivery - Oxygen
- M07118 Oxygen Mileage
- M07119 Oxygen Regulator - Rental
- M07126 Aerosol Tee Adaptor
- M07128 Aerosol Mask - Without Tubing
- M07129 Multi-Vent Mask
- M07134 Nebulizer - Specify Model
- M07135 Aerosol Effusion Bag

- M07136 Disposable Humidifier
- M07142 Bi-Flow Nasal Mask
- M07166 Aspirator
- M07167 Pressure Pump
- M07168 Compressor
- M07169 Pulmo-Aid
- M07170 VACU-Aid
- M07174 Home Patient Kit
- M07208 IPPB Equipment
- M07209 IPPB Equipment Respiratory Only
- M07210 Portable Nebulizer Equipment
- M07216 Portable Aspirator Equipment
- M07218 Stationary Respirator Equipment
- M07251 Miscellaneous Unlisted Items/Services

NEW SECTION

WAC 296-23-50008 HOSPITAL BEDS AND ACCESSORIES. See WAC 296-20-1102 for qualifications. Specify type, manufacturer and model when applicable.

- M06408 Hospital Bed - Rental
- M06430 Trapeze Bars - Rental
- M06439 Commode Chair - Rental
- M06503 Hospital Bed - Purchase
- M06510 Hospital Bed Accessories
- M06539 Commode Chair - Purchase
- M06540 Commode Chair Accessories
- M06541 Bed Pans/Urinals
- M06630 Trapeze Bars - Purchase
- M06631 Trapeze Bars Accessories

NEW SECTION

WAC 296-23-50009 TRACTION EQUIPMENT. See WAC 296-20-1102 for qualifications. Specify type, manufacturer and model when applicable.

- M06427 Traction Equipment - Rental
- M06626 Traction Equipment - Accessories
- M06627 Traction Equipment - Purchase

NEW SECTION

WAC 296-23-50010 CANES.

- M06434 Canes - Rental
- M06534 Canes - Purchase
- M06535 Cane Accessories

NEW SECTION

WAC 296-23-50011 CRUTCHES.

- M06454 Crutches-Metal - Rental
- M06455 Crutches-Wooden - Rental
- M06553 Crutch - Accessories
- M06554 Crutches-Metal - Purchase
- M06555 Crutches-Wooden - Purchase

NEW SECTION

WAC 296-23-50012 WALKERS. See WAC 296-20-1102 For qualifications. Specify type, manufacturer and model when applicable.

- M06475 Walk-Aid/Walker - Rental
- M06655 Walk-Aid/Walker - Purchase
- M06656 Walk-Aid/Walker - Accessories

NEW SECTION

WAC 296-23-50013 WHEELCHAIRS. See WAC 296-20-1102 for qualifications. Specify type, manufacturer, and model when applicable.

- M06465 Wheelchair - Rental
- M06558 Wheelchair - Purchase
- M06666 Wheelchair Accessories
- M06668 Powered Mobility Unit
- M07428 12V GELI Cell Battery
- M07429 12V Deep Cycle Battery
- M07430 Battery Charger

NEW SECTION

WAC 296-23-50014 STIMULATORS. See WAC 296-20-1102 for qualifications. One-month trial rental is usually required to purchase stimulators. Specify type, manufacturer, and model when applicable.

- M06418 Electromagnetic Field Bone Stimulator for Fractures and Fusions - Rental
- M06419 Pulsed Galvanic Muscle Stimulator - Rental
- M06420 Transcutaneous Nerve Stimulator - Rental
- M06421 Transcutaneous Nerve Stimulator - Purchase
- M06422 Transcutaneous Nerve Stimulator - Supplies
- M07175 Permanent Electrodes for TNS Unit
- M07176 24-Inch Lead Wires for TNS Unit
- M07179 Power Pack With Batteries for TNS Unit

NEW SECTION

WAC 296-23-50015 VEHICLE AND HOME MODIFICATION. Require prior approval from the assistant director for industrial insurance.

- M08000 Home Modification
- M08500 Vehicle Modification

NEW SECTION

WAC 296-23-9409 VOCATIONAL SERVICES.

CODE	DESCRIPTION	UNITS
V0210	Contact with Claimant/Doctor/Attorney/ Employer/Other per 15 minutes	10.2
V0212	Review Case per 15 minutes	10.2
V0215	Initial Evaluation/Assessment per 15 minutes	10.2
V0217	Testing per 15 minutes	10.2
V0219	Flat Fee Testing (pre-determined by test)	BR
V0220	Vocational Counseling per 15 minutes	10.2
V0221	Vocational Research per 15 minutes	10.2
V0222	Vocational Exploration per 15 minutes	10.2
V0225	Job Analysis per 15 minutes	10.2
V0227	Labor Market Survey per 15 minutes	10.2
V0230	Monitoring of Work Evaluation/Conditioning per 15 minutes	10.2
V0232	Job Seeking Skills Instruction per 15 minutes	10.2
V0235	Plan Development per 15 minutes	10.2
V0236	Job Development per 15 minutes	10.2
V0238	Job Placement per 15 minutes	10.2
V0240	RTW Follow-up per 15 minutes	10.2
V0242	Monitor Retraining per 15 minutes	10.2
V0245	Coordination of Services per 15 minutes	10.2
V0250	Report Preparation per 15 minutes	10.2
V0260	Travel/Wait Time per 15 minutes	5.3
V0262	Mileage per mile	\$.18
V0270	Group Sessions (2-5 in Group) per 15 minutes	4.7
V0272	Group Sessions (6-10 in Group)	3.8
V0274	Job Club	BR
V0280	Placement by Evaluation (Employment Agencies Only) Two Hours per 15 minutes	7.4
V0282	Placement Made (Employment Agencies) Flat Rate	\$300.00
V0285	Placement (Employment Agencies) - Sixty (60) Days Confirmed Flat	\$900.00
V0290	Office of Rehabilitation Review/ Hearing/Dispute per 15 minutes	10.2
V0292	Testimony Preparation per 15 minutes	10.2
V0295	Court Testimony	BR
V0299	Other Authorized Service - Unlisted (Specify) BR	

NEW SECTION

WAC 296-23-9410 RETRAINING SERVICE.

- R0310 Tuition and Training Fees
- R0312 Training Supplies
- R0315 Training Equipment
- R0320 Examination and License Fees
- R0330 Transportation/Mileage
- R0340 Books

R0350 Other
R0360 Board
R0370 Room
R0380 Job Modification
R0390 Child Care/Licensed Day Center
R0392 Child Care/Licensed Day Center
R0395 Child Care/Ind.
R0397 Child Care/Ind.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-23-9408 VOCATIONAL FEE SCHEDULE.

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
- READOPT = Readoption of existing section
- REVIEW = Review of previously adopted rule

Suffixes:

- P = Proposed action
- C = Continuance of previous proposal
- 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.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
4-04-010	REP-E	83-14-032	4-12-070	REP-P	83-15-066
4-04-010	REP-P	83-15-066	4-12-080	REP-P	83-15-066
4-04-011	NEW-E	83-14-032	4-12-090	REP-P	83-15-066
4-04-020	REP-E	83-14-032	4-12-110	REP-E	83-14-032
4-04-020	REP-P	83-15-066	4-12-110	REP-P	83-15-066
4-04-021	NEW-E	83-14-032	4-12-111	NEW-E	83-14-032
4-04-030	REP-E	83-14-032	4-12-170	REP-E	83-14-032
4-04-030	REP-P	83-15-066	4-12-170	REP-P	83-15-066
4-04-050	REP-P	83-15-066	4-12-171	NEW-E	83-14-032
4-04-031	NEW-E	83-14-032	4-12-180	REP-E	83-14-032
4-04-060	REP-E	83-14-032	4-12-180	REP-P	83-15-066
4-04-060	REP-P	83-15-066	4-12-181	NEW-E	83-14-032
4-04-061	NEW-E	83-14-032	4-12-190	REP-E	83-14-032
4-04-070	REP-E	83-14-032	4-12-190	REP-P	83-15-066
4-04-070	REP-P	83-15-066	4-12-191	NEW-E	83-14-032
4-04-071	NEW-E	83-14-032	4-16-300	REP-E	83-14-032
4-04-180	REP-P	83-15-066	4-16-300	REP-P	83-15-066
4-04-190	REP-E	83-14-032	4-16-301	NEW-E	83-14-032
4-04-190	REP-P	83-15-066	4-16-310	REP-E	83-14-032
4-04-191	NEW-E	83-14-032	4-16-310	REP-P	83-15-066
4-04-200	REP-P	83-15-066	4-16-311	NEW-E	83-14-032
4-04-210	REP-E	83-14-032	4-16-320	REP-P	83-15-066
4-04-210	REP-P	83-15-066	4-16-325	REP-P	83-15-066
4-04-211	NEW-E	83-14-032	4-16-330	REP-P	83-15-066
4-04-220	REP-E	83-14-032	4-16-335	REP-P	83-15-066
4-04-220	REP-P	83-15-066	4-16-340	REP-P	83-15-066
4-04-221	NEW-E	83-14-032	4-16-345	REP-P	83-15-066
4-04-230	REP-E	83-14-032	4-16-350	REP-P	83-15-066
4-04-230	REP-P	83-15-066	4-16-355	REP-P	83-15-066
4-04-231	NEW-E	83-14-032	4-16-360	REP-P	83-15-066
4-04-250	REP-E	83-14-032	4-16-370	REP-E	83-14-032
4-04-250	REP-P	83-15-066	4-16-370	REP-P	83-15-066
4-04-260	REP-E	83-14-032	4-16-371	NEW-E	83-14-032
4-04-260	REP-P	83-15-066	4-16-375	REP-P	83-15-066
4-04-280	REP-E	83-14-032	4-16-380	REP-P	83-15-066
4-04-280	REP-P	83-15-066	4-16-385	REP-P	83-15-066
4-04-290	REP-E	83-14-032	4-16-390	REP-P	83-15-066
4-04-290	REP-P	83-15-066	4-16-395	REP-P	83-15-066
4-04-300	REP-E	83-14-032	4-16-400	REP-E	83-14-032
4-04-300	REP-P	83-15-066	4-16-400	REP-P	83-15-066
4-04-301	NEW-E	83-14-032	4-16-401	NEW-E	83-14-032
4-04-310	REP-E	83-14-032	4-16-405	REP-P	83-15-066
4-04-310	REP-P	83-15-066	4-16-410	REP-P	83-15-066
4-04-311	NEW-E	83-14-032	4-20-010	REP-E	83-14-032
4-12-010	REP-P	83-15-066	4-20-010	REP-P	83-15-066
4-12-020	REP-E	83-14-032	4-20-011	NEW-E	83-14-032
4-12-020	REP-P	83-15-066	4-20-020	AMD	83-09-049
4-12-021	NEW-E	83-14-032	4-20-020	REP-E	83-14-032
4-12-030	REP-E	83-14-032	4-20-020	REP-P	83-15-066
4-12-030	REP-P	83-15-066	4-20-021	NEW-E	83-14-032
4-12-031	NEW-E	83-14-032	4-20-030	REP-E	83-14-032
4-12-040	REP-E	83-14-032	4-20-030	REP-P	83-15-066
4-12-040	REP-P	83-15-066	4-20-031	NEW-E	83-14-032
4-12-041	NEW-E	83-14-032	4-20-045	REP-E	83-14-032
4-12-060	REP-E	83-14-032	4-20-045	REP-P	83-15-066
4-12-060	REP-P	83-15-066	4-20-046	NEW-E	83-14-032
4-12-061	NEW-E	83-14-032	4-20-100	REP-P	83-15-066
4-12-070	REP-E	83-14-032	4-20-110	REP-P	83-15-066
4-20-120	REP-P	83-15-066	4-20-130	REP-P	83-15-066
4-20-130	REP-P	83-15-066	4-20-140	REP-P	83-15-066
4-20-140	REP-P	83-15-066	4-20-150	REP-P	83-15-066
4-20-150	REP-P	83-15-066	4-20-200	REP-P	83-15-066
4-20-200	REP-P	83-15-066	4-24-020	REP-E	83-14-032
4-24-020	REP-E	83-14-032	4-24-020	REP-P	83-15-066
4-24-020	REP-P	83-15-066	4-24-021	NEW-E	83-14-032
4-24-021	NEW-E	83-14-032	4-24-021	NEW-P	83-15-066
4-24-021	NEW-P	83-15-066	4-24-040	REP-E	83-14-032
4-24-040	REP-E	83-14-032	4-24-040	REP-P	83-15-066
4-24-040	REP-P	83-15-066	4-24-041	NEW-E	83-14-032
4-24-041	NEW-E	83-14-032	4-24-041	NEW-P	83-15-066
4-24-041	NEW-P	83-15-066	4-24-100	REP-E	83-14-032
4-24-100	REP-E	83-14-032	4-24-100	REP-P	83-15-066
4-24-100	REP-P	83-15-066	4-24-101	NEW-E	83-14-032
4-24-101	NEW-E	83-14-032	4-24-101	NEW-P	83-15-066
4-24-101	NEW-P	83-15-066	4-24-130	REP-E	83-14-032
4-24-130	REP-E	83-14-032	4-24-130	REP-P	83-15-066
4-24-130	REP-P	83-15-066	4-24-131	NEW-E	83-14-032
4-24-131	NEW-E	83-14-032	4-24-131	NEW-P	83-15-066
4-24-131	NEW-P	83-15-066	4-25-010	NEW-P	83-15-066
4-25-010	NEW-P	83-15-066	4-25-020	NEW-P	83-15-066
4-25-020	NEW-P	83-15-066	4-25-020	NEW-C	83-19-007
4-25-020	NEW-C	83-19-007	4-25-030	NEW-P	83-15-066
4-25-030	NEW-P	83-15-066	4-25-040	NEW-P	83-15-066
4-25-040	NEW-P	83-15-066	4-25-060	NEW-P	83-15-066
4-25-060	NEW-P	83-15-066	4-25-080	NEW-P	83-15-066
4-25-080	NEW-P	83-15-066	4-25-100	NEW-P	83-15-066
4-25-100	NEW-P	83-15-066	4-25-120	NEW-P	83-15-066
4-25-120	NEW-P	83-15-066	4-25-130	NEW-P	83-15-066
4-25-130	NEW-P	83-15-066	4-25-130	NEW-C	83-19-007
4-25-130	NEW-C	83-19-007	4-25-140	NEW-P	83-15-066
4-25-140	NEW-P	83-15-066	4-25-140	NEW-C	83-19-007
4-25-140	NEW-C	83-19-007	4-25-180	NEW-P	83-15-066
4-25-180	NEW-P	83-15-066	4-25-180	NEW-C	83-19-007
4-25-180	NEW-C	83-19-007	4-25-220	NEW-P	83-15-066
4-25-220	NEW-P	83-15-066	4-25-260	NEW-P	83-15-066
4-25-260	NEW-P	83-15-066	4-25-270	NEW-P	83-15-066
4-25-270	NEW-P	83-15-066	4-25-300	NEW-P	83-15-066
4-25-300	NEW-P	83-15-066	4-25-320	NEW-P	83-15-066
4-25-320	NEW-P	83-15-066	4-25-360	NEW-P	83-15-066
4-25-360	NEW-P	83-15-066	12-40-001	NEW-P	83-08-039
12-40-001	NEW-P	83-08-039	12-40-010	NEW-P	83-08-039
12-40-010	NEW-P	83-08-039	12-40-010	NEW	83-11-041
12-40-010	NEW	83-11-041	12-40-020	NEW-P	83-08-039
12-40-020	NEW-P	83-08-039	12-40-020	NEW	83-11-041
12-40-020	NEW	83-11-041	12-40-030	NEW-P	83-08-039
12-40-030	NEW-P	83-08-039	12-40-030	NEW	83-11-041
12-40-030	NEW	83-11-041	12-40-040	NEW-P	83-08-039
12-40-040	NEW-P	83-08-039	12-40-040	NEW	83-11-041
12-40-040	NEW	83-11-041	12-40-050	NEW-P	83-08-039
12-40-050	NEW-P	83-08-039	12-40-050	NEW	83-11-041
12-40-050	NEW	83-11-041	12-40-060	NEW-P	83-08-039
12-40-060	NEW-P	83-08-039	12-40-060	NEW	83-11-041
12-40-060	NEW	83-11-041	12-40-070	NEW-P	83-08-039
12-40-070	NEW-P	83-08-039	12-40-070	NEW	83-11-041
12-40-070	NEW	83-11-041	12-40-080	NEW-P	83-08-039
12-40-080	NEW-P	83-08-039			

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
12-40-080	NEW	83-11-041	16-212-180	AMD	83-15-036	16-300-010	AMD-P	83-08-065
12-40-090	NEW-P	83-08-039	16-212-195	AMD-P	83-12-063	16-300-010	AMD	83-11-029
12-40-090	NEW	83-11-041	16-212-195	AMD-E	83-13-010	16-300-020	AMD-P	83-08-065
12-40-100	NEW-P	83-08-039	16-212-195	AMD	83-15-036	16-300-020	AMD	83-11-029
12-40-100	NEW	83-11-041	16-212-200	REP-P	83-03-047	16-300-025	NEW-P	83-08-065
12-40-110	NEW-P	83-08-039	16-212-200	REP	83-06-063	16-300-025	NEW	83-11-029
12-40-110	NEW	83-11-041	16-212-210	REP-P	83-03-047	16-304-001	REP-P	83-08-066
12-40-120	NEW-P	83-08-039	16-212-210	REP	83-06-063	16-304-001	REP	83-11-030
12-40-120	NEW	83-11-041	16-212-215	NEW-P	83-12-063	16-304-020	AMD-P	83-08-066
12-40-130	NEW-P	83-08-039	16-212-215	NEW-E	83-13-010	16-304-020	AMD	83-11-030
12-40-130	NEW	83-11-041	16-212-215	NEW	83-15-036	16-304-030	REP-P	83-08-066
12-40-140	NEW-P	83-08-039	16-212-220	NEW-P	83-12-063	16-304-030	REP	83-11-030
12-40-140	NEW	83-11-041	16-212-220	NEW-E	83-13-010	16-304-040	AMD-P	83-08-066
12-40-150	NEW-P	83-08-039	16-212-220	NEW	83-15-036	16-304-040	AMD	83-11-030
12-40-150	NEW	83-11-041	16-212-225	NEW-P	83-12-063	16-316-215	AMD-P	83-08-067
12-40-160	NEW-P	83-08-039	16-212-225	NEW-E	83-13-010	16-316-215	AMD	83-11-031
12-40-160	NEW	83-11-041	16-212-225	NEW	83-15-036	16-316-270	AMD-E	83-08-064
12-40-170	NEW-P	83-08-039	16-212-230	NEW-P	83-12-063	16-316-270	AMD-E	83-10-039
12-40-170	NEW	83-11-041	16-212-230	NEW-E	83-13-010	16-316-350	AMD-P	83-08-067
16-30-030	AMD-P	83-03-050	16-212-230	NEW	83-15-036	16-316-350	AMD	83-11-031
16-30-030	AMD	83-07-028	16-212-235	NEW-P	83-12-063	16-316-474	AMD-P	83-08-067
16-54-040	AMD-E	83-05-016	16-212-235	NEW-E	83-13-010	16-316-474	AMD	83-11-031
16-54-040	AMD-P	83-06-064	16-212-235	NEW	83-15-036	16-316-484	AMD-P	83-08-067
16-54-040	AMD	83-09-009	16-224-025	NEW-P	83-12-063	16-316-484	AMD	83-11-031
16-54-082	AMD	83-04-030	16-224-025	NEW-E	83-13-010	16-316-820	AMD-P	83-08-067
16-54-082	AMD-E	83-04-031	16-224-025	NEW	83-15-036	16-316-820	AMD	83-11-031
16-54-082	AMD-E	83-05-016	16-224-030	AMD-P	83-12-063	16-316-830	AMD-P	83-08-067
16-54-082	AMD-P	83-06-064	16-224-030	AMD-E	83-13-010	16-316-830	AMD	83-11-031
16-54-082	AMD	83-09-009	16-224-030	AMD	83-15-036	16-316-901	NEW-E	83-17-053
16-86-015	AMD-P	83-02-061	16-224-040	AMD-P	83-12-063	16-316-906	NEW-E	83-17-053
16-86-015	AMD	83-06-002	16-224-040	AMD-E	83-13-010	16-316-910	NEW-E	83-17-053
16-86-030	AMD-P	83-03-051	16-224-040	AMD	83-15-036	16-316-916	NEW-E	83-17-053
16-86-030	AMD	83-07-029	16-228	AMD-C	83-15-037	16-316-921	NEW-E	83-17-053
16-125-001	REP-P	83-17-105	16-228-003	REP-P	83-12-044	16-400-001	REP-P	83-03-058
16-125-110	REP-P	83-17-105	16-228-235	NEW-P	83-12-044	16-400-001	REP	83-06-048
16-125-200	NEW-P	83-17-105	16-228-235	NEW	83-16-045	16-400-003	REP-P	83-03-058
16-125-210	NEW-P	83-17-105	16-228-240	NEW-P	83-12-044	16-400-003	REP	83-06-048
16-212-010	AMD-P	83-03-047	16-228-240	NEW	83-16-045	16-400-004	REP-P	83-03-058
16-212-010	AMD	83-06-063	16-228-245	NEW-P	83-12-044	16-400-004	REP	83-06-048
16-212-030	AMD-P	83-03-047	16-228-245	NEW	83-16-045	16-400-005	REP-P	83-03-058
16-212-030	AMD	83-06-063	16-228-250	NEW-P	83-12-044	16-400-005	REP	83-06-048
16-212-040	REP-P	83-03-047	16-228-250	NEW	83-16-045	16-400-006	REP-P	83-03-058
16-212-040	REP	83-06-063	16-228-255	NEW-P	83-12-044	16-400-006	REP	83-06-048
16-212-050	AMD-P	83-03-047	16-228-255	NEW	83-16-045	16-400-00601	REP-P	83-03-058
16-212-050	AMD	83-06-063	16-228-260	NEW-P	83-12-044	16-400-00601	REP	83-06-048
16-212-060	AMD-P	83-03-047	16-228-260	NEW	83-16-045	16-400-150	AMD-P	83-03-058
16-212-060	AMD	83-06-063	16-228-265	NEW-P	83-12-044	16-400-150	AMD	83-06-048
16-212-065	AMD-P	83-03-047	16-228-265	NEW	83-16-045	16-409-001	REP-P	83-03-059
16-212-065	AMD	83-06-063	16-228-270	NEW-P	83-12-044	16-409-001	REP	83-06-049
16-212-070	AMD-P	83-03-047	16-228-270	NEW	83-16-045	16-409-010	REP-P	83-03-059
16-212-070	AMD	83-06-063	16-228-275	NEW-P	83-12-044	16-409-010	REP	83-06-049
16-212-080	AMD-P	83-03-047	16-228-275	NEW	83-16-045	16-409-015	NEW-P	83-03-059
16-212-080	AMD	83-06-063	16-228-280	NEW-P	83-12-044	16-409-015	NEW	83-06-049
16-212-085	REP-P	83-03-047	16-228-280	NEW	83-16-045	16-409-020	AMD-P	83-03-059
16-212-085	REP	83-06-063	16-228-282	NEW-P	83-12-044	16-409-020	AMD	83-06-049
16-212-090	AMD-P	83-03-047	16-228-285	NEW	83-16-045	16-409-030	AMD-P	83-03-059
16-212-090	AMD	83-06-063	16-228-900	NEW-P	83-12-044	16-409-030	AMD	83-06-049
16-212-110	AMD-P	83-12-063	16-228-900	NEW	83-16-045	16-409-035	NEW-P	83-03-059
16-212-110	AMD-E	83-13-010	16-230-001	REP-E	83-13-076	16-409-035	NEW	83-06-049
16-212-110	AMD	83-15-036	16-230-010	AMD-E	83-13-076	16-409-040	REP-P	83-03-059
16-212-120	AMD-P	83-03-047	16-230-015	AMD-E	83-13-076	16-409-040	REP	83-06-049
16-212-120	AMD	83-06-063	16-230-020	REP-E	83-13-076	16-409-050	REP-P	83-03-059
16-212-130	AMD-P	83-12-063	16-230-030	AMD-E	83-13-076	16-409-050	REP	83-06-049
16-212-130	AMD-E	83-13-010	16-230-030	AMD-E	83-14-005	16-409-060	AMD-P	83-03-059
16-212-130	AMD	83-15-036	16-230-040	REP-E	83-13-076	16-409-060	AMD	83-06-049
16-212-140	REP-P	83-03-047	16-230-050	REP-E	83-13-076	16-409-065	NEW-P	83-03-059
16-212-140	REP	83-06-063	16-230-060	REP-E	83-13-076	16-409-065	NEW	83-06-049
16-212-150	REP-P	83-03-047	16-230-075	AMD-E	83-13-076	16-409-070	AMD-P	83-03-059
16-212-150	REP	83-06-063	16-230-080	REP-E	83-13-076	16-409-070	AMD	83-06-049
16-212-160	AMD-P	83-12-063	16-230-081	NEW-E	83-13-076	16-409-075	NEW-P	83-03-059
16-212-160	AMD-E	83-13-010	16-230-082	NEW-E	83-16-039	16-409-075	NEW	83-06-049
16-212-160	AMD	83-15-036	16-230-083	NEW-E	83-13-076	16-409-080	REP-P	83-03-059
16-212-170	AMD-P	83-12-063	16-230-084	NEW-E	83-16-039	16-409-080	REP	83-06-049
16-212-170	AMD-E	83-13-010	16-230-085	REP-E	83-13-076	16-409-085	NEW-P	83-03-059
16-212-170	AMD	83-15-036	16-230-086	NEW-E	83-16-039	16-409-085	NEW	83-06-049
16-212-180	AMD-P	83-12-063	16-230-088	NEW-E	83-16-039	16-409-090	REP-P	83-03-059
16-212-180	AMD-E	83-13-010	16-230-090	REP-E	83-13-076	16-409-090	REP	83-06-049

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-409-100	REP-P	83-03-059	51-10	AMD	83-15-033	98-14-080	NEW	83-02-063
16-409-100	REP	83-06-049	51-12	AMD-P	83-10-082	98-14-090	NEW	83-02-063
16-409-110	REP-P	83-03-059	67-20-190	AMD-P	83-06-068	106-116-042	AMD	83-13-034
16-409-110	REP	83-06-049	67-20-190	AMD	83-10-033	106-116-103	AMD	83-13-034
16-409-130	REP-P	83-03-059	67-20-388	AMD-P	83-06-068	106-116-201	AMD	83-13-034
16-409-130	REP	83-06-049	67-20-388	AMD	83-10-033	106-116-203	AMD	83-13-034
16-409-140	REP-P	83-03-059	67-20-395	AMD-P	83-06-068	106-116-213	AMD	83-13-034
16-409-140	REP	83-06-049	67-20-395	AMD	83-10-033	106-116-310	AMD	83-13-034
16-461-005	REP-P	83-03-060	67-40-022	NEW-E	83-05-014	106-116-403	AMD	83-13-034
16-461-005	REP	83-06-050	67-40-022	NEW-P	83-06-067	106-116-404	AMD	83-13-034
16-461-010	AMD-P	83-03-060	67-40-022	NEW-E	83-10-034	106-116-514	AMD	83-13-034
16-461-010	AMD	83-06-050	67-40-022	NEW	83-10-035	106-116-601	AMD	83-13-034
16-520-020	AMD-P	83-15-052	67-40-026	NEW-E	83-05-014	106-116-603	AMD	83-13-034
16-520-040	AMD-P	83-15-052	67-40-026	NEW-P	83-06-067	106-140-151	REP-E	83-07-024
16-532-040	AMD-P	83-07-052	67-40-026	NEW-E	83-10-034	106-140-151	REP-P	83-08-070
16-532-040	AMD-E	83-16-040	67-40-026	NEW	83-10-035	106-140-151	REP	83-11-033
16-532-040	AMD	83-16-041	67-40-051	NEW-E	83-05-014	114-12-135	NEW-P	83-13-116
16-657-001	AMD-P	83-05-039	67-40-051	NEW-P	83-06-067	114-12-135	NEW	83-17-031
16-657-001	AMD	83-09-012	67-40-051	NEW-E	83-10-034	114-12-135	AMD-E	83-19-008
16-657-020	REP-P	83-05-039	67-40-051	NEW	83-10-035	114-12-135	REP-P	83-19-069
16-657-020	REP	83-09-012	67-40-061	NEW-E	83-05-014	114-12-136	NEW-P	83-19-069
16-657-025	NEW-P	83-05-039	67-40-061	NEW-P	83-06-067	114-12-140	REP-P	83-13-116
16-657-025	NEW	83-09-012	67-40-061	NEW-E	83-10-034	114-12-140	REP	83-17-031
16-750-010	AMD-P	83-04-055	67-40-061	NEW	83-10-035	118-03-010	AMD-P	83-13-112
16-750-010	AMD	83-07-042	67-40-090	AMD-E	83-05-014	118-03-010	AMD	83-16-025
18-02	REVIEW	83-13-029	67-40-090	AMD-P	83-06-067	118-03-050	AMD-P	83-13-112
18-28	REVIEW	83-13-029	67-40-090	AMD-E	83-10-034	118-03-050	AMD	83-16-025
18-48	REVIEW	83-13-029	67-40-090	AMD	83-10-035	118-06-010	NEW-E	83-20-061
18-60-010	REP-P	83-03-070	82-28-010	AMD-E	83-17-097	118-06-020	NEW-E	83-20-061
18-60-010	REP	83-09-013	82-28-020	AMD-E	83-17-097	118-06-030	NEW-E	83-20-061
18-60-020	REP-P	83-03-070	82-28-030	AMD-E	83-17-097	118-06-040	NEW-E	83-20-061
18-60-020	REP	83-09-013	82-28-040	AMD-E	83-17-097	118-06-050	NEW-E	83-20-061
18-60-030	REP-P	83-03-070	82-28-050	AMD-E	83-17-097	118-06-060	NEW-E	83-20-061
18-60-030	REP	83-09-013	82-28-060	AMD-E	83-17-097	118-06-070	NEW-E	83-20-061
18-60-040	REP-P	83-03-070	82-28-06001	AMD-E	83-17-097	118-06-080	NEW-E	83-20-061
18-60-040	REP	83-09-013	82-28-070	AMD-E	83-17-097	118-07-010	NEW-E	83-20-062
18-60-050	REP-P	83-03-070	82-28-080	AMD-E	83-17-097	118-07-020	NEW-E	83-20-062
18-60-050	REP	83-09-013	82-28-090	AMD-E	83-17-097	118-07-030	NEW-E	83-20-062
50-12-080	AMD	83-03-020	82-28-100	AMD-E	83-17-097	118-07-040	NEW-E	83-20-062
50-16-105	NEW-P	83-14-071	82-28-110	AMD-E	83-17-097	118-07-050	NEW-E	83-20-062
50-16-105	NEW	83-18-017	82-28-120	AMD-E	83-17-097	118-07-060	NEW-E	83-20-062
50-40-990	AMD-P	83-16-073	82-28-130	AMD-E	83-17-097	118-08-010	NEW-E	83-20-063
50-40-990	AMD	83-20-072	82-28-135	AMD-E	83-17-097	118-08-020	NEW-E	83-20-063
50-44-010	AMD-P	83-16-073	82-28-140	AMD-E	83-17-097	118-08-030	NEW-E	83-20-063
50-44-010	AMD	83-20-072	82-28-150	AMD-E	83-17-097	118-08-040	NEW-E	83-20-063
50-44-020	AMD-P	83-16-073	82-28-160	AMD-E	83-17-097	118-08-050	NEW-E	83-20-063
50-44-020	AMD	83-20-072	82-28-170	AMD-E	83-17-097	118-08-060	NEW-E	83-20-063
50-44-040	REP-P	83-06-065	82-28-180	AMD-E	83-17-097	118-08-070	NEW-E	83-20-063
50-44-040	REP	83-09-037	82-28-190	AMD-E	83-17-097	118-09-010	NEW-E	83-20-064
50-48-010	NEW-E	83-10-037	82-28-200	AMD-E	83-17-097	118-09-020	NEW-E	83-20-064
50-48-010	NEW-P	83-16-072	82-28-210	AMD-E	83-17-097	118-09-030	NEW-E	83-20-064
50-48-010	NEW	83-20-073	82-28-220	AMD-E	83-17-097	118-09-040	NEW-E	83-20-064
50-48-020	NEW-E	83-10-037	82-28-230	AMD-E	83-17-097	118-09-050	NEW-E	83-20-064
50-48-020	NEW-P	83-16-072	82-36-030	AMD	83-03-003	118-10-010	REP-E	83-20-064
50-48-020	NEW	83-20-073	82-50-010	REP-P	83-15-049	118-10-020	REP-E	83-20-064
50-48-030	NEW-E	83-10-037	82-50-010	REP	83-17-118	118-10-030	REP-E	83-20-064
50-48-030	NEW-P	83-16-072	82-50-011	NEW-E	83-15-003	131-16-011	AMD-P	83-16-057
50-48-030	NEW	83-20-073	82-50-011	NEW-P	83-15-049	131-16-011	AMD	83-20-042
50-48-040	NEW-E	83-10-037	82-50-011	NEW	83-17-118	131-16-020	AMD-P	83-16-057
50-48-040	NEW-P	83-16-072	82-50-020	REP-P	83-15-049	131-16-020	AMD	83-20-042
50-48-040	NEW	83-20-073	82-50-020	REP	83-17-118	131-16-040	AMD-P	83-16-057
50-48-050	NEW-E	83-10-037	82-50-021	NEW-E	83-15-003	131-16-040	AMD	83-20-042
50-48-050	NEW-P	83-16-072	82-50-021	NEW-P	83-15-049	131-16-061	AMD-P	83-16-057
50-48-050	NEW	83-20-073	82-50-021	NEW	83-17-118	131-16-061	AMD	83-20-042
50-48-060	NEW-E	83-10-037	82-50-030	REP-P	83-15-049	132A-120-015	AMD-P	83-09-041
50-48-060	NEW-P	83-16-072	82-50-030	REP	83-17-118	132A-120-015	AMD	83-14-068
50-48-060	NEW	83-20-073	82-50-031	NEW-P	83-15-049	132A-120-040	AMD-P	83-09-041
50-48-070	NEW-E	83-10-037	82-50-031	NEW	83-17-118	132A-120-040	AMD	83-14-068
50-48-070	NEW-P	83-16-072	82-50-032	NEW-P	83-15-049	132A-120-045	AMD-P	83-09-041
50-48-070	NEW	83-20-073	82-50-032	NEW	83-17-118	132A-120-045	AMD	83-14-068
50-48-080	NEW-E	83-10-037	82-50-040	REP-P	83-15-049	132A-120-050	AMD-P	83-09-041
50-48-080	NEW-P	83-16-072	82-50-040	REP	83-17-118	132A-120-050	AMD	83-14-068
50-48-080	NEW	83-20-073	82-50-041	NEW-E	83-15-003	132A-120-055	AMD-P	83-09-041
50-48-090	NEW-E	83-10-037	82-50-041	NEW-P	83-15-049	132A-120-055	AMD	83-14-068
50-48-090	NEW-P	83-16-072	82-50-041	NEW	83-17-118	132A-120-060	AMD-P	83-09-041
50-48-090	NEW	83-20-073	98-12-030	NEW	83-02-063	132A-120-060	AMD	83-14-068
51-10	AMD-P	83-07-012	98-12-040	NEW	83-02-063	132A-160-005	AMD-P	83-09-041

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
132A-160-005	AMD	83-14-068	132E-160-260	REP-P	83-05-020	132H-200-100	NEW	83-18-001
132A-160-010	REP-P	83-09-041	132E-160-260	REP	83-10-025	132K-112-010	AMD-P	83-17-088
132A-160-010	REP	83-14-068	132E-160-270	REP-P	83-05-020	132K-112-010	AMD-W	83-19-005
132A-160-015	AMD-P	83-09-041	132E-160-270	REP	83-10-025	132K-112-015	AMD-P	83-17-088
132A-160-015	AMD	83-14-068	132E-160-280	REP-P	83-05-020	132K-112-015	AMD-W	83-19-005
132A-160-020	AMD-P	83-09-041	132E-160-280	REP	83-10-025	132K-112-020	AMD-P	83-17-088
132A-160-020	AMD	83-14-068	132E-160-290	REP-P	83-05-020	132K-112-020	AMD-W	83-19-005
132A-165-005	NEW-P	83-09-041	132E-160-290	REP	83-10-025	132K-112-025	AMD-P	83-17-088
132A-165-005	NEW	83-14-068	132E-160-300	REP-P	83-05-020	132K-112-025	AMD-W	83-19-005
132A-165-015	NEW-P	83-09-041	132E-160-300	REP	83-10-025	132L-112-010	REP-P	83-03-072
132A-165-015	NEW	83-14-068	132E-160-310	REP-P	83-05-020	132L-112-010	REP	83-07-067
132A-165-025	NEW-P	83-09-041	132E-160-310	REP	83-10-025	132L-112-020	REP-P	83-03-072
132A-165-025	NEW	83-14-068	132E-160-320	REP-P	83-05-020	132L-112-020	REP	83-07-067
132A-165-035	NEW-P	83-09-041	132E-160-320	REP	83-10-025	132L-112-030	REP-P	83-03-072
132A-165-035	NEW	83-14-068	132E-160-330	REP-P	83-05-020	132L-112-030	REP	83-07-067
132A-165-045	NEW-P	83-09-041	132E-160-330	REP	83-10-025	132L-112-040	REP-P	83-03-072
132A-165-045	NEW	83-14-068	132E-160-340	REP-P	83-05-020	132L-112-040	REP	83-07-067
132A-165-055	NEW-P	83-09-041	132E-160-340	REP	83-10-025	132L-112-200	REP-P	83-03-072
132A-165-055	NEW	83-14-068	132E-160-350	REP-P	83-05-020	132L-112-200	REP	83-07-067
132A-165-065	NEW-P	83-09-041	132E-160-350	REP	83-10-025	132L-112-205	REP-P	83-03-072
132A-165-065	NEW	83-14-068	132E-160-360	REP-P	83-05-020	132L-112-205	REP	83-07-067
132A-165-075	NEW-P	83-09-041	132E-160-360	REP	83-10-025	132L-112-210	REP-P	83-03-072
132A-165-075	NEW	83-14-068	132E-161-010	NEW-P	83-05-037	132L-112-210	REP	83-07-067
132A-165-085	NEW-P	83-09-041	132E-161-010	NEW	83-10-026	132L-112-220	REP-P	83-03-072
132A-165-085	NEW	83-14-068	132F-01-010	NEW-P	83-09-044	132L-112-220	REP	83-07-067
132A-280-010	AMD-P	83-09-041	132F-01-010	NEW	83-13-058	132L-112-230	REP-P	83-03-072
132A-280-010	AMD	83-14-068	132F-01-020	NEW-P	83-09-044	132L-112-230	REP	83-07-067
132E-160-010	REP-P	83-05-020	132F-01-020	NEW	83-13-058	132L-112-240	REP-P	83-03-072
132E-160-010	REP	83-10-025	132F-104	AMD-P	83-09-044	132L-112-240	REP	83-07-067
132E-160-020	REP-P	83-05-020	132F-104	AMD	83-13-058	132L-112-250	REP-P	83-03-072
132E-160-020	REP	83-10-025	132F-104-030	AMD-P	83-09-044	132L-112-250	REP	83-07-067
132E-160-030	REP-P	83-05-020	132F-104-030	AMD	83-13-058	132L-112-270	REP-P	83-03-072
132E-160-030	REP	83-10-025	132F-104-100	REP-P	83-09-044	132L-112-270	REP	83-07-067
132E-160-040	REP-P	83-05-020	132F-104-100	REP	83-13-058	132L-112-280	REP-P	83-03-072
132E-160-040	REP	83-10-025	132F-104-110	REP-P	83-09-044	132L-112-280	REP	83-07-067
132E-160-050	REP-P	83-05-020	132F-104-110	REP	83-13-058	132L-112-290	REP-P	83-03-072
132E-160-050	REP	83-10-025	132F-104-120	REP-P	83-09-044	132L-112-290	REP	83-07-067
132E-160-060	REP-P	83-05-020	132F-104-120	REP	83-13-058	132L-112-900	REP-P	83-03-072
132E-160-060	REP	83-10-025	132F-104-811	AMD-P	83-09-044	132L-112-900	REP	83-07-067
132E-160-070	REP-P	83-05-020	132F-104-811	AMD	83-13-058	132L-112-901	REP-P	83-03-072
132E-160-070	REP	83-10-025	132F-104-812	AMD-P	83-09-044	132L-112-901	REP	83-07-067
132E-160-080	REP-P	83-05-020	132F-104-812	AMD	83-13-058	132L-112-902	REP-P	83-03-072
132E-160-080	REP	83-10-025	132F-104-813	AMD-P	83-09-044	132L-112-902	REP	83-07-067
132E-160-090	REP-P	83-05-020	132F-104-813	AMD	83-13-058	132L-112-903	REP-P	83-03-072
132E-160-090	REP	83-10-025	132F-104-814	AMD-P	83-09-044	132L-112-903	REP	83-07-067
132E-160-100	REP-P	83-05-020	132F-104-814	AMD	83-13-058	132L-112-904	REP-P	83-03-072
132E-160-100	REP	83-10-025	132F-104-815	AMD-P	83-09-044	132L-112-904	REP	83-07-067
132E-160-110	REP-P	83-05-020	132F-104-815	AMD	83-13-058	132L-112-905	REP-P	83-03-072
132E-160-110	REP	83-10-025	132F-104-817	AMD-P	83-09-044	132L-112-905	REP	83-07-067
132E-160-120	REP-P	83-05-020	132F-104-817	AMD	83-13-058	132L-112-906	REP-P	83-03-072
132E-160-120	REP	83-10-025	132F-104-819	AMD-P	83-09-044	132L-112-906	REP	83-07-067
132E-160-130	REP-P	83-05-020	132F-104-819	AMD	83-13-058	132L-112-907	REP-P	83-03-072
132E-160-130	REP	83-10-025	132F-120	AMD-C	83-06-001	132L-112-907	REP	83-07-067
132E-160-140	REP-P	83-05-020	132F-200-010	NEW-P	83-09-044	132L-112-908	REP-P	83-03-072
132E-160-140	REP	83-10-025	132F-200-010	NEW	83-13-058	132L-112-908	REP	83-07-067
132E-160-150	REP-P	83-05-020	132G-120-010	AMD	83-07-020	132L-112-909	REP-P	83-03-072
132E-160-150	REP	83-10-025	132G-120-030	AMD	83-07-020	132L-112-909	REP	83-07-067
132E-160-160	REP-P	83-05-020	132G-120-040	AMD	83-07-020	132L-112-910	REP-P	83-03-072
132E-160-160	REP	83-10-025	132G-120-060	AMD	83-07-020	132L-112-910	REP	83-07-067
132E-160-170	REP-P	83-05-020	132G-120-061	NEW	83-07-020	132L-112-911	REP-P	83-03-072
132E-160-170	REP	83-10-025	132G-120-062	NEW	83-07-020	132L-112-911	REP	83-07-067
132E-160-180	REP-P	83-05-020	132G-120-063	NEW	83-07-020	132L-112-912	REP-P	83-03-072
132E-160-180	REP	83-10-025	132G-120-064	NEW	83-07-020	132L-112-912	REP	83-07-067
132E-160-190	REP-P	83-05-020	132G-120-065	NEW	83-07-020	132L-112-913	REP-P	83-03-072
132E-160-190	REP	83-10-025	132G-120-070	AMD	83-07-020	132L-112-913	REP	83-07-067
132E-160-200	REP-P	83-05-020	132G-120-080	AMD	83-07-020	132L-112-914	REP-P	83-03-072
132E-160-200	REP	83-10-025	132G-120-090	AMD	83-07-020	132L-112-914	REP	83-07-067
132E-160-210	REP-P	83-05-020	132G-120-100	AMD	83-07-020	132L-112-915	REP-P	83-03-072
132E-160-210	REP	83-10-025	132G-120-110	AMD	83-07-020	132L-112-915	REP	83-07-067
132E-160-220	REP-P	83-05-020	132H-105-030	AMD	83-05-051	132L-112-916	REP-P	83-03-072
132E-160-220	REP	83-10-025	132H-120-200	AMD-P	83-07-040	132L-112-916	REP	83-07-067
132E-160-230	REP-P	83-05-020	132H-120-200	AMD	83-12-012	132L-112-917	REP-P	83-03-072
132E-160-230	REP	83-10-025	132H-200-010	NEW-P	83-13-074	132L-112-917	REP	83-07-067
132E-160-240	REP-P	83-05-020	132H-200-010	NEW	83-18-001	132L-112-918	REP-P	83-03-072
132E-160-240	REP	83-10-025	132H-200-020	NEW-P	83-13-074	132L-112-918	REP	83-07-067
132E-160-250	REP-P	83-05-020	132H-200-020	NEW	83-18-001	132L-112-919	REP-P	83-03-072
132E-160-250	REP	83-10-025	132H-200-100	NEW-P	83-13-074	132L-112-919	REP	83-07-067

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132L-112-920	REP-P 83-03-072	133-10	NEW-C 83-07-003	136-130-010	NEW-E 83-19-038
132L-112-920	REP 83-07-067	133-10	NEW 83-10-041	136-130-020	NEW-E 83-19-038
132L-112-921	REP-P 83-03-072	133-10-010	NEW-P 83-03-061	136-130-030	NEW-E 83-19-038
132L-112-921	REP 83-07-067	133-10-010	NEW 83-10-041	136-130-040	NEW-E 83-19-038
132L-112-922	REP-P 83-03-072	133-10-020	NEW-P 83-03-061	136-130-050	NEW-E 83-19-038
132L-112-922	REP 83-07-067	133-10-020	NEW 83-10-041	136-130-060	NEW-E 83-19-038
132L-112-923	REP-P 83-03-072	133-10-030	NEW-P 83-03-061	136-130-070	NEW-E 83-19-038
132L-112-923	REP 83-07-067	133-10-030	NEW 83-10-041	136-150-010	NEW-E 83-15-039
132L-116-010	REP-P 83-03-072	133-20	NEW-C 83-07-003	136-150-020	NEW-E 83-15-039
132L-116-010	REP 83-07-067	133-20	NEW 83-10-041	136-150-030	NEW-E 83-15-039
132L-116-020	REP-P 83-03-072	133-20-010	NEW-P 83-03-061	136-150-040	NEW-E 83-15-039
132L-116-020	REP 83-07-067	133-20-010	NEW 83-10-041	136-150-050	NEW-E 83-15-039
132L-116-030	REP-P 83-03-072	133-20-020	NEW-P 83-03-061	136-150-090	NEW-E 83-15-039
132L-116-030	REP 83-07-067	133-20-020	NEW 83-10-041	136-150-100	NEW-E 83-15-039
132L-116-040	REP-P 83-03-072	133-20-030	NEW-P 83-03-061	136-160-010	NEW-E 83-19-039
132L-116-040	REP 83-07-067	133-20-030	NEW 83-10-041	136-160-020	NEW-E 83-19-039
132L-116-050	REP-P 83-03-072	133-20-040	NEW-P 83-03-061	136-160-030	NEW-E 83-19-039
132L-116-050	REP 83-07-067	133-20-040	NEW 83-10-041	136-160-040	NEW-E 83-19-039
132L-128-010	REP-P 83-03-072	133-20-050	NEW-P 83-03-061	136-160-050	NEW-E 83-19-039
132L-128-010	REP 83-07-067	133-20-050	NEW 83-10-041	136-160-060	NEW-E 83-19-039
132L-128-025	REP-P 83-03-072	133-20-060	NEW-P 83-03-061	136-170-010	NEW-E 83-19-040
132L-128-025	REP 83-07-067	133-20-060	NEW 83-10-041	136-170-020	NEW-E 83-19-040
132L-128-030	REP-P 83-03-072	133-20-070	NEW-P 83-03-061	136-170-030	NEW-E 83-19-040
132L-128-030	REP 83-07-067	133-20-070	NEW 83-10-041	136-170-040	NEW-E 83-19-040
132L-128-040	REP-P 83-03-072	133-20-080	NEW-P 83-03-061	136-220-010	NEW-E 83-19-041
132L-128-040	REP 83-07-067	133-20-080	NEW 83-10-041	136-220-020	NEW-E 83-19-041
132L-128-050	REP-P 83-03-072	133-20-090	NEW-P 83-03-061	136-220-030	NEW-E 83-19-041
132L-128-050	REP 83-07-067	133-20-090	NEW 83-10-041	137-36	NEW-C 83-06-011
132L-128-060	REP-P 83-03-072	133-20-100	NEW-P 83-03-061	137-36	NEW-W 83-08-007
132L-128-060	REP 83-07-067	133-20-100	NEW 83-10-041	137-36	NEW-E 83-08-063
132L-128-070	REP-P 83-03-072	133-20-110	NEW-P 83-03-061	137-36-010	NEW-P 83-02-049
132L-128-070	REP 83-07-067	133-20-110	NEW 83-10-041	137-36-010	NEW-E 83-02-051
132L-128-080	REP-P 83-03-072	133-20-120	NEW-P 83-03-061	137-36-010	NEW-W 83-08-007
132L-128-080	REP 83-07-067	133-20-120	NEW 83-10-041	137-36-010	NEW-E 83-08-063
132L-128-090	REP-P 83-03-072	133-30	NEW-C 83-07-003	137-36-010	NEW-E 83-15-004
132L-128-090	REP 83-07-067	133-30	NEW 83-10-041	137-36-010	NEW-P 83-17-136
132L-140-020	AMD-P 83-12-043	133-30-010	NEW-P 83-03-061	137-36-010	NEW 83-20-035
132L-140-020	AMD 83-17-022	133-30-010	NEW 83-10-041	137-36-010	NEW-E 83-20-038
132Q-276	NEW-C 83-07-004	133-30-020	NEW-P 83-03-061	137-36-020	NEW-P 83-02-049
132Q-276-010	NEW-P 83-06-009	133-30-020	NEW 83-10-041	137-36-020	NEW-E 83-02-051
132Q-276-010	NEW 83-10-004	133-30-030	NEW-P 83-03-061	137-36-020	NEW-W 83-08-007
132Q-276-020	NEW-P 83-06-009	133-30-030	NEW 83-10-041	137-36-020	NEW-E 83-08-063
132Q-276-020	NEW 83-10-004	133-30-040	NEW-P 83-03-061	137-36-020	NEW-E 83-15-004
132Q-276-030	NEW-P 83-06-009	133-30-040	NEW 83-10-041	137-36-020	NEW-P 83-17-136
132Q-276-030	NEW 83-10-004	133-30-050	NEW-P 83-03-061	137-36-020	NEW 83-20-035
132Q-276-040	NEW-P 83-06-009	133-30-050	NEW 83-10-041	137-36-020	NEW-E 83-20-038
132Q-276-040	NEW 83-10-004	133-30-060	NEW-P 83-03-061	137-36-030	NEW-P 83-02-049
132Q-276-050	NEW-P 83-06-009	133-30-060	NEW 83-10-041	137-36-030	NEW-E 83-02-051
132Q-276-050	NEW 83-10-004	133-30-070	NEW-P 83-03-061	137-36-030	NEW-W 83-08-007
132Q-276-060	NEW-P 83-06-009	133-30-070	NEW 83-10-041	137-36-030	NEW-E 83-08-063
132Q-276-060	NEW 83-10-004	133-30-080	NEW-P 83-03-061	137-36-030	NEW-E 83-15-004
132Q-276-070	NEW-P 83-06-009	133-30-080	NEW 83-10-041	137-36-030	NEW-P 83-17-136
132Q-276-070	NEW 83-10-004	133-40	NEW-C 83-07-003	137-36-030	NEW 83-20-035
132Q-276-080	NEW-P 83-06-009	133-40	NEW 83-10-041	137-36-030	NEW-E 83-20-038
132Q-276-080	NEW 83-10-004	133-40-010	NEW-P 83-03-061	137-36-040	NEW-P 83-02-049
132Q-276-090	NEW-P 83-06-009	133-40-010	NEW 83-10-041	137-36-040	NEW-E 83-02-051
132Q-276-090	NEW 83-10-004	133-40-020	NEW-P 83-03-061	137-36-040	NEW-W 83-08-007
132Q-276-100	NEW-P 83-06-009	133-40-020	NEW 83-10-041	137-36-040	NEW-E 83-08-063
132Q-276-100	NEW 83-10-004	133-40-030	NEW-P 83-03-061	137-36-040	NEW-E 83-15-004
132Q-276-110	NEW-P 83-06-009	133-40-030	NEW 83-10-041	137-36-040	NEW-P 83-17-136
132Q-276-110	NEW 83-10-004	133-40-040	NEW-P 83-03-061	137-36-040	NEW 83-20-035
132Q-276-120	NEW-P 83-06-009	133-40-040	NEW 83-10-041	137-36-040	NEW-E 83-20-038
132Q-276-120	NEW 83-10-004	133-40-050	NEW-P 83-03-061	137-36-050	NEW-P 83-02-049
132Q-276-130	NEW-P 83-06-009	133-40-050	NEW 83-10-041	137-36-050	NEW-E 83-02-051
132Q-276-130	NEW 83-10-004	133-40-060	NEW-P 83-03-061	137-36-050	NEW-W 83-08-007
132Q-276-140	NEW-P 83-06-009	133-40-060	NEW 83-10-041	137-36-050	NEW-E 83-08-063
132Q-276-140	NEW 83-10-004	133-50	NEW-C 83-07-003	137-36-050	NEW-E 83-15-004
132Y-100	AMD-C 83-20-044	133-50	NEW 83-10-041	137-36-050	NEW-P 83-17-136
132Y-100-008	AMD-P 83-16-056	133-50-010	NEW-P 83-03-061	137-36-050	NEW 83-20-035
132Y-100-020	AMD-P 83-16-056	133-50-010	NEW 83-10-041	137-36-050	NEW-E 83-20-038
132Y-100-032	AMD-P 83-16-056	133-50-020	NEW-P 83-03-061	137-36-060	NEW-P 83-02-049
132Y-100-072	AMD-P 83-16-056	133-50-020	NEW 83-10-041	137-36-060	NEW-E 83-02-051
132Y-100-080	AMD-P 83-16-056	136-110-010	NEW-E 83-19-042	137-36-060	NEW-W 83-08-007
132Y-100-096	AMD-P 83-16-056	136-110-020	NEW-E 83-19-042	137-36-060	NEW-E 83-08-063
132Y-100-104	AMD-P 83-16-056	136-110-030	NEW-E 83-19-042	137-36-060	NEW-E 83-15-004
132Y-100-108	AMD-P 83-16-056	136-110-040	NEW-E 83-19-042	137-36-060	NEW-P 83-17-136
132Y-100-112	AMD-P 83-16-056	136-110-050	NEW-E 83-19-042	137-36-060	NEW 83-20-035

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
137-36-060	NEW-E 83-20-038	137-48-070	NEW-E 83-08-063	140-12-070	NEW-P 83-02-054
137-36-070	NEW-P 83-02-049	137-48-070	NEW-E 83-15-004	140-12-070	NEW 83-06-035
137-36-070	NEW-E 83-02-051	137-48-070	NEW-P 83-17-135	140-12-080	NEW-P 83-02-054
137-36-070	NEW-W 83-08-007	137-48-070	NEW 83-20-036	140-12-080	NEW 83-06-035
137-36-070	NEW-E 83-08-063	137-48-070	NEW-E 83-20-037	140-12-090	NEW-P 83-02-054
137-36-070	NEW-E 83-15-004	137-48-080	NEW-P 83-02-048	140-12-090	NEW 83-06-035
137-36-070	NEW-P 83-17-136	137-48-080	NEW-E 83-02-050	140-12-100	NEW-P 83-02-054
137-36-070	NEW 83-20-035	137-48-080	NEW-W 83-08-007	140-12-100	NEW 83-06-035
137-36-070	NEW-E 83-20-038	137-48-080	NEW-E 83-08-063	140-12-110	NEW-P 83-02-054
137-36-080	NEW-E 83-20-038	137-48-080	NEW-E 83-15-004	140-12-110	NEW 83-06-035
137-37	NEW-C 83-11-021	137-48-080	NEW-P 83-17-135	142-30-010	AMD-P 83-04-048
137-37-010	NEW-P 83-08-006	137-48-080	NEW 83-20-036	142-30-010	AMD-E 83-08-018
137-37-010	NEW-W 83-16-017	137-48-080	NEW-E 83-20-037	142-30-010	AMD 83-08-019
137-37-020	NEW-P 83-08-006	137-48-090	NEW-E 83-08-063	154-04-010	AMD-E 83-09-020
137-37-020	NEW-W 83-16-017	137-48-090	NEW-E 83-15-004	154-04-010	AMD-P 83-09-021
137-37-030	NEW-P 83-08-006	137-48-090	NEW-P 83-17-135	154-04-010	AMD-C 83-10-050
137-37-030	NEW-W 83-16-017	137-48-090	NEW 83-20-036	154-04-010	AMD 83-13-044
137-37-040	NEW-P 83-08-006	137-48-090	NEW-E 83-20-037	154-04-035	NEW-E 83-09-020
137-37-040	NEW-W 83-16-017	137-48-100	NEW-E 83-20-037	154-04-035	NEW-P 83-09-021
137-37-050	NEW-P 83-08-006	137-49-010	REP-E 83-07-006	154-04-035	NEW-C 83-10-050
137-37-050	NEW-W 83-16-017	137-49-010	NEW-W 83-07-007	154-04-035	NEW 83-13-044
137-37-060	NEW-P 83-08-006	137-50	NEW-C 83-06-011	154-04-040	AMD-E 83-09-020
137-37-060	NEW-W 83-16-017	137-50	NEW-W 83-08-007	154-04-040	AMD-P 83-09-021
137-48	NEW-C 83-06-011	137-50-010	NEW-W 83-08-007	154-04-040	AMD-C 83-10-050
137-48	NEW-W 83-08-007	137-54-010	NEW-E 83-13-015	154-04-040	AMD 83-13-044
137-48	NEW-E 83-08-063	137-54-020	NEW-E 83-13-015	154-04-050	AMD-E 83-09-020
137-48-010	NEW-P 83-02-048	137-54-030	NEW-E 83-13-015	154-04-050	AMD-P 83-09-021
137-48-010	NEW-E 83-02-050	137-54-040	NEW-E 83-13-015	154-04-050	AMD-C 83-10-050
137-48-010	NEW-W 83-08-007	137-54-050	NEW-E 83-13-015	154-04-050	AMD 83-13-044
137-48-010	NEW-E 83-08-063	137-54-060	NEW-E 83-13-015	154-04-070	AMD-E 83-09-020
137-48-010	NEW-E 83-15-004	137-54-070	NEW-E 83-13-015	154-04-070	AMD-P 83-09-021
137-48-010	NEW-P 83-17-135	137-56-190	NEW-E 83-13-015	154-04-070	AMD-C 83-10-050
137-48-010	NEW 83-20-036	137-56-250	AMD 83-05-009	154-04-070	AMD 83-13-044
137-48-010	NEW-E 83-20-037	137-56-250	AMD-P 83-07-049	154-04-070	NEW-E 83-09-020
137-48-020	NEW-P 83-02-048	139-14-010	AMD 83-10-042	154-04-075	NEW-P 83-09-021
137-48-020	NEW-E 83-02-050	139-14-010	AMD-C 83-04-009	154-04-075	NEW-C 83-10-050
137-48-020	NEW-W 83-08-007	139-14-010	AMD-E 83-04-014	154-04-075	NEW 83-13-044
137-48-020	NEW-W 83-08-007	139-20-010	AMD 83-07-046	154-04-075	NEW-E 83-09-020
137-48-020	NEW-E 83-08-063	139-20-010	REP-C 83-04-008	154-04-090	AMD-E 83-09-021
137-48-020	NEW-E 83-15-004	139-20-010	REP-E 83-04-012	154-04-090	AMD-P 83-09-021
137-48-020	NEW-P 83-17-135	139-20-010	REP 83-07-044	154-04-090	AMD-C 83-10-050
137-48-020	NEW 83-20-036	139-20-020	NEW-C 83-04-007	154-04-090	AMD 83-13-044
137-48-020	NEW-E 83-20-037	139-20-020	NEW-E 83-04-013	154-04-100	AMD-E 83-09-020
137-48-030	NEW-P 83-02-048	139-20-020	NEW 83-07-045	154-04-100	AMD-P 83-09-021
137-48-030	NEW-E 83-02-050	140-08-010	NEW-P 83-02-053	154-04-100	AMD-C 83-10-050
137-48-030	NEW-W 83-08-007	140-08-010	NEW 83-06-034	154-04-100	AMD 83-13-044
137-48-030	NEW-E 83-08-063	140-08-020	NEW-P 83-02-053	154-12-010	AMD-E 83-09-020
137-48-030	NEW-E 83-15-004	140-08-020	NEW 83-06-034	154-12-010	AMD-P 83-09-021
137-48-030	NEW-P 83-17-135	140-08-030	NEW-P 83-02-053	154-12-010	AMD-C 83-10-050
137-48-030	NEW 83-20-036	140-08-030	NEW 83-06-034	154-12-010	AMD 83-13-044
137-48-030	NEW-E 83-20-037	140-08-040	NEW-P 83-02-053	154-12-015	NEW-E 83-09-020
137-48-040	NEW-P 83-02-048	140-08-040	NEW 83-06-034	154-12-015	NEW-P 83-09-021
137-48-040	NEW-E 83-02-050	140-08-040	NEW 83-06-034	154-12-015	NEW-C 83-10-050
137-48-040	NEW-W 83-08-007	140-08-050	NEW-P 83-02-053	154-12-015	NEW 83-13-044
137-48-040	NEW-E 83-08-063	140-08-060	NEW 83-06-034	154-12-020	AMD-E 83-09-020
137-48-040	NEW-E 83-15-004	140-08-060	NEW 83-06-034	154-12-020	AMD-P 83-09-021
137-48-040	NEW-P 83-17-135	140-08-070	NEW-P 83-02-053	154-12-020	AMD-C 83-10-050
137-48-040	NEW 83-20-036	140-08-070	NEW 83-06-034	154-12-020	AMD 83-13-044
137-48-040	NEW-E 83-20-037	140-08-080	NEW-P 83-02-053	154-12-030	AMD-E 83-09-020
137-48-050	NEW-P 83-02-048	140-08-080	NEW 83-06-034	154-12-030	AMD-P 83-09-021
137-48-050	NEW-E 83-02-050	140-08-090	NEW-P 83-02-053	154-12-030	AMD-C 83-10-050
137-48-050	NEW-W 83-08-007	140-08-090	NEW 83-06-034	154-12-030	AMD 83-13-044
137-48-050	NEW-E 83-08-063	140-08-100	NEW-P 83-02-053	154-12-090	AMD-E 83-09-020
137-48-050	NEW-E 83-15-004	140-08-100	NEW 83-06-034	154-12-090	AMD-P 83-09-021
137-48-050	NEW-P 83-17-135	140-08-110	NEW-P 83-02-053	154-12-090	AMD-C 83-10-050
137-48-050	NEW 83-20-036	140-08-110	NEW 83-06-034	154-12-090	AMD 83-13-044
137-48-050	NEW-E 83-20-037	140-12-010	NEW-P 83-02-054	154-12-100	AMD-E 83-09-020
137-48-060	NEW-P 83-02-048	140-12-010	NEW 83-06-035	154-12-100	AMD-P 83-09-021
137-48-060	NEW-E 83-02-050	140-12-020	NEW-P 83-02-054	154-12-100	AMD-C 83-10-050
137-48-060	NEW-W 83-08-007	140-12-020	NEW 83-06-035	154-12-100	AMD 83-13-044
137-48-060	NEW-E 83-08-063	140-12-030	NEW-P 83-02-054	154-12-105	NEW-E 83-09-020
137-48-060	NEW-E 83-15-004	140-12-030	NEW 83-06-035	154-12-105	NEW-P 83-09-021
137-48-060	NEW-P 83-17-135	140-12-040	NEW-P 83-02-054	154-12-105	NEW-C 83-10-050
137-48-060	NEW 83-20-036	140-12-040	NEW 83-06-035	154-12-105	NEW 83-13-044
137-48-060	NEW-E 83-20-037	140-12-050	NEW-P 83-02-054	154-12-110	AMD-E 83-09-020
137-48-070	NEW-P 83-02-048	140-12-050	NEW 83-06-035	154-12-110	AMD-P 83-09-021
137-48-070	NEW-E 83-02-050	140-12-060	NEW-P 83-02-054	154-12-110	AMD-C 83-10-050
137-48-070	NEW-W 83-08-007	140-12-060	NEW 83-06-035	154-12-110	AMD 83-13-044

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
154-16-010	AMD-E	83-09-020	173-19-2521	AMD-P	83-02-065	173-134A-020	NEW	83-12-060
154-16-010	AMD-P	83-09-021	173-19-2521	AMD	83-07-081	173-134A-030	NEW-P	83-07-079
154-16-010	AMD-C	83-10-050	173-19-2521	AMD-P	83-09-052	173-134A-030	NEW	83-12-060
154-16-010	AMD	83-13-044	173-19-2521	AMD-P	83-11-047	173-134A-040	NEW-P	83-07-079
154-16-020	AMD-E	83-09-020	173-19-2521	AMD-C	83-12-016	173-134A-040	NEW	83-12-060
154-16-020	AMD-P	83-09-021	173-19-2521	AMD	83-13-029	173-134A-050	NEW-P	83-07-079
154-16-020	AMD-C	83-10-050	173-19-2521	AMD-C	83-14-011	173-134A-050	NEW	83-12-060
154-16-020	AMD	83-13-044	173-19-2521	AMD	83-15-014	173-134A-060	NEW-P	83-07-079
154-20-010	AMD-E	83-09-020	173-19-2521	AMD-P	83-17-114	173-134A-060	NEW	83-12-060
154-20-010	AMD-P	83-09-021	173-19-260	AMD-C	83-03-067	173-134A-070	NEW-P	83-07-079
154-20-010	AMD-C	83-10-050	173-19-260	AMD	83-08-002	173-134A-070	NEW	83-12-060
154-20-010	AMD	83-13-044	173-19-310	AMD-P	83-18-058	173-134A-080	NEW-P	83-07-079
154-20-020	AMD-E	83-09-020	173-19-3508	AMD-P	83-08-072	173-134A-080	NEW	83-12-060
154-20-020	AMD-P	83-09-021	173-19-3508	AMD	83-12-017	173-134A-090	NEW-P	83-07-079
154-20-020	AMD-C	83-10-050	173-19-3514	AMD-P	83-08-072	173-134A-090	NEW	83-12-060
154-20-020	AMD	83-13-044	173-19-3514	AMD	83-12-018	173-134A-100	NEW-P	83-07-079
154-48-010	AMD-E	83-09-020	173-19-370	AMD-P	83-02-065	173-134A-100	NEW	83-12-060
154-48-010	AMD-P	83-09-021	173-19-370	AMD	83-07-082	173-134A-110	NEW-P	83-07-079
154-48-010	AMD-C	83-10-050	173-19-3701	AMD-P	83-17-115	173-134A-110	NEW	83-12-060
154-48-010	AMD	83-13-044	173-19-390	AMD-P	83-13-119	173-134A-120	NEW-P	83-07-079
154-48-020	AMD-E	83-09-020	173-19-390	AMD	83-18-005	173-134A-120	NEW	83-12-060
154-68-020	AMD-P	83-09-021	173-19-4005	AMD-P	83-02-065	173-134A-130	NEW-P	83-07-079
154-68-020	AMD-C	83-10-050	173-19-4005	AMD	83-07-083	173-134A-130	NEW	83-12-060
154-68-020	AMD	83-13-044	173-44	NEW-C	83-17-112	173-134A-140	NEW-P	83-07-079
167-04-010	REP	83-06-052	173-44-010	NEW-P	83-15-044	173-134A-140	NEW	83-12-060
167-04-030	REP	83-06-052	173-44-010	NEW	83-18-020	173-134A-150	NEW-P	83-07-079
167-04-050	REP	83-06-052	173-44-020	NEW-P	83-15-044	173-134A-150	NEW	83-12-060
167-06-010	REP	83-06-052	173-44-020	NEW	83-18-020	173-134A-160	NEW-P	83-07-079
167-06-020	REP	83-06-052	173-44-030	NEW-P	83-15-044	173-134A-160	NEW	83-12-060
167-08-010	REP	83-06-052	173-44-030	NEW	83-18-020	173-134A-170	NEW-P	83-07-079
172-129-010	REP-P	83-14-021	173-44-040	NEW-P	83-15-044	173-134A-170	NEW	83-12-060
172-129-020	REP-P	83-14-021	173-44-040	NEW	83-18-020	173-202-020	AMD	83-15-045
172-129-030	REP-P	83-14-021	173-44-050	NEW-P	83-15-044	173-216-010	NEW-P	83-17-111
172-129-031	REP-P	83-14-021	173-44-050	NEW	83-18-020	173-216-020	NEW-P	83-17-111
172-129-035	REP-P	83-14-021	173-44-060	NEW-P	83-15-044	173-216-030	NEW-P	83-17-111
172-129-036	REP-P	83-14-021	173-44-060	NEW	83-18-020	173-216-040	NEW-P	83-17-111
172-129-037	REP-P	83-14-021	173-44-070	NEW-P	83-15-044	173-216-050	NEW-P	83-17-111
172-129-040	REP-P	83-14-021	173-44-070	NEW	83-18-020	173-216-060	NEW-P	83-17-111
172-129-050	REP-P	83-14-021	173-60-020	AMD	83-15-046	173-216-070	NEW-P	83-17-111
172-129-060	REP-P	83-14-021	173-60-050	AMD	83-15-046	173-216-080	NEW-P	83-17-111
172-129-070	REP-P	83-14-021	173-134-010	REP-P	83-07-079	173-216-090	NEW-P	83-17-111
172-129-080	REP-P	83-14-021	173-134-010	REP	83-12-060	173-216-100	NEW-P	83-17-111
172-129-090	REP-P	83-14-021	173-134-020	REP-P	83-07-079	173-216-110	NEW-P	83-17-111
172-129-100	REP-P	83-14-021	173-134-020	REP	83-12-060	173-216-120	NEW-P	83-17-111
172-129-110	REP-P	83-14-021	173-134-030	REP-P	83-07-079	173-216-130	NEW-P	83-17-111
172-129-120	REP-P	83-14-021	173-134-030	REP	83-12-060	173-216-140	NEW-P	83-17-111
172-129-130	REP-P	83-14-021	173-134-040	REP-P	83-07-079	173-220	REVIEW	83-13-028
172-129-140	REP-P	83-14-021	173-134-040	REP	83-12-060	173-220-090	AMD-P	83-07-078
172-129-145	REP-P	83-14-021	173-134-050	REP-P	83-07-079	173-220-090	AMD	83-10-063
172-129-150	REP-P	83-14-021	173-134-050	REP	83-12-060	173-240-010	AMD-P	83-17-134
172-129-160	REP-P	83-14-021	173-134-055	REP-P	83-07-079	173-240-020	AMD-P	83-17-134
172-156-010	REP-P	83-20-078	173-134-055	REP	83-12-060	173-240-030	AMD-P	83-17-134
172-156-020	REP-P	83-20-078	173-134-060	REP-P	83-07-079	173-240-035	NEW-P	83-17-134
172-156-030	REP-P	83-20-078	173-134-060	REP	83-12-060	173-240-040	AMD-P	83-17-134
172-156-040	REP-P	83-20-078	173-134-070	REP-P	83-07-079	173-240-050	AMD-P	83-17-134
172-156-050	REP-P	83-20-078	173-134-070	REP	83-12-060	173-240-060	AMD-P	83-17-134
172-156-060	REP-P	83-20-078	173-134-080	REP-P	83-07-079	173-240-070	AMD-P	83-17-134
172-156-070	REP-P	83-20-078	173-134-080	REP	83-12-060	173-240-075	NEW-P	83-17-134
172-156-080	REP-P	83-20-078	173-134-085	REP-P	83-07-079	173-240-080	AMD-P	83-17-134
172-325	NEW-P	83-20-078	173-134-085	REP	83-12-060	173-240-090	AMD-P	83-17-134
173-19-1104	AMD-P	83-10-061	173-134-090	REP-P	83-07-079	173-240-095	NEW-P	83-17-134
173-19-1104	AMD	83-14-003	173-134-090	REP	83-12-060	173-240-100	AMD-P	83-17-134
173-19-120	AMD-P	83-17-114	173-134-100	REP-P	83-07-079	173-240-104	NEW-P	83-17-134
173-19-130	AMD	83-02-066	173-134-100	REP	83-12-060	173-240-105	REP-P	83-17-134
173-19-190	AMD-P	83-10-061	173-134-110	REP-P	83-07-079	173-240-110	AMD-P	83-17-134
173-19-190	AMD-C	83-14-010	173-134-110	REP	83-12-060	173-240-120	AMD-P	83-17-134
173-19-190	AMD	83-17-032	173-134-120	REP-P	83-07-079	173-240-130	AMD-P	83-17-134
173-19-2208	AMD-P	83-14-085	173-134-120	REP	83-12-060	173-240-140	AMD-P	83-17-134
173-19-2208	AMD-C	83-17-113	173-134-130	REP-P	83-07-079	173-240-150	AMD-P	83-17-134
173-19-2208	AMD-C	83-20-059	173-134-130	REP	83-12-060	173-240-160	AMD-P	83-17-134
173-19-240	AMD-P	83-11-048	173-134-140	REP-P	83-07-079	173-240-170	AMD-P	83-17-134
173-19-240	AMD	83-14-086	173-134-140	REP	83-12-060	173-240-180	AMD-P	83-17-134
173-19-2503	AMD-P	83-02-065	173-134-160	REP-P	83-07-079	173-301	AMD-C	83-03-068
173-19-2503	AMD	83-07-080	173-134-160	REP	83-12-060	173-301	AMD	83-09-017
173-19-2505	AMD-P	83-02-064	173-134A-010	NEW-P	83-07-079	173-301	REVIEW	83-13-028
173-19-2505	AMD-P	83-03-069	173-134A-010	NEW	83-12-060	173-301-110	AMD	83-09-017
173-19-2505	AMD	83-07-019	173-134A-020	NEW-P	83-07-079	173-301-180	AMD	83-09-017

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-301-181	AMD	83-09-017	173-403-090	NEW	83-18-010	173-422-020	AMD-P	83-18-059
173-301-320	NEW	83-09-017	173-403-100	NEW-P	83-03-070	173-422-030	AMD-P	83-18-059
173-303	REVIEW	83-13-028	173-403-100	NEW	83-09-013	173-422-040	AMD-P	83-18-059
173-310	REVIEW	83-13-028	173-403-110	NEW-P	83-03-070	173-422-050	AMD-P	83-18-059
173-320-010	NEW	83-12-062	173-403-110	NEW	83-09-013	173-422-060	AMD-P	83-18-059
173-320-020	NEW	83-12-062	173-403-110	AMD-P	83-13-118	173-422-070	AMD-P	83-18-059
173-320-030	NEW	83-12-062	173-403-110	AMD	83-18-010	173-422-080	AMD-P	83-18-059
173-320-040	NEW	83-12-062	173-403-120	NEW-P	83-03-070	173-422-090	AMD-P	83-18-059
173-320-050	NEW	83-12-062	173-403-120	NEW	83-09-013	173-422-100	AMD-P	83-18-059
173-320-060	NEW	83-12-062	173-403-130	NEW-P	83-03-070	173-422-120	AMD-P	83-18-059
173-320-070	NEW	83-12-062	173-403-130	NEW	83-09-013	173-422-140	AMD-P	83-18-059
173-320-080	NEW	83-12-062	173-403-140	NEW-P	83-03-070	173-422-145	NEW-P	83-18-059
173-400	REVIEW	83-13-028	173-403-140	NEW	83-09-013	173-422-160	AMD-P	83-18-059
173-400-010	AMD-P	83-03-070	173-403-150	NEW-P	83-03-070	173-422-170	AMD-P	83-18-059
173-400-010	AMD	83-09-036	173-403-150	NEW	83-09-013	173-422-175	NEW-P	83-18-059
173-400-020	AMD-P	83-03-070	173-403-160	NEW-P	83-03-070	173-490	REVIEW	83-13-028
173-400-020	AMD	83-09-036	173-403-160	NEW	83-09-013	173-508	REVIEW	83-13-028
173-400-030	AMD-P	83-03-070	173-403-170	NEW-P	83-03-070	173-509	REVIEW	83-13-028
173-400-030	AMD	83-09-036	173-403-170	NEW	83-09-013	173-510	REVIEW	83-13-028
173-400-040	AMD-P	83-03-070	173-403-180	NEW-P	83-03-070	173-512	REVIEW	83-13-028
173-400-040	AMD	83-09-036	173-403-180	NEW	83-09-013	173-513	REVIEW	83-13-028
173-400-050	AMD-P	83-03-070	173-403-190	NEW-P	83-03-070	173-514-010	NEW-P	83-19-070
173-400-050	AMD	83-09-036	173-403-190	NEW	83-09-013	173-514-020	NEW-P	83-19-070
173-400-060	AMD-P	83-03-070	173-405	REVIEW	83-13-028	173-514-030	NEW-P	83-19-070
173-400-060	AMD	83-09-036	173-405	AMD-C	83-16-020	173-514-040	NEW-P	83-19-070
173-400-070	AMD-P	83-03-070	173-405-021	AMD-P	83-03-070	173-514-050	NEW-P	83-19-070
173-400-070	AMD	83-09-036	173-405-021	AMD	83-09-036	173-514-060	NEW-P	83-19-070
173-400-075	AMD-P	83-03-070	173-405-033	AMD-P	83-03-070	173-514-070	NEW-P	83-19-070
173-400-075	AMD	83-09-036	173-405-033	AMD	83-09-036	173-514-080	NEW-P	83-19-070
173-400-080	REP-P	83-03-070	173-405-035	NEW-P	83-13-118	173-514-090	NEW-P	83-19-070
173-400-080	REP	83-09-036	173-405-035	NEW	83-18-010	173-531A	REVIEW	83-13-028
173-400-090	REP-P	83-03-070	173-405-040	AMD-P	83-03-070	173-545	NEW-C	83-10-062
173-400-090	REP	83-09-036	173-405-040	AMD	83-09-036	173-545-010	NEW-P	83-09-053
173-400-100	AMD-P	83-03-070	173-405-061	AMD-P	83-03-070	173-545-010	NEW	83-13-016
173-400-100	AMD	83-09-036	173-405-061	AMD	83-09-036	173-545-020	NEW-P	83-09-053
173-400-110	AMD-P	83-03-070	173-405-077	AMD-P	83-03-070	173-545-020	NEW	83-13-016
173-400-110	AMD	83-09-036	173-405-077	AMD	83-09-036	173-545-030	NEW-P	83-09-053
173-400-115	AMD-P	83-03-070	173-405-078	AMD-P	83-03-070	173-545-030	NEW	83-13-016
173-400-115	AMD	83-09-036	173-405-078	AMD	83-09-036	173-545-040	NEW-P	83-09-053
173-400-120	AMD-P	83-03-070	173-405-086	AMD-P	83-03-070	173-545-040	NEW	83-13-016
173-400-120	AMD	83-09-036	173-405-086	AMD	83-09-036	173-545-050	NEW-P	83-09-053
173-400-130	REP-P	83-03-070	173-405-090	REP-P	83-03-070	173-545-050	NEW	83-13-016
173-400-130	REP	83-09-036	173-405-090	REP	83-09-036	173-545-060	NEW-P	83-09-053
173-400-135	REP-P	83-03-070	173-405-101	REP-P	83-03-070	173-545-060	NEW	83-13-016
173-400-135	REP	83-09-036	173-405-101	REP	83-09-036	173-545-070	NEW-P	83-09-053
173-400-140	REP-P	83-03-070	173-410	REVIEW	83-13-028	173-545-070	NEW	83-13-016
173-400-140	REP	83-09-036	173-410	AMD-C	83-16-020	173-545-080	NEW-P	83-09-053
173-400-150	REP-P	83-03-070	173-410-021	AMD-P	83-03-070	173-545-080	NEW	83-13-016
173-400-150	REP	83-09-036	173-410-021	AMD	83-09-036	173-545-090	NEW-P	83-09-053
173-400-160	REP-P	83-03-070	173-410-035	NEW-P	83-13-118	173-545-090	NEW	83-13-016
173-400-160	REP	83-09-036	173-410-035	NEW	83-18-010	173-545-100	NEW-P	83-09-053
173-400-170	REP-P	83-03-070	173-410-040	AMD-P	83-03-070	173-545-100	NEW	83-13-016
173-400-170	REP	83-09-036	173-410-040	AMD	83-09-036	173-563	REVIEW	83-13-028
173-402	REVIEW	83-13-028	173-410-067	AMD-P	83-03-070	173-801	REVIEW	83-13-028
173-403	REVIEW	83-13-028	173-410-067	AMD	83-09-036	174-107-100	NEW-P	83-11-018
173-403	AMD-C	83-16-020	173-410-071	AMD-P	83-03-070	174-107-100	NEW	83-16-009
173-403-010	NEW-P	83-03-070	173-410-071	AMD	83-09-036	174-107-110	NEW-P	83-11-018
173-403-010	NEW	83-09-013	173-410-086	AMD-P	83-03-070	174-107-110	NEW	83-16-009
173-403-020	NEW-P	83-03-070	173-410-086	AMD	83-09-036	174-107-120	NEW-P	83-11-018
173-403-020	NEW	83-09-013	173-410-090	REP-P	83-03-070	174-107-120	NEW	83-16-009
173-403-030	NEW-P	83-03-070	173-410-090	REP	83-09-036	174-107-130	NEW-P	83-11-018
173-403-030	NEW	83-09-013	173-410-091	REP-P	83-03-070	174-107-130	NEW	83-16-009
173-403-030	AMD-P	83-13-118	173-410-091	REP	83-09-036	174-107-140	NEW-P	83-11-018
173-403-030	AMD	83-18-010	173-415	REVIEW	83-13-028	174-107-140	NEW	83-16-009
173-403-050	NEW-P	83-03-070	173-415-020	AMD-P	83-03-070	174-107-150	NEW-P	83-11-018
173-403-050	NEW	83-09-013	173-415-020	AMD	83-09-036	174-107-150	NEW	83-16-009
173-403-050	AMD-P	83-13-118	173-415-030	AMD-P	83-03-070	174-107-160	NEW-P	83-11-018
173-403-050	AMD	83-18-010	173-415-030	AMD	83-09-036	174-107-160	NEW	83-16-009
173-403-060	NEW-P	83-13-118	173-415-050	AMD-P	83-03-070	174-107-170	NEW-P	83-11-018
173-403-060	NEW	83-18-010	173-415-050	AMD	83-09-036	174-107-170	NEW	83-16-009
173-403-070	NEW-P	83-13-118	173-415-070	AMD-P	83-03-070	174-107-180	NEW-P	83-11-018
173-403-070	NEW	83-18-010	173-415-070	AMD	83-09-036	174-107-180	NEW	83-16-009
173-403-075	NEW-P	83-13-118	173-415-080	AMD-P	83-03-070	174-107-190	NEW-P	83-11-018
173-403-075	NEW	83-18-010	173-415-080	AMD	83-09-036	174-107-190	NEW	83-16-009
173-403-080	NEW-P	83-13-118	173-415-090	REP-P	83-03-070	174-107-200	NEW-P	83-11-018
173-403-080	NEW	83-18-010	173-415-090	REP	83-09-036	174-107-200	NEW	83-16-009
173-403-090	NEW-P	83-13-118	173-422-010	AMD-P	83-18-059	174-107-210	NEW-P	83-11-018

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
174-107-210	NEW	83-16-009	174-109-030	NEW-P	83-17-137	174-116-140	REP	83-20-016
174-107-220	NEW-P	83-11-018	174-109-040	NEW-P	83-17-137	174-116-150	REP-P	83-16-083
174-107-220	NEW	83-16-009	174-109-050	NEW-P	83-17-137	174-116-150	REP	83-20-016
174-107-230	NEW-P	83-11-018	174-109-060	NEW-P	83-17-137	174-116-160	REP-P	83-16-083
174-107-230	NEW	83-16-009	174-109-070	NEW-P	83-17-137	174-116-160	REP	83-20-016
174-107-240	NEW-P	83-11-018	174-109-080	NEW-P	83-17-137	174-116-170	REP-P	83-16-083
174-107-240	NEW	83-16-009	174-109-090	NEW-P	83-17-137	174-116-170	REP	83-20-016
174-107-250	NEW-P	83-11-018	174-109-100	NEW-P	83-17-137	174-116-180	REP-P	83-16-083
174-107-250	NEW	83-16-009	174-109-200	NEW-P	83-17-137	174-116-180	REP	83-20-016
174-107-260	NEW-P	83-11-018	174-109-300	NEW-P	83-17-137	174-116-260	NEW-P	83-16-083
174-107-260	NEW	83-16-009	174-109-400	NEW-P	83-17-137	174-116-260	NEW	83-20-016
174-107-270	NEW-P	83-11-018	174-109-500	NEW-P	83-17-137	174-124-020	REP-P	83-16-022
174-107-270	NEW	83-16-009	174-109-600	NEW-P	83-17-137	174-124-030	REP-P	83-16-022
174-107-280	NEW-P	83-11-018	174-116	AMD-P	83-16-083	174-124-040	REP-P	83-16-022
174-107-280	NEW	83-16-009	174-116-010	AMD-P	83-16-083	174-124-050	REP-P	83-16-022
174-107-290	NEW-P	83-11-018	174-116-010	AMD	83-20-016	174-124-120	REP-P	83-16-022
174-107-290	NEW	83-16-009	174-116-011	NEW-P	83-16-083	174-136-015	AMD	83-05-034
174-107-300	NEW-P	83-11-018	174-116-011	NEW	83-20-016	174-136-016	AMD	83-05-034
174-107-300	NEW	83-16-009	174-116-020	AMD-P	83-16-083	174-136-018	AMD	83-05-034
174-107-310	NEW-P	83-11-018	174-116-020	AMD	83-20-016	174-136-019	AMD	83-05-034
174-107-310	NEW	83-16-009	174-116-030	AMD-P	83-16-083	174-148-010	REP-P	83-17-137
174-107-320	NEW-P	83-11-018	174-116-030	AMD	83-20-016	174-148-015	REP-P	83-17-137
174-107-320	NEW	83-16-009	174-116-040	AMD-P	83-16-083	174-148-030	REP-P	83-17-137
174-107-330	NEW-P	83-11-018	174-116-040	AMD	83-20-016	174-148-040	REP-P	83-17-137
174-107-330	NEW	83-16-009	174-116-041	NEW-P	83-16-083	174-148-050	REP-P	83-17-137
174-107-340	NEW-P	83-11-018	174-116-041	NEW	83-20-016	174-148-060	REP-P	83-17-137
174-107-340	NEW	83-16-009	174-116-042	NEW-P	83-16-083	174-148-070	REP-P	83-17-137
174-107-350	NEW-P	83-11-018	174-116-042	NEW	83-20-016	174-148-080	REP-P	83-17-137
174-107-350	NEW	83-16-009	174-116-043	NEW-P	83-16-083	174-148-085	REP-P	83-17-137
174-107-360	NEW-P	83-11-018	174-116-043	NEW	83-20-016	174-148-090	REP-P	83-17-137
174-107-360	NEW	83-16-009	174-116-044	NEW-P	83-16-083	174-148-100	REP-P	83-17-137
174-107-370	NEW-P	83-11-018	174-116-044	NEW	83-20-016	174-148-110	REP-P	83-17-137
174-107-370	NEW	83-16-009	174-116-045	NEW-P	83-16-083	174-148-120	REP-P	83-17-137
174-107-380	NEW-P	83-11-018	174-116-045	NEW	83-20-016	174-162-300	AMD-P	83-08-004
174-107-380	NEW	83-16-009	174-116-046	NEW-P	83-16-083	174-162-300	AMD	83-12-001
174-107-400	NEW-P	83-11-018	174-116-046	NEW	83-20-016	174-162-305	AMD-P	83-08-004
174-107-400	NEW	83-16-009	174-116-050	AMD-P	83-16-083	174-162-305	AMD	83-12-001
174-107-410	NEW-P	83-11-018	174-116-050	AMD	83-20-016	180-08-003	NEW-P	83-17-124
174-107-410	NEW	83-16-009	174-116-060	AMD-P	83-16-083	180-08-005	AMD-P	83-17-124
174-107-420	NEW-P	83-11-018	174-116-060	AMD	83-20-016	180-10-003	AMD-P	83-05-038
174-107-420	NEW	83-16-009	174-116-070	AMD-P	83-16-083	180-10-003	AMD	83-08-016
174-107-430	NEW-P	83-11-018	174-116-070	AMD	83-20-016	180-16-166	REP-C	83-05-023
174-107-430	NEW	83-16-009	174-116-071	NEW-P	83-16-083	180-16-166	REP-C	83-08-042
174-107-440	NEW-P	83-11-018	174-116-071	NEW	83-20-016	180-16-166	REP	83-13-004
174-107-440	NEW	83-16-009	174-116-072	NEW-P	83-16-083	180-16-195	AMD-P	83-08-043
174-107-450	NEW-P	83-11-018	174-116-072	NEW	83-20-016	180-16-195	AMD	83-13-002
174-107-450	NEW	83-16-009	174-116-080	AMD-P	83-16-083	180-16-225	AMD-P	83-08-043
174-107-460	NEW-P	83-11-018	174-116-080	AMD	83-20-016	180-16-225	AMD	83-13-002
174-107-460	NEW	83-16-009	174-116-090	REP-P	83-16-083	180-22-250	AMD-P	83-13-097
174-107-470	NEW-P	83-11-018	174-116-090	REP	83-20-016	180-22-255	AMD-P	83-13-097
174-107-470	NEW	83-16-009	174-116-091	NEW-P	83-16-083	180-22-265	AMD-P	83-13-097
174-107-500	NEW-P	83-11-018	174-116-091	NEW	83-20-016	180-22-270	AMD-P	83-13-097
174-107-500	NEW	83-16-009	174-116-092	NEW-P	83-16-083	180-22-275	AMD-P	83-13-097
174-107-510	NEW-P	83-11-018	174-116-092	NEW	83-20-016	180-22-285	AMD-P	83-13-097
174-107-510	NEW	83-16-009	174-116-105	REP-P	83-16-083	180-22-290	AMD-P	83-13-097
174-107-520	NEW-P	83-11-018	174-116-105	REP	83-20-016	180-22-295	AMD-P	83-13-097
174-107-520	NEW	83-16-009	174-116-115	REP-P	83-16-083	180-25-005	NEW-P	83-17-125
174-107-530	NEW-P	83-11-018	174-116-115	REP	83-20-016	180-25-010	NEW-P	83-17-125
174-107-530	NEW	83-16-009	174-116-119	NEW-P	83-16-083	180-25-010	NEW-P	83-17-125
174-107-540	NEW-P	83-11-018	174-116-119	NEW	83-20-016	180-25-020	NEW-P	83-17-125
174-107-540	NEW	83-16-009	174-116-121	NEW-P	83-16-083	180-25-025	NEW-P	83-17-125
174-107-550	NEW-P	83-11-018	174-116-121	NEW	83-20-016	180-25-030	NEW-P	83-17-125
174-107-550	NEW	83-16-009	174-116-122	NEW-P	83-16-083	180-25-035	NEW-P	83-17-125
174-108-010	REP-P	83-16-022	174-116-122	NEW	83-20-016	180-25-040	NEW-P	83-17-125
174-108-020	REP-P	83-16-022	174-116-123	NEW-P	83-16-083	180-25-045	NEW-P	83-17-125
174-108-030	REP-P	83-16-022	174-116-123	NEW	83-20-016	180-25-050	NEW-P	83-17-125
174-108-041	REP-P	83-16-022	174-116-124	NEW-P	83-16-083	180-26-005	NEW-P	83-17-126
174-108-051	REP-P	83-16-022	174-116-124	NEW	83-20-016	180-26-010	NEW-P	83-17-126
174-108-06001	REP-P	83-16-022	174-116-125	AMD-P	83-16-083	180-26-015	NEW-P	83-17-126
174-108-06003	REP-P	83-16-022	174-116-125	AMD	83-20-016	180-26-020	NEW-P	83-17-126
174-108-06005	REP-P	83-16-022	174-116-126	NEW-P	83-16-083	180-26-025	NEW-P	83-17-126
174-108-06007	REP-P	83-16-022	174-116-126	NEW	83-20-016	180-26-030	NEW-P	83-17-126
174-108-06009	REP-P	83-16-022	174-116-127	NEW-P	83-16-083	180-26-035	NEW-P	83-17-126
174-108-06011	REP-P	83-16-022	174-116-127	NEW	83-20-016	180-26-040	NEW-P	83-17-126
174-108-07001	REP-P	83-16-022	174-116-135	REP-P	83-16-083	180-27-005	NEW-P	83-17-127
174-109-010	NEW-P	83-17-137	174-116-135	REP	83-20-016	180-27-010	NEW-P	83-17-127
174-109-020	NEW-P	83-17-137	174-116-140	REP-P	83-16-083	180-27-015	NEW-P	83-17-127

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
180-27-020	NEW-P	83-17-127	180-32-055	NEW-P	83-17-131
180-27-025	NEW-P	83-17-127	180-32-060	NEW-P	83-17-131
180-27-030	NEW-P	83-17-127	180-32-065	NEW-P	83-17-131
180-27-035	NEW-P	83-17-127	180-32-070	NEW-P	83-17-131
180-27-040	NEW-P	83-17-127	180-33-005	AMD-P	83-17-132
180-27-045	NEW-P	83-17-127	180-33-007	NEW-P	83-17-132
180-27-050	NEW-P	83-17-127	180-33-010	AMD-P	83-17-132
180-27-055	NEW-P	83-17-127	180-33-015	AMD-P	83-17-132
180-27-057	NEW-P	83-17-127	180-33-020	AMD-P	83-17-132
180-27-060	NEW-P	83-17-127	180-33-025	AMD-P	83-17-132
180-27-065	NEW-P	83-17-127	180-33-030	AMD-P	83-17-132
180-27-070	NEW-P	83-17-127	180-33-035	AMD-P	83-17-132
180-27-075	NEW-P	83-17-127	180-33-040	AMD-P	83-17-132
180-27-080	NEW-P	83-17-127	180-33-045	AMD-P	83-17-132
180-27-085	NEW-P	83-17-127	180-33-050	AMD-P	83-17-132
180-27-090	NEW-P	83-17-127	180-33-055	AMD-P	83-17-132
180-27-095	NEW-P	83-17-127	180-33-060	AMD-P	83-17-132
180-27-100	NEW-P	83-17-127	180-36-005	AMD-P	83-08-044
180-27-105	NEW-P	83-17-127	180-36-005	AMD	83-13-001
180-27-110	NEW-P	83-17-127	180-39-005	NEW	83-13-004
180-27-115	NEW-P	83-17-127	180-39-010	NEW	83-13-004
180-27-120	NEW-P	83-17-127	180-39-015	NEW	83-13-004
180-27-125	NEW-P	83-17-127	180-39-020	NEW	83-13-004
180-29-005	NEW-P	83-17-128	180-39-025	NEW	83-13-004
180-29-010	NEW-P	83-17-128	180-39-030	NEW	83-13-004
180-29-015	NEW-P	83-17-128	180-39-035	NEW	83-13-004
180-29-020	NEW-P	83-17-128	180-42	NEW-C	83-05-023
180-29-025	NEW-P	83-17-128	180-42	NEW-C	83-08-042
180-29-030	NEW-P	83-17-128	180-42-005	NEW-C	83-08-042
180-29-035	NEW-P	83-17-128	180-42-010	NEW-C	83-08-042
180-29-040	NEW-P	83-17-128	180-42-015	NEW-C	83-08-042
180-29-045	NEW-P	83-17-128	180-42-020	NEW-C	83-08-042
180-29-050	NEW-P	83-17-128	180-42-025	NEW-C	83-08-042
180-29-055	NEW-P	83-17-128	180-42-030	NEW-C	83-08-042
180-29-060	NEW-P	83-17-128	180-42-035	NEW-C	83-08-042
180-29-065	NEW-P	83-17-128	180-52-015	AMD-P	83-13-096
180-29-070	NEW-P	83-17-128	180-52-015	AMD	83-16-049
180-29-075	NEW-P	83-17-128	180-52-040	AMD-P	83-13-096
180-29-080	NEW-P	83-17-128	180-52-040	AMD	83-16-049
180-29-085	NEW-P	83-17-128	180-52-050	AMD-P	83-13-096
180-29-090	NEW-P	83-17-128	180-52-050	AMD	83-16-049
180-29-095	NEW-P	83-17-128	180-52-060	AMD-P	83-13-096
180-29-100	NEW-P	83-17-128	180-52-060	AMD	83-16-049
180-29-105	NEW-P	83-17-128	180-52-065	AMD-P	83-13-096
180-29-107	NEW-P	83-17-128	180-52-065	AMD	83-16-049
180-29-110	NEW-P	83-17-128	180-56-023	NEW-P	83-08-061
180-29-115	NEW-P	83-17-128	180-56-023	NEW	83-13-005
180-29-120	NEW-P	83-17-128	180-90-125	NEW-P	83-17-133
180-29-125	NEW-P	83-17-128	180-90-160	AMD-P	83-17-133
180-29-130	NEW-P	83-17-128	180-100-020	REP-P	83-08-045
180-29-135	NEW-P	83-17-128	180-100-020	REP	83-13-003
180-29-140	NEW-P	83-17-128	182-08-120	AMD-P	83-18-065
180-29-145	NEW-P	83-17-128	182-08-120	AMD-E	83-18-066
180-29-150	NEW-P	83-17-128	182-08-160	AMD-E	83-13-106
180-29-155	NEW-P	83-17-128	182-08-160	AMD-P	83-18-065
180-29-160	NEW-P	83-17-128	182-08-160	AMD-E	83-19-001
180-29-165	NEW-P	83-17-128	182-12-115	AMD-E	83-07-065
180-29-170	NEW-P	83-17-128	182-12-115	AMD-P	83-08-017
180-30-003	NEW-P	83-17-129	182-12-115	AMD	83-12-007
180-31-005	NEW-P	83-17-130	182-12-170	REP-P	83-18-065
180-31-010	NEW-P	83-17-130	182-12-170	REP-E	83-18-066
180-31-015	NEW-P	83-17-130	187-10-210	REP-P	83-06-054
180-31-020	NEW-P	83-17-130	187-10-220	REP-P	83-06-054
180-31-025	NEW-P	83-17-130	187-10-230	REP-P	83-06-054
180-31-030	NEW-P	83-17-130	187-10-240	REP-P	83-06-054
180-31-035	NEW-P	83-17-130	187-10-250	REP-P	83-06-054
180-31-040	NEW-P	83-17-130	187-10-260	REP-P	83-06-054
180-32-005	NEW-P	83-17-131	187-10-270	REP-P	83-06-054
180-32-010	NEW-P	83-17-131	187-10-280	REP-P	83-06-054
180-32-015	NEW-P	83-17-131	187-10-290	REP-P	83-06-054
180-32-020	NEW-P	83-17-131	187-10-300	REP-P	83-06-054
180-32-025	NEW-P	83-17-131	187-10-310	REP-P	83-06-054
180-32-030	NEW-P	83-17-131	187-10-320	REP-P	83-06-054
180-32-035	NEW-P	83-17-131	187-10-500	REP-P	83-06-054
180-32-040	NEW-P	83-17-131	192-12-025	AMD-P	83-20-065
180-32-045	NEW-P	83-17-131	192-12-025	AMD-E	83-20-066
180-32-050	NEW-P	83-17-131	194-16	REP-C	83-17-112
194-16-010	REP-P	83-15-044	194-16-010	REP	83-18-020
194-16-020	REP-P	83-15-044	194-16-020	REP	83-18-020
194-16-030	REP-P	83-15-044	194-16-030	REP	83-18-020
194-16-040	REP-P	83-15-044	194-16-040	REP	83-18-020
194-16-050	REP-P	83-15-044	194-16-050	REP	83-18-020
194-16-060	REP	83-18-020	194-16-060	REP	83-15-044
194-16-070	REP-P	83-15-044	194-16-070	REP	83-18-020
194-16-080	REP-P	83-17-116	194-16-080	REP	83-18-020
194-16-090	REP-P	83-17-116	194-16-090	REP	83-18-020
194-16-100	REP-P	83-17-116	194-16-100	REP	83-18-020
194-16-110	REP-P	83-17-116	194-16-110	REP	83-15-044
194-16-120	REP-P	83-17-116	194-16-120	REP	83-18-020
194-16-130	REP-P	83-17-116	194-16-130	REP	83-15-044
194-16-140	REP-P	83-17-116	194-16-140	REP	83-18-020
194-16-150	REP-P	83-17-116	194-16-150	REP	83-15-044
194-16-160	REP-P	83-17-116	194-16-160	REP	83-18-020
194-16-170	REP-P	83-17-116	194-16-170	REP	83-15-044
194-16-180	REP-P	83-17-116	194-16-180	REP	83-18-020
194-16-190	REP-P	83-17-116	194-16-190	REP	83-15-044
194-16-200	REP-P	83-17-116	194-16-200	REP	83-18-020
194-16-210	REP-P	83-17-116	194-16-210	REP	83-15-044
194-16-220	REP-P	83-17-116	194-16-220	REP	83-18-020
194-16-230	REP-P	83-17-116	194-16-230	REP	83-15-044
194-16-240	REP-P	83-17-116	194-16-240	REP	83-18-020
194-16-250	REP-P	83-17-116	194-16-250	REP	83-15-044
194-16-260	REP-P	83-17-116	194-16-260	REP	83-18-020
194-16-270	REP-P	83-17-116	194-16-270	REP	83-15-044
194-16-280	REP-P	83-17-116	194-16-280	REP	83-18-020
194-16-290	REP-P	83-17-116	194-16-290	REP	83-15-044
194-16-300	REP-P	83-17-116	194-16-300	REP	83-18-020
194-16-310	REP-P	83-17-116	194-16-310	REP	83-15-044
194-16-320	REP-P	83-17-116	194-16-320	REP	83-18-020
194-16-330	REP-P	83-17-116	194-16-330	REP	83-15-044
194-16-340	REP-P	83-17-116	194-16-340	REP	83-18-020
194-16-350	REP-P	83-17-116	194-16-350	REP	83-15-044
194-16-360	REP-P	83-17-116	194-16-360	REP	83-18-020
194-16-370	REP-P	83-17-116	194-16-370	REP	83-15-044
194-16-380	REP-P	83-17-116	194-16-380	REP	83-18-020
194-16-390	REP-P	83-17-116	194-16-390	REP	83-15-044
194-16-400	REP-P	83-17-116	194-16-400	REP	83-18-020
194-16-410	REP-P	83-17-116	194-16-410	REP	83-15-044
194-16-420	REP-P	83-17-116	194-16-420	REP	83-18-020
194-16-430	REP-P	83-17-116	194-16-430	REP	83-15-044
194-16-440	REP-P	83-17-116	194-16-440	REP	83-18-020
194-16-450	REP-P	83-17-116	194-16-450	REP	83-15-044
194-16-460	REP-P	83-17-116	194-16-460	REP	83-18-020
194-16-470	REP-P	83-17-116	194-16-470	REP	83-15-044
194-16-480	REP-P	83-17-116	194-16-480	REP	83-18-020
194-16-490	REP-P	83-17-116	194-16-490	REP	83-15-044
194-16-500	REP-P	83-17-116	194-16-500	REP	83-18-020

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
204-92-050	NEW-P	83-17-079	220-12-001	REP-P	83-20-093
212-43-001	NEW	83-03-028	220-12-002	REP-P	83-20-093
212-43-005	NEW	83-03-028	220-12-010	AMD-P	83-20-093
212-43-010	NEW	83-03-028	220-12-020	AMD-P	83-20-093
212-43-015	NEW	83-03-028	220-16-028	AMD-P	83-20-093
212-43-020	NEW	83-03-028	220-16-040	REP-P	83-20-093
212-43-025	NEW	83-03-028	220-16-045	REP-P	83-20-093
212-43-030	NEW	83-03-028	220-16-051	AMD-P	83-20-093
212-43-035	NEW	83-03-028	220-16-07500A	NEW-E	83-18-052
212-43-040	NEW	83-03-028	220-16-080	REP-P	83-20-093
212-43-045	NEW	83-03-028	220-16-120	REP-P	83-20-093
212-43-050	NEW	83-03-028	220-16-125	AMD-P	83-20-093
212-43-055	NEW	83-03-028	220-16-135	REP-P	83-20-093
212-43-060	NEW	83-03-028	220-16-200	REP-P	83-20-093
212-43-065	NEW	83-03-028	220-16-205	REP-P	83-20-093
212-43-070	NEW	83-03-028	220-16-210	REP-P	83-20-093
212-43-075	NEW	83-03-028	220-16-211	REP-P	83-20-093
212-43-080	NEW	83-03-028	220-16-215	REP-P	83-20-093
212-43-085	NEW	83-03-028	220-16-220	REP-P	83-20-093
212-43-090	NEW	83-03-028	220-16-225	REP-P	83-20-093
212-43-095	NEW	83-03-028	220-16-230	REP-P	83-20-093
212-43-100	NEW	83-03-028	220-16-235	REP-P	83-20-093
212-43-105	NEW	83-03-028	220-16-240	AMD-P	83-20-093
212-43-110	NEW	83-03-028	220-16-275	REP-P	83-20-093
212-43-115	NEW	83-03-028	220-16-300	REP-P	83-20-093
212-43-120	NEW	83-03-028	220-16-305	REP-P	83-20-093
212-43-125	NEW	83-03-028	220-16-315	AMD-P	83-20-093
212-43-130	NEW	83-03-028	220-16-340	AMD-P	83-20-093
212-43-135	NEW	83-03-028	220-16-380	NEW-P	83-20-093
212-45-001	NEW-P	83-03-027	220-20-010	AMD-P	83-20-093
212-45-001	NEW	83-06-022	220-20-01000I	NEW-E	83-13-027
212-45-005	NEW-P	83-03-027	220-20-015	REP-P	83-20-093
212-45-005	NEW	83-06-022	220-20-016	REP-P	83-20-093
212-45-010	NEW-P	83-03-027	220-20-02000A	NEW-E	83-18-050
212-45-010	NEW	83-06-022	220-22-010	REP-P	83-20-093
212-45-015	NEW-P	83-03-027	220-22-020	REP-P	83-20-093
212-45-015	NEW	83-06-022	220-22-030	REP-P	83-20-093
212-45-020	NEW-P	83-03-027	220-22-400	AMD-P	83-20-093
212-45-020	NEW	83-06-022	220-22-410	AMD-P	83-20-093
212-45-025	NEW-P	83-03-027	220-24-010	REP-P	83-20-093
212-45-025	NEW	83-06-022	220-24-020	REP-P	83-20-093
212-45-030	NEW-P	83-03-027	220-24-02000T	NEW-E	83-10-022
212-45-030	NEW	83-06-022	220-24-02000T	REP-E	83-10-040
212-45-035	NEW-P	83-03-027	220-24-02000U	NEW-E	83-10-040
212-45-035	NEW	83-06-022	220-24-02000U	REP-E	83-14-037
212-45-040	NEW-P	83-03-027	220-24-02000V	NEW-E	83-14-037
212-45-040	NEW	83-06-022	220-24-02000V	REP-E	83-17-013
212-45-045	NEW-P	83-03-027	220-24-02000W	NEW-E	83-17-013
212-45-045	NEW	83-06-022	220-24-02000W	REP-E	83-17-044
212-45-050	NEW-P	83-03-027	220-24-02000X	NEW-E	83-17-044
212-45-050	NEW	83-06-022	220-24-02000X	REP-E	83-18-007
212-45-055	NEW-P	83-03-027	220-24-02000Y	NEW-E	83-18-007
212-45-055	NEW	83-06-022	220-24-030	REP-P	83-20-093
212-45-060	NEW-P	83-03-027	220-28-003G0G	NEW-E	83-15-027
212-45-060	NEW	83-06-022	220-28-073E0F	NEW-E	83-07-070
212-45-065	NEW-P	83-03-027	220-28-073E0F	REP-E	83-11-015
212-45-065	NEW	83-06-022	220-28-301	NEW-E	83-09-035
212-45-070	NEW-P	83-03-027	220-28-301	REP-E	83-10-007
212-45-070	NEW	83-06-022	220-28-302	NEW-E	83-10-007
212-45-075	NEW-P	83-03-027	220-28-302	REP-E	83-13-008
212-45-075	NEW	83-06-022	220-28-303	NEW-E	83-13-008
212-45-080	NEW-P	83-03-027	220-28-303	REP-E	83-14-064
212-45-080	NEW	83-06-022	220-28-304	NEW-E	83-14-064
212-45-085	NEW-P	83-03-027	220-28-304	REP-E	83-15-028
212-45-085	NEW	83-06-022	220-28-305	NEW-E	83-15-028
212-45-090	NEW-P	83-03-027	220-28-305	REP-E	83-16-012
212-45-090	NEW	83-06-022	220-28-306	NEW-E	83-16-012
212-45-095	NEW-P	83-03-027	220-28-306	REP-E	83-16-027
212-45-095	NEW	83-06-022	220-28-307	NEW-E	83-16-027
212-45-100	NEW-P	83-03-027	220-28-307	REP-E	83-16-044
212-45-100	NEW	83-06-022	220-28-308	NEW-E	83-16-044
212-45-105	NEW-P	83-03-027	220-28-308	REP-E	83-17-002
212-45-105	NEW	83-06-022	220-28-309	NEW-E	83-17-002
212-45-110	NEW-P	83-03-027	220-28-309	REP-E	83-17-017
212-45-110	NEW	83-06-022	220-28-310	NEW-E	83-17-017
212-45-115	NEW-P	83-03-027	220-28-310	REP-E	83-17-042
212-45-115	NEW	83-06-022	220-28-311	NEW-E	83-17-042
					220-28-311
					220-28-312
					220-28-312
					220-28-312
					220-28-313
					220-28-313
					220-28-313
					220-28-313
					220-28-314
					220-28-314
					220-28-314
					220-28-315
					220-28-315
					220-28-315
					220-28-316
					220-28-316
					220-28-316
					220-28-317
					220-28-317
					220-28-317
					220-28-318
					220-28-318
					220-28-318
					220-28-319
					220-28-319
					220-28-319
					220-28-320
					220-28-320
					220-28-320
					220-28-321
					220-28-321
					220-28-321
					220-28-322
					220-28-322
					220-28-322
					220-28-323
					220-28-323
					220-28-323
					220-28-324
					220-28-324
					220-28-324
					220-30-010
					220-30-010
					220-30-010
					220-30-020
					220-30-020
					220-30-020
					220-30-050
					220-30-050
					220-30-050
					220-30-055
					220-30-055
					220-30-055
					220-30-060
					220-30-060
					220-30-060
					220-30-070
					220-30-070
					220-30-070
					220-30-075
					220-30-075
					220-30-075
					220-30-100
					220-30-100
					220-30-100
					220-30-110
					220-30-110
					220-30-110
					220-30-115
					220-30-115
					220-30-115
					220-30-120
					220-30-120
					220-30-120
					220-30-125
					220-30-125
					220-30-125
					220-30-130
					220-30-130
					220-30-130
					220-30-135
					220-30-135
					220-30-135
					220-30-140
					220-30-140
					220-30-140
					220-30-145
					220-30-145
					220-30-145
					220-30-150
					220-30-150
					220-30-150
					220-30-155
					220-30-155
					220-30-155
					220-30-160
					220-30-160
					220-30-160
					220-30-165
					220-30-165
					220-30-165
					220-30-170
					220-30-170
					220-30-170
					220-30-175
					220-30-175
					220-30-175
					220-30-300
					220-30-300
					220-30-300
					220-30-310
					220-30-310
					220-30-310
					220-30-320
					220-30-320
					220-30-320
					220-30-330
					220-30-330
					220-30-330
					220-30-370
					220-30-370
					220-30-370
					220-30-400
					220-30-400
					220-30-400
					220-30-410
					220-30-410
					220-30-410
					220-30-420
					220-30-420
					220-30-420
					220-30-430
					220-30-430
					220-30-430
					220-30-500
					220-30-500
					220-30-500
					220-30-510
					220-30-510
					220-30-510
					220-30-520
					220-30-520
					220-30-520
					220-30-530
					220-30-530
					220-30-530
					220-30-570
					220-30-570
					220-30-570
					220-30-575
					220-30-575
					220-30-575
					220-30-600
					220-30-600
					220-30-600
					220-30-610
					220-30-610
					22

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-32-02200I	NEW-E	83-04-005	220-40-02100D	NEW-E	83-20-026	220-47-413	AMD	83-14-020
220-32-030	REP-P	83-20-093	220-40-02100D	REP-E	83-20-041	220-47-413	REP-P	83-20-093
220-32-03000G	NEW-E	83-05-025	220-40-02100E	NEW-E	83-20-041	220-47-414	AMD-P	83-11-039
220-32-03000H	NEW-E	83-13-023	220-40-022	AMD-P	83-10-080	220-47-414	AMD	83-14-020
220-32-03000H	REP-E	83-20-050	220-40-022	AMD	83-13-054	220-47-414	REP-P	83-20-093
220-32-03000I	NEW-E	83-20-050	220-40-022	REP-P	83-20-093	220-47-50101	REP-P	83-20-093
220-32-031	REP-P	83-20-093	220-40-024	AMD-P	83-10-080	220-47-50201	REP-P	83-20-093
220-32-032	REP-P	83-20-093	220-40-024	AMD	83-13-054	220-47-503	REP-P	83-20-093
220-32-033	REP-P	83-20-093	220-40-024	REP-P	83-20-093	220-47-800	NEW-E	83-15-029
220-32-034	REP-P	83-20-093	220-40-025	REP-P	83-20-093	220-47-800	REP-E	83-16-013
220-32-036	REP-P	83-20-093	220-44-020	AMD-P	83-20-093	220-47-801	NEW-E	83-16-013
220-32-04000Q	NEW-E	83-03-030	220-44-030	AMD-P	83-20-093	220-47-801	REP-E	83-16-043
220-32-04000Q	REP-E	83-04-053	220-44-040	AMD-P	83-07-069	220-47-802	NEW-E	83-16-043
220-32-04000R	NEW-E	83-04-053	220-44-040	AMD	83-10-016	220-47-802	REP-E	83-17-016
220-32-04000S	NEW-E	83-20-070	220-44-040	REP-E	83-03-007	220-47-803	NEW-E	83-17-016
220-32-04100F	NEW-E	83-11-035	220-44-04000A	REP-E	83-03-007	220-47-803	REP-E	83-17-043
220-32-05100A	NEW-E	83-20-077	220-44-04000B	REP-E	83-03-007	220-47-804	NEW-E	83-17-043
220-32-05100U	NEW-E	83-05-008	220-44-04000C	NEW-E	83-03-007	220-47-804	REP-E	83-17-077
220-32-05100U	NEW-E	83-15-008	220-44-04000D	NEW-E	83-06-032	220-47-805	NEW-E	83-17-077
220-32-05100U	REP-E	83-15-016	220-44-050	NEW-P	83-07-069	220-47-805	REP-E	83-17-140
220-32-05100V	NEW-E	83-15-016	220-44-050	NEW	83-10-016	220-47-806	NEW-E	83-17-140
220-32-05100V	REP-E	83-15-026	220-44-050	AMD-P	83-14-093	220-47-806	REP-E	83-18-008
220-32-05100W	NEW-E	83-15-026	220-44-050	AMD	83-17-030	220-47-807	NEW-E	83-18-008
220-32-05100W	REP-E	83-18-025	220-44-050	AMD-P	83-20-093	220-47-807	REP-E	83-18-035
220-32-05100X	NEW-E	83-18-025	220-44-05000A	NEW-E	83-13-048	220-47-808	NEW-E	83-18-035
220-32-05100X	REP-E	83-20-004	220-44-05000A	NEW-E	83-18-051	220-47-808	REP-E	83-18-053
220-32-05100Y	NEW-E	83-20-004	220-44-05000A	REP-E	83-19-003	220-47-809	NEW-E	83-18-053
220-32-05100Y	REP-E	83-20-048	220-44-05000B	NEW-E	83-19-003	220-47-809	REP-E	83-19-011
220-32-05100Z	NEW-E	83-20-048	220-44-05000C	NEW-E	83-19-003	220-47-810	NEW-E	83-19-011
220-32-05100Z	REP-E	83-20-077	220-47-001	REP-P	83-20-093	220-47-810	REP-E	83-19-026
220-32-055	AMD-P	83-20-093	220-47-121	REP-P	83-20-093	220-47-811	NEW-E	83-19-026
220-32-05500G	NEW-E	83-11-013	220-47-251	REP-P	83-20-093	220-47-811	REP-E	83-19-052
220-32-05700P	NEW-E	83-03-030	220-47-252	REP-P	83-20-093	220-47-812	NEW-E	83-19-052
220-32-05700P	REP-E	83-04-053	220-47-253	REP-P	83-20-093	220-47-812	REP-E	83-20-024
220-32-05700Q	NEW-E	83-04-053	220-47-254	REP-P	83-20-093	220-47-813	NEW-E	83-20-024
220-32-05700Q	REP-E	83-06-023	220-47-255	REP-P	83-20-093	220-47-813	REP-E	83-20-039
220-32-05700R	NEW-E	83-06-023	220-47-256	REP-P	83-20-093	220-47-814	NEW-E	83-20-039
220-32-05700S	NEW-E	83-20-070	220-47-257	REP-P	83-20-093	220-47-814	REP-E	83-20-069
220-32-05800K	NEW-E	83-18-025	220-47-258	REP-P	83-20-093	220-47-815	NEW-E	83-20-069
220-32-05800K	REP-E	83-20-004	220-47-259	REP-P	83-20-093	220-48-001	AMD-P	83-20-093
220-32-05800L	NEW-E	83-20-077	220-47-260	REP-P	83-20-093	220-48-005	AMD-P	83-20-093
220-32-05900D	NEW-E	83-10-020	220-47-261	REP-P	83-20-093	220-48-011	AMD-P	83-20-093
220-32-05900D	REP-E	83-13-072	220-47-262	REP-P	83-20-093	220-48-015	AMD	83-04-025
220-32-05900E	NEW-E	83-13-035	220-47-263	REP-P	83-20-093	220-48-015	AMD-P	83-20-093
220-32-05900E	REP-E	83-13-072	220-47-264	REP-P	83-20-093	220-48-01500A	NEW-E	83-06-024
220-32-05900F	NEW-E	83-13-072	220-47-265	REP-P	83-20-093	220-48-01500A	REP-E	83-07-071
220-32-05900F	REP-E	83-18-026	220-47-266	REP-P	83-20-093	220-48-01500B	NEW-E	83-07-071
220-32-05900G	NEW-E	83-18-026	220-47-267	REP-P	83-20-093	220-48-01500C	NEW-E	83-10-014
220-36-020	REP-P	83-20-093	220-47-268	REP-P	83-20-093	220-48-025	AMD-P	83-20-093
220-36-021	AMD-P	83-10-080	220-47-301	REP-P	83-20-093	220-48-026	AMD-P	83-20-093
220-36-021	AMD	83-13-054	220-47-302	REP-P	83-20-093	220-48-027	NEW-P	83-20-093
220-36-021	REP-P	83-20-093	220-47-303	REP-P	83-20-093	220-48-028	AMD-P	83-20-093
220-36-02100I	NEW-E	83-20-067	220-47-304	REP-P	83-20-093	220-48-031	AMD-P	83-20-093
220-36-022	AMD-P	83-10-080	220-47-307	AMD-P	83-11-039	220-48-041	AMD-P	83-20-093
220-36-022	AMD	83-13-054	220-47-307	AMD	83-14-020	220-48-042	AMD-P	83-20-093
220-36-022	REP-P	83-20-093	220-47-307	REP-P	83-20-093	220-48-046	AMD-P	83-20-093
220-36-024	AMD-P	83-10-080	220-47-311	AMD-P	83-11-039	220-48-052	AMD-P	83-20-093
220-36-024	AMD	83-13-054	220-47-311	AMD	83-14-020	220-48-056	AMD-P	83-20-093
220-36-024	REP-P	83-20-093	220-47-311	REP-P	83-20-093	220-49-020	AMD	83-04-025
220-36-025	AMD-P	83-07-055	220-47-312	AMD-P	83-11-039	220-49-020	AMD-P	83-20-093
220-36-025	AMD	83-10-015	220-47-312	AMD	83-14-020	220-49-02000L	REP-E	83-04-036
220-36-025	AMD-P	83-20-093	220-47-312	REP-P	83-20-093	220-49-02000M	NEW-E	83-04-036
220-36-02500A	NEW-E	83-07-041	220-47-313	AMD-P	83-11-039	220-49-02000N	NEW-E	83-09-008
220-36-02500B	NEW-E	83-14-094	220-47-313	AMD	83-14-020	220-49-023	AMD-P	83-20-093
220-36-02500C	NEW-E	83-17-038	220-47-313	REP-P	83-20-093	220-49-056	AMD	83-04-025
220-36-02500C	REP-E	83-20-033	220-47-314	REP-P	83-20-093	220-49-056	AMD-P	83-20-093
220-36-02500D	NEW-E	83-20-033	220-47-319	REP-P	83-20-093	220-52-001	NEW-P	83-20-093
220-40-020	REP-P	83-20-093	220-47-401	REP-P	83-20-093	220-52-010	AMD-P	83-20-093
220-40-021	AMD-P	83-10-080	220-47-402	REP-P	83-20-093	220-52-015	REP-P	83-20-093
220-40-021	AMD	83-13-054	220-47-403	REP-P	83-20-093	220-52-018	AMD-P	83-20-093
220-40-021	REP-P	83-20-093	220-47-411	AMD-P	83-11-039	220-52-019	AMD-P	83-20-093
220-40-02100A	NEW-E	83-18-050	220-47-411	AMD	83-14-020	220-52-01901	AMD-P	83-20-093
220-40-02100A	REP-E	83-20-005	220-47-411	REP-P	83-20-093	220-52-020	AMD-P	83-20-093
220-40-02100B	NEW-E	83-19-043	220-47-412	AMD-P	83-11-039	220-52-043	AMD-P	83-20-093
220-40-02100B	REP-E	83-20-005	220-47-412	AMD	83-14-020	220-52-04600C	NEW-E	83-18-014
220-40-02100C	NEW-E	83-20-005	220-47-412	REP-P	83-20-093	220-52-04600C	REP-E	83-18-024
220-40-02100C	REP-E	83-20-026	220-47-413	AMD-P	83-11-039	220-52-04600K	NEW-E	83-18-024

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
220-52-050	AMD	83-04-025	220-56-36000G	NEW-E	83-08-040	220-57-340	AMD	83-07-043
220-52-053	AMD-P	83-06-044	220-56-36000G	NEW-E	83-13-022	220-57-350	AMD-P	83-03-071
220-52-053	AMD	83-09-014	220-56-372	AMD-P	83-03-071	220-57-350	AMD	83-07-043
220-52-05300M	NEW-E	83-10-019	220-56-372	AMD	83-07-043	220-57-38000C	NEW-E	83-19-051
220-52-06600A	NEW-E	83-14-015	220-56-390	AMD-P	83-03-071	220-57-38500F	NEW-E	83-16-002
220-52-06600A	REP-E	83-17-015	220-56-390	AMD	83-07-043	220-57-38500F	REP-E	83-18-049
220-52-06600B	NEW-E	83-17-015	220-57-00100A	NEW-E	83-19-037	220-57-38500G	NEW-E	83-18-049
220-52-073	AMD	83-04-025	220-57-130	AMD-P	83-03-071	220-57-390	AMD-P	83-03-071
220-52-07300A	NEW-E	83-09-027	220-57-130	AMD	83-07-043	220-57-390	AMD	83-07-043
220-52-074	AMD	83-04-025	220-57-13000D	NEW-E	83-16-002	220-57-415	AMD-P	83-03-071
220-52-075	AMD-P	83-06-044	220-57-13000D	REP-E	83-18-049	220-57-415	AMD	83-07-043
220-52-075	AMD	83-09-014	220-57-13000E	NEW-E	83-18-049	220-57-460	AMD-P	83-03-071
220-52-075	AMD-P	83-20-093	220-57-135	AMD-P	83-03-071	220-57-460	AMD	83-07-043
220-52-07500F	NEW-E	83-14-015	220-57-135	AMD	83-07-043	220-57-46000K	NEW-E	83-16-002
220-55-065	AMD-P	83-20-093	220-57-13500C	NEW-E	83-16-002	220-57-46000K	REP-E	83-18-049
220-56-11500C	NEW-E	83-15-019	220-57-13500C	REP-E	83-18-049	220-57-46000L	NEW-E	83-18-049
220-56-116	AMD-P	83-03-071	220-57-13500D	NEW-E	83-18-049	220-57-47300A	NEW-E	83-18-048
220-56-116	AMD	83-07-043	220-57-138	AMD-P	83-03-071	220-57-485	AMD-P	83-03-071
220-56-12800A	NEW-E	83-20-030	220-57-138	AMD	83-07-043	220-57-485	AMD	83-07-043
220-56-145	AMD-P	83-03-071	220-57-140	AMD-P	83-03-071	220-57-495	AMD-P	83-03-071
220-56-145	AMD	83-07-043	220-57-140	AMD	83-07-043	220-57-495	AMD	83-07-043
220-56-180	AMD-P	83-03-071	220-57-155	AMD-P	83-03-071	220-57-50500H	NEW-E	83-12-029
220-56-180	AMD	83-07-043	220-57-155	AMD	83-07-043	220-57-50500H	REP-E	83-13-023
220-56-18000I	NEW-E	83-08-040	220-57-15500C	NEW-E	83-18-049	220-57-515	AMD-P	83-03-071
220-56-18000J	NEW-E	83-08-046	220-57-160	AMD-P	83-03-071	220-57-515	AMD	83-07-043
220-56-18000K	NEW-E	83-16-035	220-57-160	AMD	83-07-043	220-57-520	AMD-P	83-03-071
220-56-190	AMD-P	83-03-071	220-57-16000A	NEW-E	83-19-037	220-57-520	AMD	83-07-043
220-56-190	AMD	83-07-043	220-57-16000A	REP-E	83-19-064	220-57-525	AMD-P	83-03-071
220-56-19000A	NEW-E	83-17-086	220-57-16000B	NEW-E	83-19-064	220-57-525	AMD	83-07-043
220-56-19000A	REP-E	83-18-022	220-57-16000B	REP-E	83-20-049	220-57A-012	AMD-P	83-03-071
220-56-19000B	NEW-E	83-18-022	220-57-16000C	NEW-E	83-20-049	220-57A-012	AMD	83-07-043
220-56-19000T	NEW-E	83-12-030	220-57-16000Y	NEW-E	83-06-045	220-57A-015	AMD-P	83-03-071
220-56-19000T	REP-E	83-13-104	220-57-16000Z	NEW-E	83-08-041	220-57A-015	AMD	83-07-043
220-56-19000U	NEW-E	83-13-104	220-57-175	AMD-P	83-03-071	220-57A-015	REP-E	83-08-040
220-56-19000U	REP-E	83-14-042	220-57-175	AMD	83-07-043	220-57A-01500A	NEW-E	83-08-040
220-56-19000V	NEW-E	83-14-042	220-57-17500L	NEW-E	83-11-014	220-57A-040	AMD-P	83-03-071
220-56-19000V	REP-E	83-15-015	220-57-181	NEW-P	83-03-071	220-57A-040	AMD	83-07-043
220-56-19000W	NEW-E	83-15-015	220-57-181	NEW	83-07-043	220-57A-070	AMD-P	83-03-071
220-56-19000W	REP-E	83-16-042	220-57-215	AMD-P	83-03-071	220-57A-070	AMD	83-07-043
220-56-19000X	NEW-E	83-15-019	220-57-215	AMD	83-07-043	220-57A-082	AMD-P	83-03-071
220-56-19000Y	NEW-E	83-16-042	220-57-220	AMD-P	83-03-071	220-57A-082	AMD	83-07-043
220-56-19000Y	REP-E	83-17-014	220-57-220	AMD	83-07-043	220-57A-08200B	NEW-E	83-08-040
220-56-1900Z	NEW-E	83-17-014	220-57-230	AMD-P	83-03-071	220-57A-085	AMD-P	83-03-071
220-56-1900Z	REP-E	83-17-086	220-57-230	AMD	83-07-043	220-57A-085	AMD	83-07-043
220-56-191	NEW-P	83-03-071	220-57-235	AMD-P	83-03-071	220-57A-105	AMD-P	83-03-071
220-56-195	AMD-P	83-03-071	220-57-235	AMD	83-07-043	220-57A-105	AMD	83-07-043
220-56-195	AMD	83-07-043	220-57-260	AMD-P	83-03-071	220-57A-112	AMD-P	83-03-071
220-56-195	REP-E	83-08-040	220-57-260	AMD	83-07-043	220-57A-112	AMD	83-07-043
220-56-19500B	NEW-E	83-08-040	220-57-270	AMD-P	83-03-071	220-57A-120	AMD-P	83-03-071
220-56-196	NEW-P	83-03-071	220-57-270	AMD	83-07-043	220-57A-120	AMD	83-07-043
220-56-196	NEW	83-07-043	220-57-27000K	NEW-E	83-13-009	220-57A-152	AMD-P	83-03-071
220-56-198	NEW-P	83-03-071	220-57-27000K	REP-E	83-16-016	220-57A-152	AMD	83-07-043
220-56-198	NEW	83-07-043	220-57-27000L	NEW-E	83-16-016	220-57A-165	AMD-P	83-03-071
220-56-235	AMD-P	83-03-071	220-57-27000L	REP-E	83-18-049	220-57A-165	AMD	83-07-043
220-56-235	AMD	83-07-043	220-57-27000M	NEW-E	83-18-049	220-57A-17500G	NEW-E	83-16-003
220-56-23500A	NEW-E	83-08-040	220-57-280	AMD-P	83-03-071	220-57A-17500G	REP-E	83-16-036
220-56-250	AMD-P	83-03-071	220-57-280	AMD	83-07-043	220-57A-17500H	NEW-E	83-16-036
220-56-250	AMD	83-07-043	220-57-285	AMD-P	83-03-071	220-57A-17500H	REP-E	83-17-001
220-56-25000B	NEW-E	83-08-040	220-57-285	AMD	83-07-043	220-57A-17500I	NEW-E	83-17-001
220-56-25000C	NEW-E	83-13-045	220-57-290	AMD-P	83-03-071	220-57A-17500I	REP-E	83-17-037
220-56-261	NEW-P	83-03-071	220-57-290	AMD	83-07-043	220-57A-180	AMD-P	83-03-071
220-56-285	AMD-P	83-03-071	220-57-29000D	NEW-E	83-12-056	220-57A-180	AMD	83-07-043
220-56-285	AMD	83-07-043	220-57-29000D	REP-E	83-13-049	220-57A-190	AMD-P	83-03-071
220-56-300	REP-P	83-03-071	220-57-29000E	NEW-E	83-13-049	220-57A-190	AMD	83-07-043
220-56-300	REP	83-07-043	220-57-300	AMD-P	83-03-071	220-60-070	AMD-P	83-20-093
220-56-310	AMD	83-04-027	220-57-300	AMD	83-07-043	220-69-215	AMD-P	83-20-093
220-56-32500E	NEW-E	83-10-019	220-57-315	AMD-P	83-03-071	220-69-220	AMD-P	83-20-093
220-56-32500E	NEW-E	83-18-013	220-57-315	AMD	83-07-043	220-69-230	AMD-P	83-20-093
220-56-33000A	NEW-E	83-18-013	220-57-319	AMD-P	83-03-071	220-69-231	REP-P	83-20-093
220-56-350	AMD-P	83-03-071	220-57-319	AMD	83-07-043	220-69-232	REP-P	83-20-093
220-56-350	AMD	83-07-043	220-57-320	REP-P	83-03-071	220-69-233	REP-P	83-20-093
220-56-35000A	NEW-E	83-08-040	220-57-320	REP	83-10-023	220-69-234	AMD-P	83-20-093
220-56-360	AMD-P	83-03-071	220-57-327	NEW-P	83-03-071	220-69-23401	REP-P	83-20-093
220-56-360	AMD	83-04-026	220-57-327	NEW	83-07-043	220-69-23501	AMD-P	83-20-093
220-56-360	AMD	83-07-043	220-57-330	AMD-P	83-03-071	220-69-237	AMD-P	83-20-093
220-56-36000F	NEW-E	83-05-011	220-57-330	AMD	83-07-043	220-69-240	AMD-P	83-20-093
220-56-36000F	REP-E	83-13-022	220-57-340	AMD-P	83-03-071	220-69-241	AMD-P	83-20-093

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-69-242	AMD-P	83-20-093	220-110-250	NEW-P	83-06-062	230-20-125	NEW-P	83-17-122
220-69-245	AMD-P	83-20-093	220-110-250	NEW	83-09-019	230-20-150	REP-P	83-04-067
220-69-250	AMD-P	83-20-093	220-110-260	NEW-P	83-06-062	230-20-150	REP	83-08-051
220-69-251	REP-P	83-20-093	220-110-260	NEW	83-09-019	230-20-170	AMD-P	83-10-001
220-69-252	REP-P	83-20-093	220-110-270	NEW-P	83-06-062	230-20-170	AMD	83-13-050
220-69-253	REP-P	83-20-093	220-110-270	NEW	83-09-019	230-20-170	AMD-P	83-17-122
220-69-254	AMD-P	83-20-093	220-110-280	NEW-P	83-06-062	230-20-180	REP-P	83-16-008
220-69-25401	REP-P	83-20-093	220-110-280	NEW	83-09-019	230-20-180	REP	83-19-024
220-69-25501	AMD-P	83-20-093	220-110-290	NEW-P	83-06-062	230-20-200	REP-P	83-16-008
220-69-260	AMD-P	83-20-093	220-110-290	NEW	83-09-019	230-20-200	REP	83-19-024
220-69-261	REP-P	83-20-093	220-110-300	NEW-P	83-06-062	230-20-205	REP-P	83-16-008
220-69-262	AMD-P	83-20-093	220-110-300	NEW	83-09-019	230-20-205	REP	83-19-024
220-69-263	REP-P	83-20-093	220-110-310	NEW-P	83-06-062	230-20-240	NEW-P	83-10-001
220-69-264	AMD-P	83-20-093	220-110-310	NEW	83-09-019	230-20-240	NEW	83-13-050
220-69-26401	AMD-P	83-20-093	220-110-320	NEW-P	83-06-062	230-20-245	REP-P	83-16-008
220-69-26501	AMD-P	83-20-093	220-110-320	NEW	83-09-019	230-20-245	REP	83-19-024
220-69-270	AMD-P	83-20-093	220-110-330	NEW-P	83-06-062	230-20-246	NEW-P	83-16-008
220-69-272	AMD-P	83-20-093	220-110-330	NEW	83-09-019	230-20-246	NEW	83-19-024
220-69-273	AMD-P	83-20-093	220-110-340	NEW-P	83-06-062	230-20-310	REP-P	83-08-048
220-69-274	AMD-P	83-20-093	220-110-340	NEW	83-09-019	230-20-310	REP	83-11-034
220-69-280	AMD-P	83-20-093	220-110-350	NEW-P	83-06-062	230-20-320	REP-P	83-08-048
220-74-022	AMD-P	83-20-093	220-110-350	NEW	83-09-019	230-20-320	REP	83-11-034
220-76-010	AMD-P	83-20-093	222-08	REVIEW	83-13-098	230-20-325	NEW-P	83-08-048
220-80-090	AMD-P	83-20-093	223-08-020	AMD	83-03-005	230-20-325	NEW	83-11-034
220-85-015	AMD-P	83-20-093	230-02-030	AMD-P	83-16-008	230-20-330	REP-P	83-08-048
220-85-050	AMD-P	83-20-093	230-02-030	AMD	83-19-024	230-20-330	REP	83-11-034
220-85-070	AMD-P	83-20-093	230-02-110	AMD-P	83-19-023	230-20-340	REP-P	83-08-048
220-85-110	AMD-P	83-20-093	230-02-250	AMD-P	83-10-001	230-20-340	REP	83-11-034
220-95-026	AMD-P	83-20-093	230-02-250	AMD	83-13-050	230-20-605	AMD	83-06-077
220-110-010	NEW-P	83-06-062	230-04-020	AMD-P	83-17-122	230-30-080	AMD-P	83-16-008
220-110-010	NEW	83-09-019	230-04-050	AMD-P	83-17-122	230-30-080	AMD	83-19-024
220-110-020	NEW-P	83-06-062	230-04-060	AMD-P	83-17-122	230-40-050	AMD-P	83-19-023
220-110-020	NEW	83-09-019	230-04-065	AMD	83-06-077	230-40-062	REP-P	83-08-048
220-110-030	NEW-P	83-06-062	230-04-075	AMD-P	83-16-008	230-40-062	REP	83-11-034
220-110-030	NEW	83-09-019	230-04-075	AMD	83-19-024	230-40-063	NEW-P	83-08-048
220-110-040	NEW-P	83-06-062	230-04-140	AMD-P	83-17-122	230-40-063	NEW	83-11-034
220-110-040	NEW	83-09-019	230-04-145	AMD-P	83-17-122	230-40-450	NEW	83-06-077
220-110-050	NEW-P	83-06-062	230-04-340	AMD-P	83-16-008	230-60-070	REP-P	83-16-008
220-110-050	NEW	83-09-019	230-04-340	AMD	83-19-024	230-60-070	REP	83-19-024
220-110-060	NEW-P	83-06-062	230-04-452	REP	83-06-077	232-12-019	AMD-P	83-14-082
220-110-060	NEW	83-09-019	230-08-010	AMD-P	83-10-001	232-12-044	AMD-E	83-08-055
220-110-070	NEW-P	83-06-062	230-08-010	AMD	83-13-050	232-12-044	AMD-P	83-08-076
220-110-070	NEW	83-09-019	230-08-010	AMD-P	83-19-023	232-12-044	AMD	83-12-055
220-110-080	NEW-P	83-06-062	230-08-015	AMD	83-06-077	232-12-04501	NEW-E	83-03-017
220-110-080	NEW	83-09-019	230-08-020	REP-P	83-06-072	232-12-047	AMD-P	83-08-077
220-110-090	NEW-P	83-06-062	230-08-020	REP	83-10-002	232-12-051	AMD-P	83-12-004
220-110-090	NEW	83-09-019	230-08-025	NEW-P	83-06-072	232-12-137	AMD-P	83-12-053
220-110-100	NEW-P	83-06-062	230-08-025	NEW	83-10-002	232-12-137	AMD	83-15-060
220-110-100	NEW	83-09-019	230-08-030	REP-P	83-06-072	232-12-157	AMD-P	83-14-082
220-110-110	NEW-P	83-06-062	230-08-030	REP	83-10-002	232-12-181	AMD-P	83-08-075
220-110-110	NEW	83-09-019	230-08-070	NEW-P	83-08-048	232-12-24401	NEW-P	83-06-056
220-110-120	NEW-P	83-06-062	230-08-070	NEW	83-11-034	232-12-24401	NEW	83-09-022
220-110-120	NEW	83-09-019	230-08-080	AMD-P	83-10-001	232-12-294	REP-P	83-06-060
220-110-130	NEW-P	83-06-062	230-08-080	AMD	83-13-050	232-12-294	REP	83-09-026
220-110-130	NEW	83-09-019	230-08-090	AMD-P	83-19-023	232-12-297	NEW-P	83-17-121
220-110-140	NEW-P	83-06-062	230-08-120	AMD	83-06-077	232-14	NEW-W	83-04-040
220-110-140	NEW	83-09-019	230-08-125	NEW	83-06-077	232-14-010	NEW-P	83-06-060
220-110-150	NEW-P	83-06-062	230-08-160	AMD	83-06-077	232-14-010	NEW	83-09-026
220-110-150	NEW	83-09-019	230-12-020	NEW-P	83-04-067	232-16-150	REP-P	83-12-051
220-110-160	NEW-P	83-06-062	230-12-020	NEW	83-08-051	232-16-150	REP	83-15-059
220-110-160	NEW	83-09-019	230-12-050	AMD-P	83-10-001	232-16-170	REP-P	83-12-051
220-110-170	NEW-P	83-06-062	230-12-050	AMD-P	83-17-122	232-16-170	REP	83-15-059
220-110-170	NEW	83-09-019	230-20-010	AMD-P	83-08-048	232-16-190	REP-P	83-12-051
220-110-180	NEW-P	83-06-062	230-20-010	AMD	83-11-034	232-16-190	REP	83-15-059
220-110-180	NEW	83-09-019	230-20-015	NEW-P	83-06-072	232-16-230	REP-P	83-12-051
220-110-190	NEW-P	83-06-062	230-20-015	NEW-E	83-06-078	232-16-230	REP	83-15-059
220-110-190	NEW	83-09-019	230-20-015	NEW	83-10-002	232-16-240	REP-P	83-12-051
220-110-200	NEW-P	83-06-062	230-20-060	NEW-P	83-08-049	232-16-240	REP	83-15-059
220-110-200	NEW	83-09-019	230-20-060	NEW-E	83-08-050	232-16-260	REP-P	83-12-051
220-110-210	NEW-P	83-06-062	230-20-060	AMD-E	83-09-033	232-16-260	REP	83-15-059
220-110-210	NEW	83-09-019	230-20-060	AMD-E	83-15-022	232-16-350	REP-P	83-12-051
220-110-220	NEW-P	83-06-062	230-20-061	NEW-P	83-16-082	232-16-350	REP	83-15-059
220-110-220	NEW	83-09-019	230-20-061	NEW	83-19-024	232-16-390	REP-P	83-12-051
220-110-230	NEW-P	83-06-062	230-20-070	AMD-P	83-19-023	232-16-390	REP	83-15-059
220-110-230	NEW	83-09-019	230-20-100	AMD-P	83-10-001	232-16-500	REP-P	83-12-051
220-110-240	NEW-P	83-06-062	230-20-100	AMD	83-13-050	232-16-500	REP	83-15-059
220-110-240	NEW	83-09-019	230-20-125	NEW-P	83-10-001	232-16-510	REP-P	83-12-051

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
232-16-510	REP	83-15-059	232-32-149	NEW-E	83-05-026	248-16-001	AMD	83-13-068
232-16-630	NEW-P	83-14-079	232-32-150	NEW-E	83-06-003	248-16-035	AMD-P	83-09-001
232-16-630	NEW	83-18-043	232-32-151	NEW-E	83-06-007	248-16-035	AMD	83-13-068
232-16-640	NEW-P	83-14-079	232-32-152	NEW-E	83-06-037	248-16-040	AMD-P	83-09-001
232-16-640	NEW	83-18-043	236-12-011	AMD-P	83-13-108	248-16-040	AMD	83-13-068
232-16-650	NEW-P	83-14-079	236-12-011	AMD-E	83-13-109	248-16-045	AMD-P	83-09-001
232-16-650	NEW	83-18-043	236-12-011	AMD	83-16-026	248-16-045	AMD	83-13-068
232-16-660	NEW-P	83-14-079	236-12-014	NEW-P	83-13-108	248-16-050	AMD-P	83-09-001
232-16-660	NEW	83-18-043	236-12-014	NEW-E	83-13-109	248-16-050	AMD	83-13-068
232-16-670	NEW-P	83-14-079	236-12-014	NEW	83-16-026	248-16-052	REP-P	83-09-001
232-16-670	NEW	83-18-043	236-12-014	NEW	83-15-053	248-16-052	REP	83-13-068
232-16-680	NEW-P	83-14-079	236-48-004	AMD-P	83-18-004	248-16-055	AMD-P	83-09-001
232-16-680	NEW	83-18-043	236-48-004	AMD	83-18-004	248-16-055	AMD	83-13-068
232-16-690	NEW-P	83-14-079	236-48-005	AMD-P	83-15-053	248-16-056	AMD-P	83-09-001
232-16-690	NEW	83-18-043	236-48-005	AMD	83-18-004	248-16-056	AMD	83-13-068
232-28-105	REP-P	83-12-052	236-48-011	AMD	83-18-004	248-16-058	REP-P	83-09-001
232-28-105	REP	83-17-021	236-48-012	AMD-P	83-15-053	248-16-058	REP	83-13-068
232-28-106	NEW-P	83-12-052	236-48-012	AMD	83-18-004	248-16-060	AMD-P	83-09-001
232-28-106	NEW	83-17-021	236-48-022	REP-P	83-15-053	248-16-060	AMD	83-13-068
232-28-10601	NEW-E	83-17-101	236-48-022	REP	83-18-004	248-16-070	AMD-P	83-09-001
232-28-205	REP-P	83-08-078	236-48-024	AMD-P	83-15-053	248-16-070	AMD	83-13-068
232-28-205	REP	83-15-058	236-48-024	AMD	83-18-004	248-16-090	AMD-P	83-09-001
232-28-20502	NEW-E	83-06-030	236-48-041	AMD-P	83-15-053	248-16-090	AMD	83-13-068
232-28-206	NEW-P	83-06-058	236-48-041	AMD	83-18-004	248-16-105	NEW-P	83-09-001
232-28-206	NEW-P	83-08-078	236-48-051	AMD-P	83-15-053	248-16-105	NEW	83-13-068
232-28-206	NEW	83-09-023	236-48-051	AMD	83-18-004	248-16-110	AMD-P	83-09-001
232-28-207	NEW	83-15-058	236-48-071	AMD-P	83-15-053	248-16-110	AMD	83-13-068
232-28-405	REP-P	83-14-080	236-48-071	AMD	83-18-004	248-16-115	NEW-P	83-09-001
232-28-405	REP	83-18-040	236-48-079	AMD-P	83-15-053	248-16-115	NEW	83-13-068
232-28-406	NEW-P	83-14-080	236-48-079	AMD	83-18-004	248-16-120	AMD-P	83-09-001
232-28-406	NEW	83-18-040	236-48-082	AMD-P	83-15-053	248-16-120	AMD	83-13-068
232-28-407	NEW	83-17-102	236-48-082	AMD	83-18-004	248-16-130	AMD-P	83-09-001
232-28-505	REP-P	83-12-050	236-48-085	NEW-P	83-15-053	248-16-130	AMD	83-13-068
232-28-505	REP	83-18-042	236-48-085	NEW	83-18-004	248-16-140	AMD-P	83-09-001
232-28-506	NEW-P	83-12-050	236-48-093	AMD-P	83-15-053	248-16-140	AMD	83-13-068
232-28-506	NEW	83-18-042	236-48-093	AMD	83-18-004	248-16-150	AMD-P	83-09-001
232-28-60416	REP-P	83-14-081	236-48-096	AMD-P	83-15-053	248-16-150	AMD	83-13-068
232-28-60416	REP-E	83-17-050	236-48-096	AMD	83-18-004	248-16-160	AMD-P	83-09-001
232-28-60416	REP	83-18-041	236-48-097	AMD-P	83-15-053	248-16-160	AMD	83-13-068
232-28-60420	NEW-E	83-15-018	236-48-097	AMD	83-18-004	248-16-162	REP-P	83-09-001
232-28-60420	REP-E	83-18-039	236-48-098	AMD-P	83-15-053	248-16-162	REP	83-13-068
232-28-60421	NEW-P	83-14-081	236-48-098	AMD	83-18-004	248-16-170	AMD-P	83-09-001
232-28-605	AMD-E	83-06-038	236-48-099	AMD-P	83-15-053	248-16-170	AMD	83-13-068
232-28-605	AMD-P	83-06-057	236-48-099	AMD	83-18-004	248-16-180	AMD-P	83-09-001
232-28-605	AMD-P	83-08-088	236-48-123	AMD-P	83-15-053	248-16-180	AMD	83-13-068
232-28-605	AMD-E	83-09-024	236-48-123	AMD	83-18-004	248-16-190	AMD-P	83-09-001
232-28-605	AMD	83-09-025	236-48-124	NEW-P	83-15-053	248-16-190	AMD	83-13-068
232-28-605	AMD	83-12-005	236-48-124	NEW	83-18-004	248-16-202	AMD-P	83-09-001
232-28-605	AMD-E	83-12-006	236-48-131	AMD-P	83-15-053	248-16-202	AMD	83-13-068
232-28-605	AMD-E	83-12-039	236-48-131	AMD	83-18-004	248-16-213	AMD-P	83-09-001
232-28-60501	NEW-E	83-02-043	236-48-166	AMD-P	83-15-053	248-16-213	AMD	83-13-068
232-28-60503	NEW-E	83-04-039	236-48-166	AMD	83-18-004	248-16-215	AMD-P	83-09-001
232-28-60504	NEW-E	83-07-001	236-48-167	AMD-P	83-15-053	248-16-215	AMD	83-13-068
232-28-60505	NEW-E	83-07-005	236-48-167	AMD	83-18-004	248-16-222	AMD-P	83-09-001
232-28-60506	NEW-E	83-08-053	236-48-192	AMD-P	83-15-053	248-16-222	AMD	83-13-068
232-28-60507	NEW-E	83-08-054	236-48-192	AMD	83-18-004	248-16-223	AMD-P	83-09-001
232-28-60508	NEW-P	83-12-054	236-48-197	AMD-P	83-15-053	248-16-223	AMD	83-13-068
232-28-60508	NEW	83-15-056	236-48-197	AMD	83-18-004	248-16-226	AMD-P	83-09-001
232-28-60509	NEW-E	83-16-048	236-48-198	AMD-P	83-15-053	248-16-226	AMD	83-13-068
232-28-606	NEW-P	83-14-083	236-48-198	AMD	83-18-004	248-16-227	AMD-P	83-09-001
232-28-607	NEW-P	83-14-083	236-48-240	AMD-P	83-15-053	248-16-227	AMD	83-13-068
232-28-608	NEW-P	83-14-083	236-48-240	AMD	83-18-004	248-16-228	AMD-P	83-09-001
232-28-609	NEW-P	83-14-083	236-48-250	NEW-P	83-15-053	248-16-228	AMD	83-13-068
232-28-610	NEW-P	83-14-083	236-48-250	NEW	83-18-004	248-16-230	AMD-P	83-09-001
232-28-611	NEW-P	83-14-083	236-48-251	NEW-P	83-15-053	248-16-230	AMD	83-13-068
232-28-612	NEW-P	83-14-083	236-48-251	NEW	83-18-004	248-16-235	NEW-P	83-09-001
232-28-613	NEW-P	83-14-083	236-48-252	NEW-P	83-15-053	248-16-235	NEW	83-13-068
232-28-704	REP	83-06-061	236-48-252	NEW	83-18-004	248-18-001	AMD-P	83-14-022
232-28-705	NEW	83-06-061	236-48-253	NEW-P	83-15-053	248-18-001	AMD	83-19-058
232-28-804	REP-P	83-06-059	236-48-253	NEW	83-18-004	248-18-180	AMD-P	83-04-059
232-28-804	REP	83-15-057	236-48-254	NEW-P	83-15-053	248-18-180	AMD	83-07-048
232-28-805	NEW-P	83-06-059	236-48-254	NEW	83-18-004	248-18-215	AMD-P	83-14-022
232-28-805	NEW	83-15-057	236-49-060	NEW-P	83-15-053	248-18-215	AMD	83-19-058
232-32-145	NEW-E	83-03-048	236-49-060	NEW	83-18-004	248-18-220	AMD-P	83-14-022
232-32-146	NEW-E	83-03-049	236-49-061	NEW-P	83-15-053	248-18-220	AMD	83-19-058
232-32-147	NEW-E	83-03-057	236-49-061	NEW	83-18-004	248-18-222	AMD-P	83-14-022
232-32-148	NEW-E	83-04-024	248-16-001	AMD-P	83-09-001	248-18-222	AMD	83-19-058

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-18-223	AMD-P	83-14-022	248-54-015	NEW-P	83-07-060	248-54-650	REP	83-19-002
248-18-223	AMD	83-19-058	248-54-015	NEW	83-19-002	248-54-660	REP-P	83-07-060
248-18-240	AMD-P	83-14-022	248-54-025	NEW-P	83-07-060	248-54-660	REP	83-19-002
248-18-240	AMD	83-19-058	248-54-025	NEW	83-19-002	248-54-670	REP-P	83-07-060
248-18-330	AMD-P	83-10-056	248-54-035	NEW-P	83-07-060	248-54-670	REP	83-19-002
248-18-335	NEW-P	83-10-058	248-54-035	NEW	83-19-002	248-54-680	REP-P	83-07-060
248-18-335	NEW	83-13-061	248-54-045	NEW-P	83-07-060	248-54-680	REP	83-19-002
248-18-336	NEW-P	83-10-058	248-54-045	NEW	83-19-002	248-54-690	REP-P	83-07-060
248-18-336	NEW	83-13-061	248-54-055	NEW-P	83-07-060	248-54-690	REP	83-19-002
248-18-500	AMD-P	83-14-022	248-54-055	NEW	83-19-002	248-54-700	REP-P	83-07-060
248-18-500	AMD	83-19-058	248-54-065	NEW-P	83-07-060	248-54-700	REP	83-19-002
248-18-520	AMD-P	83-14-022	248-54-065	NEW	83-19-002	248-54-710	REP-P	83-07-060
248-18-520	AMD	83-19-058	248-54-085	NEW-P	83-07-060	248-54-710	REP	83-19-002
248-18-525	AMD-P	83-14-022	248-54-085	NEW	83-19-002	248-54-720	REP-P	83-07-060
248-18-525	AMD	83-19-058	248-54-095	NEW-P	83-07-060	248-54-720	REP	83-19-002
248-18-539	AMD-P	83-14-022	248-54-095	NEW	83-19-002	248-54-730	REP-P	83-07-060
248-18-539	AMD	83-19-058	248-54-105	NEW-P	83-07-060	248-54-730	REP	83-19-002
248-18-555	AMD-P	83-16-021	248-54-105	NEW	83-19-002	248-54-740	REP-P	83-07-060
248-18-555	AMD	83-19-056	248-54-115	NEW-P	83-07-060	248-54-740	REP	83-19-002
248-18-560	AMD-P	83-14-022	248-54-115	NEW	83-19-002	248-54-750	REP-P	83-07-060
248-18-560	AMD	83-19-058	248-54-125	NEW-P	83-07-060	248-54-750	REP	83-19-002
248-18-565	AMD-P	83-14-022	248-54-125	NEW	83-19-002	248-54-760	REP-P	83-07-060
248-18-565	AMD	83-19-058	248-54-135	NEW-P	83-07-060	248-54-760	REP	83-19-002
248-18-600	AMD-P	83-14-022	248-54-135	NEW	83-19-002	248-54-770	REP-P	83-07-060
248-18-600	AMD	83-19-058	248-54-145	NEW-P	83-07-060	248-54-770	REP	83-19-002
248-18-605	AMD-P	83-14-022	248-54-145	NEW	83-19-002	248-54-780	REP-P	83-07-060
248-18-605	AMD	83-19-058	248-54-155	NEW-P	83-07-060	248-54-780	REP	83-19-002
248-18-607	AMD-P	83-14-022	248-54-155	NEW	83-19-002	248-54-790	REP-P	83-07-060
248-18-607	AMD	83-19-058	248-54-165	NEW-P	83-07-060	248-54-790	REP	83-19-002
248-18-615	AMD-P	83-14-022	248-54-165	NEW	83-19-002	248-54-800	REP-P	83-07-060
248-18-615	AMD	83-19-058	248-54-175	NEW-P	83-07-060	248-54-800	REP	83-19-002
248-18-636	AMD-P	83-14-022	248-54-175	NEW	83-19-002	248-54-810	REP-P	83-07-060
248-18-636	AMD	83-19-058	248-54-185	NEW-P	83-07-060	248-54-810	REP	83-19-002
248-18-640	AMD-P	83-14-022	248-54-185	NEW	83-19-002	248-54-820	REP-P	83-07-060
248-18-640	AMD	83-19-058	248-54-195	NEW-P	83-07-060	248-54-820	REP	83-19-002
248-18-645	AMD-P	83-14-022	248-54-195	NEW	83-19-002	248-54-830	REP-P	83-07-060
248-18-645	AMD	83-19-058	248-54-205	NEW-P	83-07-060	248-54-830	REP	83-19-002
248-18-650	AMD-P	83-14-022	248-54-205	NEW	83-19-002	248-54-840	REP-P	83-07-060
248-18-650	AMD	83-19-058	248-54-215	NEW-P	83-07-060	248-54-840	REP	83-19-002
248-18-655	AMD-P	83-14-022	248-54-215	NEW	83-19-002	248-54-850	REP-P	83-07-060
248-18-655	AMD	83-19-058	248-54-225	NEW-P	83-07-060	248-54-850	REP	83-19-002
248-18-660	AMD-P	83-14-022	248-54-225	NEW	83-19-002	248-96-010	AMD-P	83-07-061
248-18-660	AMD	83-19-058	248-54-235	NEW-P	83-07-060	248-96-010	AMD	83-13-014
248-18-670	AMD-P	83-10-057	248-54-235	NEW	83-19-002	248-96-011	AMD-P	83-07-061
248-18-670	AMD	83-13-067	248-54-245	NEW-P	83-07-060	248-96-011	AMD	83-13-014
248-18-675	AMD-P	83-14-022	248-54-245	NEW	83-19-002	248-96-012	REP-P	83-07-061
248-18-675	AMD	83-19-058	248-54-255	NEW-P	83-07-060	248-96-012	REP	83-13-014
248-18-680	AMD-P	83-14-022	248-54-255	NEW	83-19-002	248-96-015	REP-P	83-07-061
248-18-680	AMD	83-19-058	248-54-265	NEW-P	83-07-060	248-96-015	REP	83-13-014
248-18-685	AMD-P	83-04-059	248-54-265	NEW	83-19-002	248-96-016	REP-P	83-07-061
248-18-685	AMD	83-07-048	248-54-275	NEW-P	83-07-060	248-96-016	REP	83-13-014
248-18-690	AMD-P	83-14-022	248-54-275	NEW	83-19-002	248-96-018	AMD-P	83-07-061
248-18-690	AMD	83-19-058	248-54-285	NEW-P	83-07-060	248-96-018	AMD	83-13-014
248-18-695	AMD-P	83-14-022	248-54-285	NEW	83-19-002	248-96-020	AMD-P	83-07-061
248-18-695	AMD	83-19-058	248-54-550	REP-P	83-07-060	248-96-020	AMD	83-13-014
248-18-718	AMD	83-03-026	248-54-550	REP	83-19-002	248-96-025	NEW-P	83-07-061
248-21-035	AMD-P	83-03-042	248-54-560	REP-P	83-07-060	248-96-025	NEW	83-13-014
248-21-035	AMD	83-07-015	248-54-560	REP	83-19-002	248-96-040	AMD-P	83-07-061
248-22-036	AMD-P	83-06-010	248-54-570	REP-P	83-07-060	248-96-040	AMD	83-13-014
248-22-036	AMD	83-10-079	248-54-570	REP	83-19-002	248-96-045	REP-P	83-07-061
248-23-050	AMD-P	83-06-010	248-54-575	REP-P	83-07-060	248-96-045	REP	83-13-014
248-23-050	AMD	83-10-079	248-54-575	REP	83-19-002	248-96-046	AMD-P	83-07-061
248-29-020	AMD-P	83-03-043	248-54-580	REP-P	83-07-060	248-96-046	AMD	83-13-014
248-29-020	AMD	83-07-016	248-54-580	REP	83-19-002	248-96-047	NEW-P	83-07-061
248-29-050	AMD-P	83-03-044	248-54-590	REP-P	83-07-060	248-96-047	NEW	83-13-014
248-29-050	AMD	83-07-017	248-54-590	REP	83-19-002	248-96-050	AMD-P	83-07-061
248-30-080	AMD-P	83-13-102	248-54-600	REP-P	83-07-060	248-96-050	AMD	83-13-014
248-30-080	AMD	83-18-002	248-54-600	REP	83-19-002	248-96-060	AMD-P	83-07-061
248-30-100	AMD-P	83-13-102	248-54-610	REP-P	83-07-060	248-96-060	AMD	83-13-014
248-30-100	AMD	83-18-002	248-54-610	REP	83-19-002	248-96-070	REP-P	83-07-061
248-30-110	AMD-P	83-13-102	248-54-620	REP-P	83-07-060	248-96-070	REP	83-13-014
248-30-110	AMD	83-18-002	248-54-620	REP	83-19-002	248-96-075	AMD-P	83-07-061
248-30-130	NEW-P	83-13-102	248-54-630	REP-P	83-07-060	248-96-075	AMD	83-13-014
248-30-130	NEW	83-18-002	248-54-630	REP	83-19-002	248-96-080	AMD-P	83-07-061
248-54	AMD-C	83-13-101	248-54-640	REP-P	83-07-060	248-96-080	AMD	83-13-014
248-54-005	NEW-P	83-07-060	248-54-640	REP	83-19-002	248-96-090	AMD-P	83-07-061
248-54-005	NEW	83-19-002	248-54-650	REP-P	83-07-060	248-96-090	AMD	83-13-014

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-96-094	NEW-P	83-07-061	251-04-020	AMD-P	83-18-064	260-70-100	AMD-P	83-16-074
248-96-094	NEW	83-13-014	251-04-040	AMD-P	83-18-064	260-70-100	AMD	83-19-054
248-96-095	AMD-P	83-07-061	251-08-100	AMD-P	83-04-065	261-02-010	AMD	83-06-036
248-96-095	AMD	83-13-014	251-08-100	AMD	83-10-029	261-02-020	AMD	83-06-036
248-96-096	AMD-P	83-07-061	251-09-020	AMD-E	83-14-058	261-02-040	AMD	83-06-036
248-96-096	AMD	83-13-014	251-09-020	AMD-P	83-16-077	261-06-020	AMD	83-06-036
248-96-100	AMD-P	83-07-061	251-09-020	AMD	83-20-020	261-06-030	AMD	83-06-036
248-96-100	AMD	83-13-014	251-09-020	AMD-E	83-20-021	261-06-050	AMD	83-06-036
248-96-110	AMD-P	83-07-061	251-09-090	AMD-P	83-16-077	261-06-060	AMD	83-06-036
248-96-110	AMD	83-13-014	251-09-090	AMD	83-20-020	261-06-070	AMD	83-06-036
248-96-130	AMD-P	83-07-061	251-10-060	AMD-P	83-16-077	261-06-080	AMD	83-06-036
248-96-130	AMD	83-13-014	251-10-060	AMD	83-20-020	261-06-090	AMD	83-06-036
248-96-140	AMD-P	83-07-061	251-10-120	AMD-C	83-06-079	261-06-100	AMD	83-06-036
248-96-140	AMD	83-13-014	251-10-120	AMD	83-10-029	261-08-010	REP	83-06-036
248-96-150	NEW-P	83-07-061	251-10-140	AMD-P	83-16-077	261-10-020	AMD	83-06-036
248-96-150	NEW	83-13-014	251-10-140	AMD	83-20-020	261-10-030	AMD	83-06-036
248-96-160	AMD-P	83-07-061	251-12-100	AMD-C	83-06-079	261-10-040	AMD	83-06-036
248-96-160	AMD	83-13-014	251-12-100	AMD	83-10-029	261-10-060	AMD	83-06-036
248-96-175	AMD-P	83-07-061	251-12-260	AMD-P	83-16-077	261-10-070	REP	83-06-036
248-96-175	AMD	83-13-014	251-12-260	AMD	83-20-020	261-12	AMD	83-06-036
248-96-180	AMD-P	83-07-061	251-12-285	REP-C	83-06-079	261-12-030	REP	83-06-036
248-96-180	AMD	83-13-014	251-12-285	REP	83-10-029	261-12-040	AMD	83-06-036
248-160-010	NEW-P	83-07-073	251-18-350	AMD-P	83-18-064	261-12-050	AMD	83-06-036
248-160-010	NEW	83-12-049	251-18-361	NEW-P	83-18-064	261-12-055	AMD	83-06-036
248-160-020	NEW-P	83-07-073	251-18-380	REP-P	83-04-065	261-20	AMD	83-04-032
248-160-020	NEW	83-12-049	251-18-380	REP-C	83-06-079	261-20	AMD	83-06-036
248-160-030	NEW-P	83-07-073	251-18-380	REP	83-10-029	261-20	AMD-P	83-15-009
248-160-030	NEW	83-12-049	251-18-381	NEW-P	83-04-065	261-20	AMD	83-19-049
248-160-040	NEW-P	83-07-073	251-18-381	NEW-C	83-06-079	261-20-010	AMD	83-06-036
248-160-040	NEW	83-12-049	251-18-381	NEW	83-10-029	261-20-020	AMD	83-06-036
248-990-990	AMD	83-04-011	251-18-381	AMD-P	83-16-077	261-20-030	AMD	83-06-036
248-990-990	AMD-P	83-16-084	251-18-381	AMD	83-20-020	261-20-040	AMD	83-06-036
248-990-990	AMD	83-19-057	251-18-420	AMD-P	83-16-077	261-20-045	NEW	83-06-036
250-18-020	AMD-P	83-10-065	251-18-420	AMD	83-20-020	261-20-050	AMD	83-06-036
250-18-020	AMD	83-13-092	251-22-040	AMD-P	83-04-065	261-20-060	AMD	83-06-036
250-18-025	AMD-P	83-10-065	251-22-040	AMD	83-10-029	261-20-065	REP	83-06-036
250-18-025	AMD	83-13-092	251-22-040	AMD-P	83-16-077	261-20-070	AMD	83-06-036
250-18-030	AMD-E	83-09-010	251-22-040	AMD	83-20-020	261-20-074	NEW	83-06-036
250-18-030	AMD-P	83-09-043	251-22-045	AMD-P	83-16-077	261-20-080	AMD	83-06-036
250-18-030	AMD	83-13-092	251-22-045	AMD	83-20-020	261-20-090	NEW	83-06-036
250-44-050	AMD-P	83-10-064	251-22-056	AMD-P	83-16-077	261-30-010	REP	83-06-036
250-44-050	AMD	83-14-041	251-22-056	AMD	83-20-020	261-30-020	REP	83-06-036
250-44-110	AMD-P	83-10-064	251-22-059	AMD-P	83-16-077	261-30-030	REP	83-06-036
250-44-110	AMD	83-14-041	251-22-059	AMD	83-20-020	261-30-040	REP	83-06-036
250-44-130	AMD	83-14-041	251-22-060	AMD-P	83-04-065	261-30-042	REP	83-06-036
250-44-150	AMD-P	83-10-064	251-22-060	AMD	83-10-029	261-30-050	REP	83-06-036
250-55-030	AMD-P	83-16-080	251-22-060	AMD-P	83-16-077	261-30-060	REP	83-06-036
250-55-030	AMD	83-20-007	251-22-060	AMD	83-20-020	261-30-070	REP	83-06-036
250-60-010	NEW-E	83-19-017	251-22-070	AMD-P	83-16-077	261-30-072	REP	83-06-036
250-60-010	NEW-P	83-20-034	251-22-070	AMD	83-20-020	261-30-074	REP	83-06-036
250-60-020	NEW-E	83-19-017	251-22-080	AMD-E	83-16-019	261-30-080	REP	83-06-036
250-60-020	NEW-P	83-20-034	251-22-080	AMD-P	83-16-077	261-30-090	REP	83-06-036
250-60-030	NEW-E	83-19-017	251-22-080	AMD	83-20-020	261-30-100	REP	83-06-036
250-60-030	NEW-P	83-20-034	251-22-090	AMD-P	83-16-077	261-30-110	REP	83-06-036
250-60-040	NEW-E	83-19-017	251-22-090	AMD	83-20-020	261-40-015	AMD	83-06-036
250-60-040	NEW-P	83-20-034	251-22-091	AMD-P	83-16-077	261-40-020	AMD	83-06-036
250-60-050	NEW-E	83-19-017	251-22-091	AMD	83-20-020	261-40-025	REP	83-06-036
250-60-050	NEW-P	83-20-034	251-22-165	AMD-P	83-16-077	261-40-030	AMD	83-06-036
250-60-060	NEW-E	83-19-017	251-22-165	AMD	83-20-020	261-40-100	AMD	83-06-036
250-60-060	NEW-P	83-20-034	251-22-170	AMD-P	83-16-077	261-40-115	AMD	83-06-036
250-60-070	NEW-E	83-19-017	251-22-170	AMD	83-20-020	261-40-120	AMD	83-06-036
250-60-070	NEW-P	83-20-034	251-22-200	AMD-P	83-04-065	261-40-125	AMD	83-06-036
250-60-080	NEW-E	83-19-017	251-22-200	AMD	83-10-029	261-40-130	AMD	83-06-036
250-60-080	NEW-P	83-20-034	251-22-200	AMD-P	83-16-077	261-40-135	AMD	83-06-036
250-60-090	NEW-E	83-19-017	251-22-200	AMD	83-20-020	261-40-140	AMD	83-06-036
250-60-090	NEW-P	83-20-034	251-22-240	AMD-P	83-16-077	261-40-145	AMD	83-06-036
250-60-100	NEW-E	83-19-017	251-22-240	AMD	83-20-020	261-40-150	AMD	83-06-036
250-60-100	NEW-P	83-20-034	251-22-245	AMD-P	83-16-077	261-40-160	AMD	83-06-036
250-60-110	NEW-E	83-19-017	251-22-245	AMD	83-20-020	261-40-165	REP	83-06-036
250-60-110	NEW-P	83-20-034	260-14-010	AMD-P	83-16-074	261-40-200	AMD	83-06-036
250-60-120	NEW-E	83-19-017	260-14-010	AMD	83-19-054	261-40-201	NEW	83-06-036
250-60-120	NEW-P	83-20-034	260-32-360	AMD-P	83-05-027	261-40-202	NEW	83-06-036
251-04-020	AMD-E	83-04-016	260-32-360	AMD	83-08-057	261-40-203	NEW	83-06-036
251-04-020	AMD-P	83-04-065	260-40-200	AMD-P	83-13-115	261-40-210	AMD	83-06-036
251-04-020	AMD-C	83-04-066	260-40-200	AMD	83-16-075	261-40-220	AMD	83-06-036
251-04-020	AMD	83-07-056	260-48-110	AMD-P	83-13-115	261-40-225	AMD	83-06-036
251-04-020	AMD	83-10-029	260-70-100	AMD-P	83-13-115	261-40-230	AMD	83-06-036

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-87-010	REP-P	83-17-136	275-96-025	REP-E	83-20-037	284-60-030	NEW-P	83-10-060
275-87-010	REP	83-20-035	275-96-030	REP-P	83-02-048	284-60-030	NEW	83-14-002
275-87-010	REP-E	83-20-038	275-96-030	REP-E	83-02-050	284-60-040	NEW-P	83-10-060
275-87-015	REP-P	83-02-049	275-96-030	REP-W	83-08-007	284-60-040	NEW	83-14-002
275-87-015	REP-E	83-02-051	275-96-030	REP-E	83-08-063	284-60-050	NEW-P	83-10-060
275-87-015	REP-W	83-08-007	275-96-030	REP-E	83-15-004	284-60-050	NEW	83-14-002
275-87-015	REP-E	83-08-063	275-96-030	REP-P	83-17-135	284-60-060	NEW-P	83-10-060
275-87-015	REP-E	83-15-004	275-96-030	REP	83-20-036	284-60-060	NEW	83-14-002
275-87-015	REP-P	83-17-136	275-96-030	REP-E	83-20-037	284-60-070	NEW-P	83-10-060
275-87-015	REP	83-20-035	275-96-045	REP-P	83-02-048	284-60-070	NEW	83-14-002
275-87-015	REP-E	83-20-038	275-96-045	REP-E	83-02-050	284-60-080	NEW-P	83-10-060
275-87-020	REP-P	83-02-049	275-96-045	REP-W	83-08-007	284-60-080	NEW	83-14-002
275-87-020	REP-E	83-02-051	275-96-045	REP-E	83-08-063	284-60-090	NEW-P	83-10-060
275-87-020	REP-W	83-08-007	275-96-045	REP-E	83-15-004	284-60-090	NEW	83-14-002
275-87-020	REP-E	83-08-063	275-96-045	REP-P	83-17-135	284-60-100	NEW-P	83-10-060
275-87-020	REP-E	83-15-004	275-96-045	REP	83-20-036	284-60-100	NEW	83-14-002
275-87-020	REP-P	83-17-136	275-96-045	REP-E	83-20-037	289-02-040	NEW-P	83-17-139
275-87-020	REP	83-20-035	275-96-050	REP-P	83-02-048	289-02-040	NEW-C	83-19-065
275-87-020	REP-E	83-20-038	275-96-050	REP-E	83-02-050	289-13-235	NEW-C	83-04-003
275-87-025	REP-P	83-02-049	275-96-050	REP-W	83-08-007	289-13-235	NEW	83-07-059
275-87-025	REP-E	83-02-051	275-96-050	REP-E	83-08-063	289-15-225	AMD	83-04-004
275-87-025	REP-W	83-08-007	275-96-050	REP-E	83-15-004	289-15-225	AMD-P	83-11-046
275-87-025	REP-E	83-08-063	275-96-050	REP-P	83-17-135	289-15-225	AMD-P	83-16-081
275-87-025	REP-E	83-15-004	275-96-050	REP	83-20-036	289-15-225	AMD	83-20-092
275-87-025	REP-P	83-17-136	275-96-055	REP-E	83-20-037	296-15-044	REP-P	83-04-057
275-87-025	REP	83-20-035	275-96-055	REP-P	83-02-048	296-15-044	REP	83-07-075
275-87-025	REP-E	83-20-038	275-96-055	REP-E	83-02-050	296-15-045	NEW-P	83-04-057
275-96	REP-C	83-06-011	275-96-055	REP-W	83-08-007	296-15-045	NEW	83-07-075
275-96	REP-W	83-08-007	275-96-055	REP-E	83-08-063	296-15-200	AMD-E	83-04-002
275-96	REP-E	83-08-063	275-96-055	REP-E	83-15-004	296-15-200	AMD-P	83-04-058
275-96-005	REP-P	83-02-048	275-96-055	REP-P	83-17-135	296-15-200	AMD	83-07-009
275-96-005	REP-E	83-02-050	275-96-055	REP	83-20-036	296-15-250	NEW-P	83-15-050
275-96-005	REP-W	83-08-007	275-96-055	REP-E	83-20-037	296-15-250	NEW	83-18-038
275-96-005	REP-E	83-08-063	275-96-060	REP-P	83-02-048	296-17	AMD-P	83-20-084
275-96-005	REP-E	83-15-004	275-96-060	REP-E	83-02-050	296-17-310	AMD-P	83-20-084
275-96-005	REP-P	83-17-135	275-96-060	REP-W	83-08-007	296-17-320	AMD-P	83-20-084
275-96-005	REP	83-20-036	275-96-060	REP-E	83-08-063	296-17-345	NEW-E	83-04-038
275-96-005	REP-E	83-20-037	275-96-060	REP-E	83-15-004	296-17-345	NEW-E	83-10-038
275-96-010	REP-P	83-02-048	275-96-060	REP-P	83-17-135	296-17-345	REP-E	83-13-018
275-96-010	REP-E	83-02-050	275-96-060	REP	83-20-036	296-17-346	NEW-E	83-08-056
275-96-010	REP-W	83-08-007	275-96-060	REP-E	83-20-037	296-17-350	AMD-P	83-20-084
275-96-010	REP-E	83-08-063	275-96-065	REP-P	83-02-048	296-17-360	AMD-P	83-20-084
275-96-010	REP-E	83-15-004	275-96-065	REP-E	83-02-050	296-17-370	AMD-P	83-20-084
275-96-010	REP-P	83-17-135	275-96-065	REP-W	83-08-007	296-17-375	NEW-P	83-20-084
275-96-010	REP	83-20-036	275-96-065	REP-E	83-08-063	296-17-380	AMD-P	83-20-084
275-96-010	REP-E	83-20-037	275-96-065	REP-E	83-15-004	296-17-390	AMD-P	83-20-084
275-96-015	REP-P	83-02-048	275-96-065	REP-P	83-17-135	296-17-410	AMD-P	83-20-084
275-96-015	REP-E	83-02-050	275-96-065	REP	83-20-036	296-17-411	NEW	83-05-019
275-96-015	REP-W	83-08-007	275-96-065	REP-E	83-20-037	296-17-420	AMD-P	83-20-084
275-96-015	REP-E	83-08-063	275-96-070	REP-P	83-02-048	296-17-430	AMD-P	83-20-084
275-96-015	REP-E	83-15-004	275-96-070	REP-E	83-02-050	296-17-440	AMD-P	83-20-084
275-96-015	REP-P	83-17-135	275-96-070	REP-W	83-08-007	296-17-450	AMD-P	83-20-084
275-96-015	REP	83-20-036	275-96-070	REP-E	83-08-063	296-17-460	AMD-P	83-20-084
275-96-015	REP-E	83-20-037	275-96-070	REP-E	83-15-004	296-17-470	NEW	83-05-019
275-96-021	REP-P	83-02-048	275-96-070	REP-P	83-17-135	296-17-470	AMD-P	83-20-084
275-96-021	REP-E	83-02-050	275-96-070	REP	83-20-036	296-17-480	NEW	83-05-019
275-96-021	REP-W	83-08-007	275-96-070	REP-E	83-20-037	296-17-480	AMD-P	83-20-084
275-96-021	REP-E	83-08-063	284-40-010	REP-P	83-11-005	296-17-501	AMD-P	83-20-084
275-96-021	REP-E	83-15-004	284-40-010	REP	83-14-001	296-17-502	AMD-P	83-20-084
275-96-021	REP-P	83-17-135	284-40-020	REP-P	83-11-005	296-17-503	AMD-P	83-20-084
275-96-021	REP	83-20-036	284-40-020	REP	83-14-001	296-17-504	AMD-P	83-20-084
275-96-021	REP-E	83-20-037	284-40-030	REP-P	83-11-005	296-17-505	AMD-P	83-20-084
275-96-022	REP-P	83-02-048	284-40-030	REP	83-14-001	296-17-506	AMD-P	83-20-084
275-96-022	REP-E	83-02-050	284-40-040	REP-P	83-11-005	296-17-50601	AMD-P	83-20-084
275-96-022	REP-W	83-08-007	284-40-040	REP	83-14-001	296-17-50602	AMD-P	83-20-084
275-96-022	REP-E	83-08-063	284-40-050	REP-P	83-11-005	296-17-507	AMD-P	83-20-084
275-96-022	REP-E	83-15-004	284-40-050	REP	83-14-001	296-17-508	AMD-P	83-20-084
275-96-022	REP-P	83-17-135	284-40-060	REP-P	83-11-005	296-17-509	AMD-P	83-20-084
275-96-022	REP	83-20-036	284-40-060	REP	83-14-001	296-17-50904	AMD-P	83-20-084
275-96-022	REP-E	83-20-037	284-40-070	REP-P	83-11-005	296-17-510	AMD-P	83-20-084
275-96-025	REP-P	83-02-048	284-40-070	REP	83-14-001	296-17-511	AMD-P	83-20-084
275-96-025	REP-E	83-02-050	284-40-080	REP-P	83-11-005	296-17-512	AMD-P	83-20-084
275-96-025	REP-W	83-08-007	284-40-080	REP	83-14-001	296-17-513	AMD-P	83-20-084
275-96-025	REP-E	83-08-063	284-60-010	NEW-P	83-10-060	296-17-514	AMD-P	83-20-084
275-96-025	REP-E	83-15-004	284-60-010	NEW	83-14-002	296-17-516	AMD-P	83-20-084
275-96-025	REP-P	83-17-135	284-60-020	NEW-P	83-10-060	296-17-517	AMD-P	83-20-084
275-96-025	REP	83-20-036	284-60-020	NEW	83-14-002	296-17-518	AMD-P	83-20-084

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-24-16527	AMD-C	83-13-007	296-62-14515	AMD	83-15-017
296-24-16527	AMD	83-15-017	296-78-770	AMD-P	83-05-024
296-24-16531	AMD-P	83-05-024	296-78-770	AMD-C	83-13-007
296-24-16531	AMD-C	83-13-007	296-79-050	AMD-P	83-18-062
296-24-16531	AMD	83-15-017	296-93-010	NEW-P	83-18-063
296-24-16537	AMD-P	83-05-024	296-93-030	NEW-P	83-18-063
296-24-16537	AMD	83-15-017	296-93-040	NEW-P	83-18-063
296-24-16539	AMD-P	83-05-024	296-93-050	NEW-P	83-18-063
296-24-16539	AMD-C	83-13-007	296-93-060	NEW-P	83-18-063
296-24-16539	AMD	83-15-017	296-93-070	NEW-P	83-18-063
296-24-23527	AMD-P	83-05-024	296-93-080	NEW-P	83-18-063
296-24-23527	AMD-C	83-13-007	296-93-090	NEW-P	83-18-063
296-24-24015	AMD-P	83-05-024	296-93-100	NEW-P	83-18-063
296-24-24015	AMD-C	83-13-007	296-93-110	NEW-P	83-18-063
296-24-24517	AMD-P	83-05-024	296-93-120	NEW-P	83-18-063
296-24-24517	AMD-C	83-13-007	296-93-130	NEW-P	83-18-063
296-24-33015	AMD-P	83-18-062	296-93-140	NEW-P	83-18-063
296-24-950	REP-P	83-18-062	296-93-150	NEW-P	83-18-063
296-27-020	AMD-P	83-04-044	296-93-160	NEW-P	83-18-063
296-27-020	AMD-C	83-13-006	296-93-170	NEW-P	83-18-063
296-27-020	AMD	83-15-017	296-93-180	NEW-P	83-18-063
296-27-078	NEW-P	83-04-044	296-93-190	NEW-P	83-18-063
296-27-078	NEW-C	83-13-006	296-93-200	NEW-P	83-18-063
296-27-078	NEW	83-15-017	296-93-210	NEW-P	83-18-063
296-27-078	AMD-P	83-18-062	296-93-220	NEW-P	83-18-063
296-27-16011	AMD-P	83-18-062	296-93-230	NEW-P	83-18-063
296-45-65016	NEW-P	83-05-024	296-93-240	NEW-P	83-18-063
296-45-65016	NEW-C	83-13-007	296-93-250	NEW-P	83-18-063
296-45-65038	NEW-P	83-05-024	296-93-260	NEW-P	83-18-063
296-45-65038	NEW-C	83-13-007	296-93-270	NEW-P	83-18-063
296-45-65038	NEW	83-15-017	296-116-185	AMD-P	83-11-038
296-45-65038	AMD-P	83-18-062	296-116-185	AMD	83-15-012
296-46-115	REP-P	83-18-056	296-116-2051	AMD-P	83-10-008
296-46-492	REP-P	83-18-056	296-116-2051	AMD-C	83-14-072
296-46-493	REP-P	83-18-056	296-116-2051	AMD	83-16-032
296-46-506	REP-P	83-18-056	296-116-300	AMD-P	83-12-027
296-46-530	REP-P	83-18-056	296-116-300	AMD-E	83-17-054
296-46-910	AMD-E	83-12-008	296-116-300	AMD	83-17-055
296-46-910	AMD-P	83-12-019	296-116-320	AMD-P	83-02-045
296-46-910	AMD	83-16-058	296-116-320	AMD	83-05-049
296-54-507	AMD-E	83-03-022	296-116-330	NEW	83-03-037
296-54-507	AMD-P	83-05-024	296-150B-185	NEW-P	83-06-041
296-54-507	AMD-C	83-13-007	296-150B-185	NEW-E	83-06-042
296-54-511	AMD-P	83-18-062	296-150B-185	NEW	83-12-014
296-56-43803	AMD-P	83-18-062	296-155-145	AMD-P	83-05-024
296-62-020	AMD-P	83-18-062	296-155-145	AMD-C	83-13-007
296-62-05209	AMD-P	83-18-062	296-155-145	AMD	83-15-017
296-62-07115	AMD-P	83-18-062	296-155-160	AMD-P	83-18-062
296-62-07308	AMD-P	83-18-062	296-155-210	AMD-P	83-18-062
296-62-07314	AMD-P	83-05-024	296-155-220	AMD-P	83-05-024
296-62-07314	AMD-C	83-13-007	296-155-220	AMD-C	83-13-007
296-62-07314	AMD	83-15-017	296-155-220	AMD	83-15-017
296-62-07521	AMD-P	83-18-062	296-200-025	AMD-P	83-12-020
296-62-09003	AMD-P	83-18-062	296-200-025	AMD	83-16-059
296-62-09011	REP-P	83-18-062	296-200-050	AMD-P	83-12-020
296-62-09015	AMD-P	83-18-062	296-200-050	AMD	83-16-059
296-62-09017	AMD-P	83-18-062	296-200-900	AMD-P	83-12-020
296-62-09019	AMD-P	83-18-062	296-200-900	AMD	83-16-059
296-62-09021	AMD-P	83-18-062	296-304-09003	AMD-P	83-18-062
296-62-09023	AMD-P	83-18-062	296-305-005	AMD-P	83-18-062
296-62-09024	NEW-P	83-18-062	296-305-007	AMD-P	83-18-062
296-62-09026	NEW-P	83-18-062	296-305-015	AMD-P	83-18-062
296-62-09027	AMD-P	83-18-062	296-305-030	AMD-P	83-18-062
296-62-09029	AMD-P	83-18-062	296-305-040	AMD-P	83-18-062
296-62-09031	AMD-P	83-18-062	296-305-060	AMD-P	83-18-062
296-62-09033	AMD-P	83-18-062	296-305-06001	AMD-P	83-18-062
296-62-09035	AMD-P	83-18-062	296-305-06003	AMD-P	83-18-062
296-62-09039	AMD-P	83-18-062	296-305-06005	AMD-P	83-18-062
296-62-09041	AMD-P	83-18-062	296-305-06007	AMD-P	83-18-062
296-62-09043	AMD-P	83-18-062	296-305-06009	AMD-P	83-18-062
296-62-09045	AMD-P	83-18-062	296-305-06011	AMD-P	83-18-062
296-62-09047	AMD-P	83-18-062	296-305-063	AMD-P	83-18-062
296-62-09051	AMD-P	83-18-062	296-305-06301	AMD-P	83-18-062
296-62-09053	AMD-P	83-18-062	296-305-06305	AMD-P	83-18-062
296-62-09055	NEW-P	83-18-062	296-305-06307	AMD-P	83-18-062
296-62-14515	AMD-P	83-05-024	296-305-06309	AMD-P	83-18-062
296-62-14515	AMD-C	83-13-007	296-305-06313	NEW-P	83-18-062
296-305-06501	AMD-P	83-18-062	296-305-06501	AMD-P	83-18-062
296-305-06503	AMD-P	83-18-062	296-305-06505	AMD-P	83-18-062
296-305-06505	AMD-P	83-18-062	296-305-06509	AMD-P	83-18-062
296-305-06517	AMD-P	83-18-062	296-305-06517	AMD-P	83-18-062
296-305-07001	AMD-P	83-18-062	296-305-07001	AMD-P	83-18-062
296-305-07003	AMD-P	83-18-062	296-305-07003	AMD-P	83-18-062
296-305-07005	AMD-P	83-18-062	296-305-07005	AMD-P	83-18-062
296-305-07007	AMD-P	83-18-062	296-305-07007	AMD-P	83-18-062
296-305-075	AMD-P	83-18-062	296-305-075	AMD-P	83-18-062
296-305-080	AMD-P	83-18-062	296-305-080	AMD-P	83-18-062
296-305-090	AMD-P	83-18-062	296-305-090	AMD-P	83-18-062
296-305-100	AMD-P	83-18-062	296-305-100	AMD-P	83-18-062
296-305-105	AMD-P	83-18-062	296-305-105	AMD-P	83-18-062
296-305-110	AMD-P	83-18-062	296-305-110	AMD-P	83-18-062
296-306-060	AMD-P	83-18-062	296-306-060	AMD-P	83-18-062
296-306-200	AMD-P	83-05-024	296-306-200	AMD-P	83-05-024
296-306-200	AMD-C	83-13-007	296-306-200	AMD-C	83-13-007
296-306-200	AMD	83-15-017	296-306-200	AMD	83-15-017
296-350-400	AMD-P	83-05-024	296-350-400	AMD-P	83-05-024
296-350-400	AMD-C	83-13-007	296-350-400	AMD-C	83-13-007
296-400-010	REP-P	83-14-018	296-400-010	REP-P	83-14-018
296-400-010	REP-E	83-14-019	296-400-010	REP-E	83-14-019
296-400-010	REP-E	83-19-032	296-400-010	REP-E	83-19-032
296-400-010	REP	83-19-044	296-400-010	REP	83-19-044
296-400-030	AMD-P	83-14-018	296-400-030	AMD-P	83-14-018
296-400-030	AMD-E	83-14-019	296-400-030	AMD-E	83-14-019
296-400-030	AMD-E	83-19-032	296-400-030	AMD-E	83-19-032
296-400-030	AMD	83-19-044	296-400-030	AMD	83-19-044
296-400-045	NEW-P	83-14-018	296-400-045	NEW-P	83-14-018
296-400-045	NEW-E	83-14-019	296-400-045	NEW-E	83-14-019
296-400-045	NEW-E	83-19-032	296-400-045	NEW-E	83-19-032
296-400-045	NEW	83-19-044	296-400-045	NEW	83-19-044
296-401-010	REP-P	83-18-056	296-401-010	REP-P	83-18-056
296-401-030	AMD-P	83-18-056	296-401-030	AMD-P	83-18-056
296-401-060	AMD-P	83-18-056	296-401-060	AMD-P	83-18-056
296-401-070	AMD-C	83-03-039	296-401-070	AMD-C	83-03-039
296-401-070	REP-P	83-18-056	296-401-070	REP-P	83-18-056
296-401-080	AMD-C	83-03-039	296-401-080	AMD-C	83-03-039
296-401-130	AMD-P	83-07-074	296-401-130	AMD-P	83-07-074
296-401-130	AMD-C	83-12-011	296-401-130	AMD-C	83-12-011
296-401-130	AMD	83-12-021	296-401-130	AMD	83-12-021
296-401-130	REP-P	83-18-056	296-401-130	REP-P	83-18-056
296-401-140	REP-P	83-18-056	296-401-140	REP-P	83-18-056
296-401-160	AMD-P	83-18-056	296-401-160	AMD-P	83-18-056
296-401-165	NEW-P	83-18-056	296-401-165	NEW-P	83-18-056
296-401-175	NEW-P	83-18-056	296-401-175	NEW-P	83-18-056
304-12-270	REP-P	83-10-066	304-12-270	REP-P	83-10-066
304-12-270	REP	83-13-075	304-12-270	REP	83-13-075
304-12-275	AMD-P	83-10-066	304-12-275	AMD-P	83-10-066
304-12-275	AMD	83-13-075	304-12-275	AMD	83-13-075
304-12-290	AMD-P	83-10-066	304-12-290	AMD-P	83-10-066
304-12-290	AMD	83-13-075	304-12-290	AMD	83-13-075
304-12-360	AMD-P	83-10-066	304-12-360	AMD-P	83-10-066
304-12-360	AMD	83-13-075	304-12-360	AMD	83-13-075
304-12-370	AMD-P	83-10-066	304-12-370	AMD-P	83-10-066
304-12-370	AMD	83-13-075	304-12-370	AMD	83-13-075
304-20-060	AMD-P	83-03-074	304-20-060	AMD-P	83-03-074
304-20-060	AMD	83-07-076	304-20-060	AMD	83-07-076
304-25-560	AMD-P	83-03-073	304-25-560	AMD-P	83-03-073
304-25-560	AMD	83-07-077	304-25-560	AMD	83-07-077
306-16-21001	REP-E	83-11-011	306-16-21001	REP-E	83-11-011
306-16-211	REP-E	83-11-011	306-16-211	REP-E	83-11-011
306-16-212	REP-E	83-11-011	306-16-212	REP-E	83-11-011
306-16-213	REP-E	83-11-011	306-16-213	REP-E	83-11-011
306-16-217	REP-E	83-11-011	306-16-217	REP-E	83-11-011
306-16-220	REP-E	83-11-011	306-16-220	REP-E	83-11-011
306-16-370	REP-E	83-11-011	306-16-370	REP-E	83-11-011
308-08-030	REP-P	83-06-028	308-08-030	REP-P	83-06-028
308-11-001	REP	83-09-050	308-11-001	REP	83-09-050
308-11-001	REP-P	83-13-116	308-11-001	REP-P	83-13-116
308-11-001	REP	83-17-031	308-11-001	REP	83-17-031
308-11-030	NEW-P	83-13-116	308-11-030	NEW-P	83-13-116
308-11-030	NEW	83-17-031	308-11-030	NEW	83-17-031
308-12-010	AMD	83-04-071	308-12-010	AMD	83-04-071
308-12-030	REP	83-04-071	308-12-030	REP	83-04-071
308-12-031	NEW	83-04-071	308-12-031	NEW	83-04-071

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-12-040	AMD	83-04-071	308-25-030	AMD-E	83-17-063	308-42-100	REP	83-17-031
308-12-050	AMD	83-04-071	308-25-060	REP-P	83-13-116	308-48-010	AMD	83-04-020
308-12-080	AMD	83-04-071	308-25-060	REP	83-17-031	308-48-020	REP	83-04-021
308-12-081	NEW	83-04-071	308-25-065	NEW-P	83-13-116	308-48-030	AMD	83-04-020
308-12-082	NEW	83-04-071	308-25-065	NEW	83-17-031	308-48-090	REP	83-04-021
308-12-110	AMD	83-04-071	308-25-070	AMD-E	83-17-063	308-48-110	AMD	83-04-020
308-12-120	AMD	83-04-071	308-26-020	REP-P	83-13-116	308-48-115	REP	83-04-021
308-12-130	AMD	83-04-071	308-26-020	REP	83-17-031	308-48-165	NEW	83-04-020
308-12-311	REP	83-05-006	308-26-040	NEW-P	83-13-116	308-48-170	REP	83-04-021
308-12-312	NEW	83-05-006	308-26-040	NEW	83-17-031	308-48-175	REP	83-04-021
308-12-320	AMD	83-04-071	308-29-040	REP-P	83-13-116	308-48-190	AMD	83-04-020
308-13-120	REP-P	83-13-116	308-29-040	REP	83-17-031	308-48-19001	REP	83-04-021
308-13-120	REP	83-17-031	308-29-045	NEW-P	83-13-116	308-48-200	AMD	83-04-020
308-13-150	NEW-P	83-13-116	308-29-045	NEW	83-17-031	308-48-250	NEW-P	83-13-116
308-13-150	NEW	83-17-031	308-29-045	AMD-P	83-19-069	308-48-250	NEW	83-17-031
308-16-205	NEW-E	83-11-011	308-31-010	AMD	83-03-032	308-48-310	REP-P	83-13-116
308-16-205	NEW-P	83-11-045	308-31-015	NEW-P	83-20-052	308-48-310	REP	83-17-031
308-16-205	NEW-C	83-14-031	308-31-020	AMD-P	83-20-052	308-49-100	NEW	83-04-021
308-16-205	NEW	83-15-013	308-31-030	NEW	83-03-032	308-49-120	NEW	83-04-021
308-16-21001	REP-E	83-11-025	308-31-040	NEW	83-03-032	308-49-130	NEW	83-04-021
308-16-21001	REP-P	83-11-045	308-31-050	NEW	83-03-032	308-49-140	NEW	83-04-021
308-16-21001	REP-C	83-14-031	308-31-055	NEW-P	83-13-116	308-49-150	NEW	83-04-021
308-16-21001	REP	83-15-013	308-31-055	NEW	83-17-031	308-49-160	NEW	83-04-021
308-16-211	REP-E	83-11-025	308-31-055	AMD-E	83-19-008	308-49-170	NEW	83-04-021
308-16-211	REP-P	83-11-045	308-31-055	AMD-P	83-19-069	308-49-180	NEW	83-04-021
308-16-211	REP-C	83-14-031	308-31-060	NEW	83-03-032	308-50-340	REP-P	83-13-116
308-16-211	REP	83-15-013	308-31-100	NEW-P	83-20-052	308-50-340	REP	83-17-031
308-16-212	REP-E	83-11-025	308-31-110	NEW-P	83-20-052	308-50-350	NEW-P	83-17-117
308-16-212	REP-P	83-11-045	308-31-120	NEW-P	83-20-052	308-50-350	NEW-P	83-20-091
308-16-212	REP-C	83-14-031	308-31-310	REP-P	83-13-116	308-50-375	NEW-P	83-13-116
308-16-212	REP	83-15-013	308-31-310	REP	83-17-031	308-50-375	NEW	83-17-031
308-16-213	AMD-E	83-11-011	308-31-500	NEW-P	83-20-052	308-51-030	REP-P	83-13-116
308-16-213	AMD-P	83-11-045	308-31-510	NEW-P	83-20-052	308-51-030	REP	83-17-031
308-16-213	AMD-C	83-14-031	308-31-520	NEW-P	83-20-052	308-51-120	AMD-P	83-18-061
308-16-213	AMD	83-15-013	308-31-530	NEW-P	83-20-052	308-51-200	NEW-P	83-13-116
308-16-214	NEW-E	83-11-011	308-31-540	NEW-P	83-20-052	308-51-200	NEW	83-17-031
308-16-214	NEW-P	83-11-045	308-31-550	NEW-P	83-20-052	308-51-200	AMD-E	83-19-008
308-16-214	NEW-C	83-14-031	308-31-560	NEW-P	83-20-052	308-51-200	AMD-P	83-19-069
308-16-214	NEW	83-15-013	308-31-570	NEW-P	83-20-052	308-52-135	AMD-P	83-03-045
308-16-217	REP-E	83-11-025	308-31-580	NEW-P	83-20-052	308-52-135	AMD	83-07-014
308-16-217	REP-P	83-11-045	308-32-090	NEW-P	83-13-116	308-52-138	AMD	83-03-031
308-16-217	REP-C	83-14-031	308-32-090	NEW	83-17-031	308-52-140	AMD-P	83-03-045
308-16-217	REP	83-15-013	308-32-090	AMD-E	83-19-008	308-52-140	AMD	83-07-014
308-16-220	REP-E	83-11-025	308-32-090	AMD-P	83-19-069	308-52-150	NEW	83-03-031
308-16-220	REP-P	83-11-045	308-32-310	REP-P	83-13-116	308-52-310	REP-P	83-13-116
308-16-220	REP-C	83-14-031	308-32-310	REP	83-17-031	308-52-310	REP	83-17-031
308-16-220	REP	83-15-013	308-33-100	REP-P	83-13-116	308-52-315	NEW-P	83-13-116
308-16-240	AMD-E	83-11-011	308-33-100	REP	83-17-031	308-52-315	NEW	83-17-031
308-16-240	AMD-P	83-11-045	308-33-105	NEW-P	83-13-116	308-52-315	AMD-E	83-19-008
308-16-240	AMD-C	83-14-031	308-33-105	NEW	83-17-031	308-52-315	AMD-P	83-19-069
308-16-240	AMD	83-15-013	308-33-105	AMD-E	83-19-008	308-52-500	AMD-P	83-03-045
308-16-280	REP-P	83-11-045	308-33-105	AMD-P	83-19-069	308-52-500	AMD	83-07-014
308-16-280	REP-C	83-14-031	308-36-080	REP-P	83-13-116	308-52-502	NEW-P	83-03-045
308-16-280	REP	83-15-013	308-37-115	NEW-P	83-08-020	308-52-502	NEW	83-07-014
308-16-310	AMD-E	83-11-011	308-37-130	AMD	83-04-050	308-52-504	AMD-P	83-03-045
308-16-310	AMD-P	83-11-045	308-37-135	NEW	83-04-050	308-52-504	AMD	83-07-014
308-16-310	AMD-C	83-14-031	308-40-102	AMD-P	83-04-049	308-52-520	REP-P	83-03-045
308-16-310	AMD	83-15-013	308-40-102	AMD	83-08-021	308-52-520	REP	83-07-014
308-16-370	REP-E	83-11-025	308-40-110	AMD-P	83-04-049	308-52-550	REP-P	83-03-045
308-16-370	REP-P	83-11-045	308-40-110	AMD	83-08-021	308-52-550	REP	83-07-014
308-16-370	REP-C	83-14-031	308-40-120	REP-P	83-13-116	308-52-560	REP-P	83-03-045
308-16-370	REP	83-15-013	308-40-120	REP	83-17-031	308-52-560	REP	83-07-014
308-16-420	REP-P	83-13-116	308-40-125	NEW-P	83-13-116	308-53-020	NEW-P	83-13-116
308-16-420	REP	83-17-031	308-40-125	NEW	83-17-031	308-53-020	NEW	83-17-031
308-16-500	NEW-P	83-13-116	308-41-020	REP-P	83-13-116	308-53-080	AMD-P	83-06-073
308-16-500	NEW	83-17-031	308-41-020	REP	83-17-031	308-53-080	AMD	83-10-052
308-16-500	AMD-E	83-19-008	308-41-025	NEW-P	83-13-116	308-53-085	AMD-P	83-06-073
308-16-500	AMD-P	83-19-069	308-41-025	NEW	83-17-031	308-53-085	AMD	83-10-052
308-24-485	NEW-P	83-13-116	308-42-025	REP	83-05-032	308-53-310	REP-P	83-13-116
308-24-485	NEW	83-17-031	308-42-030	AMD	83-05-032	308-53-310	REP	83-17-031
308-24-485	AMD-E	83-19-008	308-42-040	AMD	83-05-032	308-54-310	REP-P	83-13-116
308-24-485	AMD-P	83-19-069	308-42-045	AMD	83-05-032	308-54-310	REP	83-17-031
308-24-490	REP-P	83-13-116	308-42-060	AMD	83-05-032	308-54-315	NEW-P	83-13-116
308-24-490	REP	83-17-031	308-42-070	NEW	83-05-032	308-54-315	NEW	83-17-031
308-25-020	AMD-P	83-04-070	308-42-075	NEW-P	83-13-116	308-55-010	REP-P	83-13-116
308-25-020	AMD	83-07-051	308-42-075	NEW	83-17-031	308-55-010	REP	83-17-031
308-25-020	AMD-E	83-17-063	308-42-100	REP-P	83-13-116	308-55-025	NEW-P	83-13-116

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-55-025	NEW	83-17-031	308-93-090	NEW-W	83-13-105	308-93-350	NEW-P	83-20-089
308-90-010	NEW-E	83-10-051	308-93-090	NEW-P	83-20-089	308-93-360	NEW-E	83-19-062
308-90-010	NEW-P	83-11-044	308-93-100	NEW-E	83-10-021	308-93-360	NEW-P	83-20-089
308-90-010	NEW	83-14-061	308-93-100	NEW-P	83-11-043	308-93-370	NEW-E	83-19-062
308-90-020	NEW-E	83-10-051	308-93-100	NEW-E	83-19-062	308-93-370	NEW-P	83-20-089
308-90-020	NEW-P	83-11-044	308-93-100	NEW-W	83-13-105	308-93-380	NEW-E	83-19-062
308-90-020	NEW	83-14-061	308-93-100	NEW-P	83-20-089	308-93-380	NEW-P	83-20-089
308-90-030	NEW-E	83-10-051	308-93-110	NEW-E	83-10-021	308-93-390	NEW-E	83-19-062
308-90-030	NEW-P	83-11-044	308-93-110	NEW-P	83-11-043	308-93-390	NEW-P	83-20-089
308-90-030	NEW	83-14-061	308-93-110	NEW-E	83-19-062	308-93-400	NEW-E	83-19-062
308-90-040	NEW-E	83-10-051	308-93-110	NEW-W	83-13-105	308-93-400	NEW-P	83-20-089
308-90-040	NEW-P	83-11-044	308-93-110	NEW-P	83-20-089	308-93-410	NEW-E	83-19-062
308-90-040	NEW	83-14-061	308-93-120	NEW-E	83-10-021	308-93-410	NEW-P	83-20-089
308-90-050	NEW-E	83-10-051	308-93-120	NEW-P	83-11-043	308-93-420	NEW-E	83-19-062
308-90-050	NEW-P	83-11-044	308-93-120	NEW-E	83-19-062	308-93-420	NEW-P	83-20-089
308-90-050	NEW	83-14-061	308-93-120	NEW-W	83-13-105	308-93-430	NEW-E	83-19-062
308-90-060	NEW-E	83-10-051	308-93-120	NEW-P	83-20-089	308-93-430	NEW-P	83-20-089
308-90-060	NEW-P	83-11-044	308-93-130	NEW-E	83-10-021	308-93-440	NEW-E	83-19-062
308-90-060	NEW	83-14-061	308-93-130	NEW-P	83-11-043	308-93-440	NEW-P	83-20-089
308-90-070	NEW-E	83-10-051	308-93-130	NEW-E	83-19-062	308-93-450	NEW-E	83-19-062
308-90-070	NEW-P	83-11-044	308-93-130	NEW-W	83-13-105	308-93-450	NEW-P	83-20-089
308-90-070	NEW	83-14-061	308-93-130	NEW-P	83-20-089	308-93-460	NEW-E	83-19-062
308-90-080	NEW-E	83-10-051	308-93-140	NEW-E	83-10-021	308-93-460	NEW-P	83-20-089
308-90-080	NEW-P	83-11-044	308-93-140	NEW-P	83-11-043	308-93-470	NEW-E	83-19-062
308-90-080	NEW	83-14-061	308-93-140	NEW-W	83-13-105	308-93-470	NEW-P	83-20-089
308-90-090	NEW-E	83-10-051	308-93-140	NEW-E	83-19-062	308-93-480	NEW-E	83-19-062
308-90-090	NEW-P	83-11-044	308-93-140	NEW-P	83-20-089	308-93-480	NEW-P	83-20-089
308-90-090	NEW	83-14-061	308-93-150	NEW-E	83-10-021	308-93-490	NEW-E	83-19-062
308-90-100	NEW-E	83-10-051	308-93-150	NEW-P	83-11-043	308-93-490	NEW-P	83-20-089
308-90-100	NEW-P	83-11-044	308-93-150	NEW-W	83-13-105	308-93-500	NEW-E	83-19-062
308-90-100	NEW	83-14-061	308-93-150	NEW-E	83-19-062	308-93-500	NEW-P	83-20-089
308-90-110	NEW-E	83-10-051	308-93-150	NEW-P	83-20-089	308-93-510	NEW-E	83-19-062
308-90-110	NEW-P	83-11-044	308-93-160	NEW-E	83-10-021	308-93-510	NEW-P	83-20-089
308-90-110	NEW	83-14-061	308-93-160	NEW-P	83-11-043	308-93-520	NEW-E	83-19-062
308-93-010	NEW-E	83-10-021	308-93-160	NEW-W	83-13-105	308-93-520	NEW-P	83-20-089
308-93-010	NEW-P	83-11-043	308-93-160	NEW-E	83-19-062	308-93-530	NEW-E	83-19-062
308-93-010	NEW-E	83-19-062	308-93-160	NEW-P	83-20-089	308-93-530	NEW-P	83-20-089
308-93-010	NEW-W	83-13-105	308-93-170	NEW-E	83-10-021	308-93-540	NEW-E	83-19-062
308-93-010	NEW-P	83-20-089	308-93-170	NEW-P	83-11-043	308-93-540	NEW-P	83-20-089
308-93-020	NEW-E	83-10-021	308-93-170	NEW-W	83-13-105	308-93-550	NEW-E	83-19-062
308-93-020	NEW-P	83-11-043	308-93-170	NEW-E	83-19-062	308-93-550	NEW-P	83-20-089
308-93-020	NEW-E	83-19-062	308-93-170	NEW-P	83-20-089	308-93-560	NEW-E	83-19-062
308-93-020	NEW-W	83-13-105	308-93-180	NEW-E	83-19-062	308-93-560	NEW-P	83-20-089
308-93-020	NEW-P	83-20-089	308-93-180	NEW-P	83-20-089	308-93-570	NEW-E	83-19-062
308-93-030	NEW-E	83-10-021	308-93-190	NEW-E	83-19-062	308-93-570	NEW-P	83-20-089
308-93-030	NEW-P	83-11-043	308-93-190	NEW-P	83-20-089	308-93-580	NEW-E	83-19-062
308-93-030	NEW-E	83-19-062	308-93-200	NEW-E	83-19-062	308-93-580	NEW-P	83-20-089
308-93-030	NEW-W	83-13-105	308-93-200	NEW-P	83-20-089	308-93-590	NEW-E	83-19-062
308-93-030	NEW-P	83-20-089	308-93-210	NEW-E	83-19-062	308-93-590	NEW-P	83-20-089
308-93-040	NEW-E	83-10-021	308-93-210	NEW-P	83-20-089	308-93-600	NEW-E	83-19-062
308-93-040	NEW-P	83-11-043	308-93-220	NEW-E	83-19-062	308-93-600	NEW-P	83-20-089
308-93-040	NEW-E	83-19-062	308-93-220	NEW-P	83-20-089	308-93-610	NEW-E	83-19-062
308-93-040	NEW-W	83-13-105	308-93-230	NEW-E	83-19-062	308-93-610	NEW-P	83-20-089
308-93-040	NEW-P	83-20-089	308-93-230	NEW-P	83-20-089	308-93-620	NEW-E	83-19-062
308-93-050	NEW-E	83-10-021	308-93-240	NEW-E	83-19-062	308-93-620	NEW-P	83-20-089
308-93-050	NEW-P	83-11-043	308-93-240	NEW-P	83-20-089	308-93-630	NEW-E	83-19-062
308-93-050	NEW-E	83-19-062	308-93-250	NEW-E	83-19-062	308-93-630	NEW-P	83-20-089
308-93-050	NEW-W	83-13-105	308-93-250	NEW-P	83-20-089	308-93-640	NEW-E	83-19-062
308-93-050	NEW-P	83-20-089	308-93-260	NEW-E	83-19-062	308-93-640	NEW-P	83-20-089
308-93-060	NEW-E	83-10-021	308-93-260	NEW-P	83-20-089	308-95-010	NEW-P	83-04-068
308-93-060	NEW-P	83-11-043	308-93-270	NEW-E	83-19-062	308-95-010	NEW-E	83-06-029
308-93-060	NEW-E	83-19-062	308-93-270	NEW-P	83-20-089	308-95-010	NEW	83-12-025
308-93-060	NEW-W	83-13-105	308-93-280	NEW-E	83-19-062	308-95-020	NEW-P	83-04-068
308-93-060	NEW-P	83-20-089	308-93-280	NEW-P	83-20-089	308-95-020	NEW-E	83-06-029
308-93-070	NEW-E	83-10-021	308-93-290	NEW-E	83-19-062	308-95-020	NEW	83-12-025
308-93-070	NEW-P	83-11-043	308-93-290	NEW-P	83-20-089	308-95-030	NEW-P	83-04-068
308-93-070	NEW-E	83-19-062	308-93-300	NEW-E	83-19-062	308-95-030	NEW-E	83-06-029
308-93-070	NEW-W	83-13-105	308-93-300	NEW-P	83-20-089	308-95-030	NEW	83-12-025
308-93-070	NEW-P	83-20-089	308-93-310	NEW-E	83-19-062	308-96A-400	NEW-P	83-05-055
308-93-080	NEW-E	83-10-021	308-93-310	NEW-P	83-20-089	308-96A-400	NEW	83-08-052
308-93-080	NEW-P	83-11-043	308-93-320	NEW-E	83-19-062	308-99-010	NEW-P	83-15-064
308-93-080	NEW-E	83-19-062	308-93-320	NEW-P	83-20-089	308-99-010	NEW-C	83-18-012
308-93-080	NEW-W	83-13-105	308-93-330	NEW-E	83-19-062	308-99-010	NEW	83-19-009
308-93-080	NEW-P	83-20-089	308-93-330	NEW-P	83-20-089	308-99-020	NEW-P	83-15-064
308-93-090	NEW-E	83-10-021	308-93-340	NEW-E	83-19-062	308-99-020	NEW-C	83-18-012
308-93-090	NEW-P	83-11-043	308-93-340	NEW-P	83-20-089	308-99-020	NEW	83-19-009
308-93-090	NEW-E	83-19-062	308-93-350	NEW-E	83-19-062	308-99-030	NEW-P	83-15-064

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
308-99-030	NEW-C	83-18-012	308-156-010	AMD	83-19-055	315-04-040	AMD	83-05-029
308-99-030	NEW	83-19-009	308-156-020	AMD-P	83-16-063	315-04-050	REP-P	83-08-047
308-99-040	NEW-P	83-15-064	308-156-020	AMD	83-19-055	315-04-050	REP-C	83-10-069
308-99-040	NEW-C	83-18-012	308-156-030	AMD-P	83-16-063	315-04-050	REP	83-13-082
308-99-040	NEW	83-19-009	308-156-030	AMD	83-19-055	315-04-070	AMD-P	83-16-079
308-115-400	REP-P	83-13-116	308-156-040	REP-P	83-16-063	315-04-070	AMD-E	83-17-028
308-115-400	REP	83-17-031	308-156-040	REP	83-19-055	315-04-070	AMD	83-19-019
308-115-405	NEW-P	83-13-116	308-156-045	NEW-P	83-16-063	315-04-090	AMD-E	83-03-041
308-115-405	NEW	83-17-031	308-156-045	NEW	83-19-055	315-04-090	AMD	83-05-029
308-116-295	AMD-P	83-02-062	308-156-050	NEW-P	83-16-063	315-04-180	AMD-P	83-16-079
308-116-295	AMD	83-05-033	308-156-050	NEW	83-19-055	315-04-180	AMD	83-19-019
308-116-310	REP-P	83-13-116	308-156-055	NEW-P	83-16-063	315-04-190	AMD-E	83-03-041
308-116-310	REP	83-17-031	308-156-055	NEW	83-19-055	315-04-190	AMD	83-05-029
308-116-325	NEW-P	83-13-116	308-156-060	AMD-P	83-16-063	315-04-200	AMD-P	83-03-046
308-116-325	NEW	83-17-031	308-156-060	AMD	83-19-055	315-04-200	AMD	83-07-022
308-120-180	AMD-P	83-12-031	308-156-070	AMD-P	83-16-063	315-04-220	NEW-E	83-03-041
308-120-180	AMD-P	83-20-090	308-156-070	AMD	83-19-055	315-04-220	NEW	83-05-029
308-120-260	REP-P	83-13-116	308-156-080	AMD-P	83-16-063	315-06-020	AMD	83-03-034
308-120-260	REP	83-17-031	308-156-080	AMD	83-19-055	315-06-050	AMD-E	83-03-041
308-120-270	NEW-P	83-08-073	308-156-090	AMD-P	83-16-063	315-06-050	AMD	83-05-029
308-120-270	NEW	83-12-026	308-156-090	AMD	83-19-055	315-06-060	NEW	83-03-034
308-120-275	NEW-P	83-13-116	308-156-100	AMD-P	83-16-063	315-06-060	NEW-E	83-04-019
308-120-275	NEW	83-17-031	308-156-100	AMD	83-19-055	315-06-080	AMD	83-03-033
308-120-345	NEW	83-04-051	314-04	REVIEW	83-11-026	315-06-080	NEW-E	83-04-019
308-120-400	AMD-P	83-12-031	314-08	REVIEW	83-11-026	315-06-120	NEW-E	83-03-041
308-120-400	AMD	83-16-065	314-12	REVIEW	83-11-026	315-06-120	NEW	83-05-029
308-120-600	NEW-P	83-12-031	314-12-020	AMD-P	83-16-071	315-06-160	AMD	83-05-029
308-120-600	NEW-P	83-20-090	314-12-020	AMD	83-18-071	315-06-180	AMD-P	83-16-079
308-120-601	NEW-P	83-12-031	314-12-125	NEW-P	83-03-012	315-06-180	AMD	83-19-019
308-120-601	NEW-P	83-20-090	314-12-125	NEW-P	83-06-027	315-10-020	AMD-E	83-03-041
308-120-602	NEW-P	83-12-031	314-12-125	NEW-P	83-10-032	315-10-020	AMD	83-05-029
308-120-602	NEW-P	83-20-090	314-12-125	NEW-W	83-10-045	315-10-030	AMD	83-03-034
308-120-603	NEW-P	83-12-031	314-12-125	NEW	83-18-070	315-10-030	AMD-E	83-08-083
308-120-603	NEW-P	83-20-090	314-16	REVIEW	83-11-026	315-10-030	AMD-P	83-12-057
308-120-604	NEW-P	83-12-031	314-16-120	AMD-P	83-03-013	315-10-030	AMD-E	83-13-086
308-120-604	NEW-P	83-20-090	314-16-120	AMD	83-06-026	315-10-030	AMD	83-16-029
308-120-605	NEW-P	83-12-031	314-16-122	AMD-P	83-10-059	315-11-010	NEW	83-03-034
308-120-605	NEW-P	83-20-090	314-16-122	AMD	83-13-055	315-11-010	NEW-E	83-04-019
308-120-606	NEW-P	83-12-031	314-16-145	NEW-P	83-09-016	315-11-020	NEW	83-03-034
308-120-606	NEW-P	83-20-090	314-16-145	NEW	83-12-022	315-11-020	NEW-E	83-04-019
308-120-607	NEW-P	83-12-031	314-16-196	NEW-P	83-07-066	315-11-030	NEW	83-03-034
308-120-607	NEW-P	83-20-090	314-16-196	NEW-P	83-10-031	315-11-030	NEW-E	83-04-019
308-120-608	NEW-P	83-12-031	314-16-196	NEW-W	83-10-046	315-11-040	NEW-E	83-03-040
308-120-608	NEW-P	83-20-090	314-16-196	NEW	83-13-056	315-11-040	NEW	83-05-030
308-120-609	NEW-P	83-12-031	314-20	REVIEW	83-11-026	315-11-041	NEW-E	83-03-040
308-122-275	NEW-P	83-13-116	314-24	REVIEW	83-11-026	315-11-041	NEW-P	83-04-069
308-122-275	NEW	83-17-031	314-26	REVIEW	83-11-026	315-11-041	NEW	83-07-023
308-122-460	REP-P	83-13-116	314-27	REVIEW	83-11-026	315-11-041	NEW-E	83-08-084
308-122-460	REP	83-17-031	314-28	REVIEW	83-11-026	315-11-042	NEW-E	83-03-040
308-122-500	AMD-P	83-11-042	314-32	REVIEW	83-11-026	315-11-042	NEW	83-05-030
308-122-505	AMD-P	83-11-042	314-36	REVIEW	83-11-026	315-11-050	NEW-E	83-05-031
308-138-060	REP-P	83-13-116	314-37-010	NEW	83-04-017	315-11-050	NEW-P	83-05-052
308-138-060	REP	83-17-031	314-37-010	AMD-P	83-15-062	315-11-050	NEW-E	83-08-085
308-138-080	NEW-P	83-13-116	314-37-010	AMD-C	83-17-108	315-11-050	NEW-C	83-08-079
308-138-080	NEW	83-17-031	314-37-010	AMD-C	83-18-069	315-11-050	NEW-C	83-10-072
308-138A-020	AMD-P	83-12-048	314-37-010	AMD-P	83-20-018	315-11-050	NEW-C	83-13-077
308-138A-020	AMD	83-16-024	314-37-010	AMD-W	83-20-031	315-11-050	NEW-E	83-13-083
308-138A-025	AMD-P	83-12-048	314-40	REVIEW	83-11-026	315-11-050	NEW	83-17-009
308-138A-025	AMD	83-16-024	314-44	REVIEW	83-11-026	315-11-051	NEW-E	83-05-031
308-138B-100	AMD-P	83-12-048	314-45	REVIEW	83-11-026	315-11-051	NEW-P	83-05-052
308-138B-100	AMD	83-16-024	314-48	REVIEW	83-11-026	315-11-051	NEW-E	83-08-085
308-138B-105	NEW-P	83-12-048	314-52	REVIEW	83-11-026	315-11-051	NEW-C	83-08-079
308-138B-105	NEW	83-16-024	314-52-110	AMD-P	83-03-013	315-11-051	NEW-C	83-10-072
308-138B-165	NEW-P	83-12-048	314-52-110	AMD-C	83-06-025	315-11-051	NEW-C	83-13-077
308-138B-170	AMD-P	83-12-048	314-56	REVIEW	83-11-026	315-11-051	NEW-E	83-13-083
308-138B-170	AMD	83-16-024	314-60	REVIEW	83-11-026	315-11-051	NEW	83-17-009
308-151-080	AMD-P	83-04-029	314-62	REVIEW	83-11-026	315-11-052	NEW-E	83-05-031
308-151-080	AMD	83-07-050	314-64	REVIEW	83-11-026	315-11-052	NEW-P	83-05-052
308-151-100	AMD-P	83-04-029	314-68	REVIEW	83-11-026	315-11-052	NEW-E	83-08-085
308-151-100	AMD	83-07-050	314-72	REVIEW	83-11-026	315-11-052	NEW-C	83-08-079
308-152-010	REP-P	83-13-116	314-76	REVIEW	83-11-026	315-11-052	NEW-C	83-10-072
308-152-010	REP	83-17-031	315-02-020	AMD-P	83-12-057	315-11-052	NEW-C	83-13-077
308-152-015	NEW-P	83-13-116	315-02-020	AMD-P	83-16-079	315-11-052	NEW-E	83-13-083
308-152-015	NEW	83-17-031	315-02-020	AMD	83-19-019	315-11-052	NEW	83-17-009
308-152-015	AMD-E	83-19-008	315-02-210	REP-P	83-08-047	315-11-060	NEW-P	83-05-053
308-152-015	AMD-P	83-19-069	315-02-210	REP-C	83-10-069	315-11-060	NEW-C	83-08-080
308-156-010	AMD-P	83-16-063	315-02-210	REP	83-13-082	315-11-060	NEW-E	83-08-086

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-20-240	REP-P	83-15-038	332-100-040	AMD-E	83-11-007	356-06-055	AMD	83-09-030
332-20-250	AMD-P	83-15-038	332-100-040	AMD	83-11-008	356-06-080	AMD-C	83-05-047
332-20-260	AMD-P	83-15-038	332-140-200	NEW-P	83-15-051	356-06-080	AMD-E	83-07-064
332-20-270	AMD-P	83-15-038	332-140-200	NEW	83-18-009	356-06-080	AMD-P	83-08-009
332-20-280	REP-P	83-15-038	332-140-210	NEW-P	83-15-051	356-06-080	AMD-C	83-11-027
332-20-290	AMD-P	83-15-038	332-140-210	NEW	83-18-009	356-06-080	AMD-E	83-13-073
332-20-300	AMD-P	83-15-038	332-140-220	NEW-P	83-15-051	356-06-080	AMD	83-13-091
332-20-310	REP-P	83-15-038	332-140-220	NEW	83-18-009	356-10-040	AMD-P	83-20-060
332-20-320	AMD-P	83-15-038	332-140-230	NEW-P	83-15-051	356-14-085	AMD-C	83-03-035
332-20-330	AMD-P	83-15-038	332-140-230	NEW	83-18-009	356-14-085	AMD	83-06-005
332-24	REVIEW	83-13-098	344-12	REVIEW	83-13-098	356-14-250	AMD-P	83-12-035
332-24-056	AMD-P	83-07-068	352-12-010	AMD-P	83-02-057	356-14-250	AMD	83-15-047
332-24-056	AMD	83-10-036	352-12-010	AMD	83-06-051	356-14-260	AMD-P	83-08-009
332-24-060	AMD-P	83-07-068	352-12-020	REP-W	83-02-058	356-14-260	AMD	83-12-002
332-24-060	AMD	83-10-036	352-12-030	REP-W	83-02-058	356-15-020	AMD-P	83-14-013
332-24-063	AMD-P	83-07-068	352-12-040	REP-W	83-02-058	356-15-020	AMD-C	83-17-046
332-24-063	AMD	83-10-036	352-12-050	REP-W	83-02-058	356-15-020	AMD-C	83-19-031
332-24-065	REP-P	83-07-068	352-32-030	AMD-P	83-04-073	356-15-020	AMD-P	83-20-060
332-24-065	REP	83-10-036	352-32-030	AMD	83-09-031	356-15-030	AMD-P	83-14-013
332-24-070	AMD-P	83-07-068	352-32-037	AMD-P	83-04-073	356-15-030	AMD-C	83-17-046
332-24-070	AMD	83-10-036	352-32-037	AMD	83-09-031	356-15-030	AMD-C	83-19-031
332-24-080	REP-P	83-07-068	352-32-045	AMD-P	83-04-073	356-15-030	AMD-P	83-20-060
332-24-080	REP	83-10-036	352-32-045	AMD	83-09-031	356-15-060	AMD-P	83-20-060
332-24-090	AMD-E	83-07-021	352-32-160	REP-C	83-06-004	356-15-090	AMD-P	83-12-035
332-24-090	AMD-P	83-07-068	352-32-160	REP	83-08-032	356-15-090	AMD-C	83-15-048
332-24-090	AMD-E	83-09-015	352-32-165	NEW-C	83-06-004	356-15-090	AMD	83-18-031
332-24-090	AMD	83-10-036	352-32-165	NEW	83-08-032	356-15-130	AMD-P	83-04-035
332-24-090	AMD-E	83-11-001	352-32-190	REP-C	83-06-004	356-15-130	AMD	83-08-010
332-24-095	NEW-P	83-07-068	352-32-190	AMD	83-08-032	356-18-050	AMD-P	83-08-009
332-24-095	NEW	83-10-036	352-32-190	REP-P	83-10-055	356-18-050	AMD	83-12-002
332-24-250	REP-P	83-07-068	352-32-190	REP	83-13-089	356-18-060	AMD-P	83-10-047
332-24-250	REP	83-10-036	352-32-195	NEW-P	83-10-055	356-18-060	AMD-C	83-13-090
332-24-260	REP-P	83-07-068	352-32-195	NEW	83-13-089	356-18-060	AMD-C	83-15-048
332-24-260	REP	83-10-036	352-32-250	AMD-P	83-04-073	356-18-070	AMD-P	83-14-013
332-24-270	REP-P	83-07-068	352-32-250	AMD	83-09-031	356-18-070	AMD-C	83-17-046
332-24-270	REP	83-10-036	352-32-250	AMD-P	83-20-087	356-18-070	AMD-C	83-19-031
332-24-280	REP-P	83-07-068	352-32-251	NEW-P	83-20-087	356-18-095	NEW-P	83-14-013
332-24-280	REP	83-10-036	352-32-252	NEW-P	83-20-087	356-18-095	NEW-E	83-16-011
332-24-290	REP-P	83-07-068	352-40-030	AMD-P	83-20-088	356-18-095	NEW	83-18-031
332-24-290	REP	83-10-036	352-40-070	AMD-P	83-20-088	356-18-105	AMD-E	83-13-094
332-24-300	REP-P	83-07-068	352-44	REVIEW	83-11-024	356-18-105	AMD-P	83-14-013
332-24-300	REP	83-10-036	352-44	REVIEW	83-16-062	356-18-105	AMD-E	83-17-065
332-26-020	NEW-E	83-14-065	352-48	AMD-P	83-10-053	356-18-105	AMD	83-18-031
332-26-030	NEW-E	83-14-065	352-48-010	AMD-P	83-10-053	356-26-020	AMD-C	83-05-047
332-26-040	NEW-E	83-14-065	352-48-010	AMD	83-13-087	356-26-020	AMD-C	83-07-036
332-26-050	NEW-E	83-14-065	352-48-020	AMD-P	83-10-053	356-26-070	AMD-P	83-06-043
332-26-084	NEW-E	83-09-015	352-48-020	AMD	83-13-087	356-26-070	AMD	83-09-030
332-30-109	AMD-P	83-16-076	352-48-030	AMD-P	83-10-053	356-26-100	AMD-P	83-04-035
332-30-115	AMD-P	83-16-076	352-48-030	AMD	83-13-087	356-26-100	AMD	83-08-010
332-30-116	NEW-P	83-16-076	352-48-040	AMD-P	83-10-053	356-30-015	AMD-P	83-20-060
332-30-142	AMD	83-02-055	352-48-040	AMD	83-13-087	356-30-030	AMD-P	83-08-009
332-30-200	NEW-E	83-17-068	352-48-050	AMD-P	83-10-053	356-30-030	AMD	83-12-002
332-30-200	NEW-P	83-20-079	352-48-050	AMD	83-13-087	356-30-130	AMD-P	83-20-060
332-30-200	NEW-E	83-20-081	352-48-060	AMD-P	83-10-053	356-30-140	AMD-P	83-20-060
332-30-205	NEW-E	83-17-068	352-48-060	AMD	83-13-087	356-30-190	AMD-C	83-05-047
332-30-205	NEW-P	83-20-079	352-48-070	AMD-P	83-10-053	356-30-190	AMD-C	83-07-036
332-30-205	NEW-E	83-20-081	352-48-070	AMD	83-13-087	356-30-200	AMD-C	83-05-047
332-30-210	NEW-E	83-17-068	352-48-080	AMD-P	83-10-053	356-30-200	AMD-C	83-07-036
332-30-210	NEW-P	83-20-079	352-48-080	AMD	83-13-087	356-30-210	AMD-C	83-05-047
332-30-210	NEW-E	83-20-081	352-56-010	NEW-P	83-10-054	356-30-210	AMD-C	83-07-036
332-30-215	NEW-E	83-17-068	352-56-010	NEW	83-13-088	356-30-230	AMD-C	83-05-047
332-30-215	NEW-P	83-20-079	352-56-020	NEW-P	83-10-054	356-30-230	AMD-C	83-07-036
332-30-215	NEW-E	83-20-081	352-56-020	NEW	83-13-088	356-30-240	AMD-C	83-05-047 A
332-30-220	NEW-E	83-17-068	352-56-030	NEW-P	83-10-054	356-30-240	AMD-C	83-07-036
332-30-220	NEW-P	83-20-079	352-56-030	NEW	83-13-088	356-30-270	AMD-P	83-12-035
332-30-220	NEW-E	83-20-081	352-56-040	NEW-P	83-10-054	356-30-270	AMD-C	83-15-048
332-30-225	NEW-E	83-17-068	352-56-040	NEW	83-13-088	356-30-270	AMD	83-18-031
332-30-225	NEW-P	83-20-079	352-56-050	NEW-P	83-10-054	356-30-300	AMD-P	83-14-035
332-30-225	NEW-E	83-20-081	352-56-050	NEW	83-13-088	356-30-300	AMD	83-18-031
332-30-230	NEW-E	83-17-068	352-56-060	NEW-P	83-10-054	356-30-330	AMD-C	83-03-035
332-30-230	NEW-P	83-20-079	352-56-060	NEW	83-13-088	356-30-330	AMD-C	83-05-047 A
332-30-230	NEW-E	83-20-081	352-56-070	NEW-P	83-10-054	356-30-330	AMD-P	83-08-009
332-32	REVIEW	83-13-098	352-56-070	NEW	83-13-088	356-30-330	AMD	83-08-010
332-44-100	NEW-E	83-03-029	352-56-080	NEW-P	83-10-054	356-30-330	AMD-C	83-11-027
332-44-110	NEW-E	83-03-029	352-56-080	NEW	83-13-088	356-30-330	AMD	83-13-091
332-100-040	AMD-P	83-07-037	356-06-010	AMD-P	83-20-060	356-30-330	AMD-P	83-20-060
332-100-040	AMD-E	83-07-038	356-06-055	AMD-P	83-06-043	356-34-020	AMD-P	83-10-047

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
356-34-020	AMD	83-13-091	365-70-060	NEW-E	83-13-114	383-06-050	NEW	83-15-063
356-34-030	AMD-P	83-10-047	365-70-060	NEW	83-17-047	383-06-060	NEW-P	83-06-053
356-34-030	AMD	83-13-091	365-70-070	NEW-P	83-13-113	383-06-060	NEW-E	83-06-055
356-34-040	AMD-P	83-10-047	365-70-070	NEW-E	83-13-114	383-06-060	NEW-C	83-10-030
356-34-040	AMD	83-13-091	365-70-070	NEW	83-17-047	383-06-060	NEW	83-15-063
356-34-060	AMD-P	83-10-047	365-80-010	NEW-P	83-16-086	383-06-070	NEW-P	83-06-053
356-34-060	AMD	83-13-091	365-80-010	NEW	83-19-063	383-06-070	NEW-E	83-06-055
356-35-010	AMD-P	83-20-060	365-80-020	NEW-P	83-16-086	383-06-070	NEW-C	83-10-030
356-42-082	AMD-P	83-20-060	365-80-020	NEW	83-19-063	383-06-070	NEW	83-15-063
356-42-084	AMD-P	83-20-060	365-80-030	NEW-P	83-16-086	383-06-080	NEW-P	83-06-053
356-46-050	AMD-P	83-20-060	365-80-030	NEW	83-19-063	383-06-080	NEW-E	83-06-055
360-10-020	AMD-P	83-14-084	365-80-040	NEW-P	83-16-086	383-06-080	NEW-C	83-10-030
360-10-020	AMD	83-18-021	365-80-040	NEW	83-19-063	383-06-080	NEW	83-15-063
360-12-150	NEW-P	83-06-074	365-80-050	NEW-P	83-16-086	383-06-090	NEW-P	83-06-053
360-12-150	NEW	83-10-013	365-80-050	NEW	83-19-063	383-06-090	NEW-E	83-06-055
360-12-150	AMD-P	83-16-085	365-80-060	NEW-P	83-16-086	383-06-090	NEW-C	83-10-030
360-12-150	AMD	83-20-053	365-80-060	NEW	83-19-063	383-06-090	NEW	83-15-063
360-13-100	NEW-P	83-06-074	365-80-070	NEW-P	83-16-086	383-06-100	NEW-P	83-06-053
360-13-100	NEW-E	83-10-012	365-80-070	NEW	83-19-063	383-06-100	NEW-E	83-06-055
360-13-100	NEW	83-10-013	365-80-080	NEW-P	83-16-086	383-06-100	NEW-C	83-10-030
360-16-230	AMD-P	83-16-085	365-80-080	NEW	83-19-063	383-06-100	NEW	83-15-063
360-16-300	NEW-P	83-06-074	365-80-090	NEW-P	83-16-086	383-06-110	NEW-P	83-06-053
360-16-300	NEW	83-10-013	365-80-090	NEW	83-19-063	383-06-110	NEW-E	83-06-055
360-17-055	NEW-P	83-18-060	365-90-010	NEW-P	83-17-083	383-06-110	NEW-C	83-10-030
360-18-020	AMD-P	83-14-084	365-90-010	NEW-E	83-17-084	383-06-110	NEW	83-15-063
360-18-020	AMD	83-18-021	365-90-020	NEW-P	83-17-083	383-06-120	NEW-P	83-06-053
360-18-020	AMD-P	83-18-060	365-90-020	NEW-E	83-17-084	383-06-120	NEW-E	83-06-055
360-18-030	REP-P	83-14-084	365-90-030	NEW-P	83-17-083	383-06-120	NEW-C	83-10-030
360-18-030	REP	83-18-021	365-90-030	NEW-E	83-17-084	383-06-120	NEW	83-15-063
360-19-010	NEW-P	83-12-047	365-90-040	NEW-P	83-17-083	383-06-130	NEW-P	83-06-053
360-19-010	NEW-P	83-16-064	365-90-040	NEW-E	83-17-084	383-06-130	NEW-E	83-06-055
360-19-020	NEW-P	83-12-047	365-90-050	NEW-P	83-17-083	383-06-130	NEW-C	83-10-030
360-19-020	NEW-P	83-16-064	365-90-050	NEW-E	83-17-084	383-06-130	NEW	83-15-063
360-19-030	NEW-P	83-12-047	365-90-060	NEW-P	83-17-083	383-06-140	NEW-P	83-06-053
360-19-030	NEW-P	83-16-064	365-90-060	NEW-E	83-17-084	383-06-140	NEW-E	83-06-055
360-19-040	NEW-P	83-12-047	365-90-070	NEW-P	83-17-083	383-06-140	NEW-C	83-10-030
360-19-040	NEW-P	83-16-064	365-90-070	NEW-E	83-17-084	383-06-140	NEW	83-15-063
360-19-050	NEW-P	83-12-047	365-90-080	NEW-P	83-17-083	388-08-435	NEW	83-03-021
360-19-050	NEW-P	83-16-064	365-90-080	NEW-E	83-17-084	388-11-011	AMD-P	83-17-119
360-19-060	NEW-P	83-12-047	365-90-090	NEW-P	83-17-083	388-11-011	AMD-E	83-17-120
360-19-060	NEW-P	83-16-064	365-90-090	NEW-E	83-17-084	388-11-045	AMD-P	83-13-012
360-19-070	NEW-P	83-12-047	371-08-255	NEW-P	83-07-031	388-11-045	AMD-E	83-13-013
360-19-070	NEW-P	83-16-064	371-08-255	NEW-P	83-11-006	388-11-045	AMD	83-17-007
360-19-080	NEW-P	83-12-047	371-08-255	NEW-W	83-14-073	388-11-065	AMD-P	83-17-119
360-19-080	NEW-P	83-16-064	371-08-255	NEW	83-14-074	388-11-065	AMD-E	83-17-120
360-19-090	NEW-P	83-12-047	372-24	REVIEW	83-13-028	388-14-020	AMD-P	83-17-119
360-19-090	NEW-P	83-16-064	372-24-010	REP-P	83-17-111	388-14-020	AMD-E	83-17-120
360-23-040	REP-P	83-06-074	372-24-020	REP-P	83-17-111	388-14-350	AMD-P	83-17-119
360-23-040	REP	83-10-013	372-24-030	REP-P	83-17-111	388-14-350	AMD-E	83-17-120
360-32-050	AMD-P	83-16-085	372-24-040	REP-P	83-17-111	388-14-390	NEW-P	83-17-119
360-32-050	AMD	83-20-053	372-24-050	REP-P	83-17-111	388-14-390	NEW-E	83-17-120
360-33-050	NEW-P	83-06-074	372-24-060	REP-P	83-17-111	388-14-395	NEW-P	83-17-119
360-33-050	NEW	83-10-013	372-24-070	REP-P	83-17-111	388-14-395	NEW-E	83-17-120
365-55-010	REP	83-06-066	372-24-080	REP-P	83-17-111	388-15-208	AMD-P	83-11-012
365-55-020	REP	83-06-066	372-24-090	REP-P	83-17-111	388-15-208	AMD	83-14-029
365-55-030	REP	83-06-066	372-24-100	REP-P	83-17-111	388-15-209	AMD-P	83-17-023
365-55-040	REP	83-06-066	372-36	REVIEW	83-13-028	388-15-209	AMD-E	83-17-089
365-55-050	REP	83-06-066	381	NEW	83-03-036	388-15-212	AMD-P	83-17-023
365-55-060	REP	83-06-066	383-06-010	NEW-P	83-06-053	388-15-213	AMD-P	83-11-012
365-55-070	REP	83-06-066	383-06-010	NEW-E	83-06-055	388-15-213	AMD-P	83-17-023
365-55-080	REP	83-06-066	383-06-010	NEW-C	83-10-030	388-15-213	AMD-E	83-17-026
365-70-010	NEW-P	83-13-113	383-06-010	NEW	83-15-063	388-15-215	AMD-P	83-17-023
365-70-010	NEW-E	83-13-114	383-06-020	NEW-P	83-06-053	388-15-215	AMD-E	83-17-026
365-70-010	NEW	83-17-047	383-06-020	NEW-E	83-06-055	388-15-217	AMD-P	83-17-023
365-70-020	NEW-P	83-13-113	383-06-020	NEW-C	83-10-030	388-15-552	AMD-P	83-17-024
365-70-020	NEW-E	83-13-114	383-06-020	NEW	83-15-063	388-15-600	NEW-P	83-05-042
365-70-020	NEW	83-17-047	383-06-030	NEW-P	83-06-053	388-15-600	NEW-E	83-05-043
365-70-030	NEW-P	83-13-113	383-06-030	NEW-E	83-06-055	388-15-600	NEW	83-08-024
365-70-030	NEW-E	83-13-114	383-06-030	NEW-C	83-10-030	388-15-610	NEW-P	83-05-042
365-70-030	NEW	83-17-047	383-06-030	NEW	83-15-063	388-15-610	NEW-E	83-05-043
365-70-040	NEW-P	83-13-113	383-06-040	NEW-P	83-06-053	388-15-610	NEW	83-08-024
365-70-040	NEW-E	83-13-114	383-06-040	NEW-E	83-06-055	388-15-620	NEW-P	83-05-042
365-70-040	NEW	83-17-047	383-06-040	NEW-C	83-10-030	388-15-620	NEW-E	83-05-043
365-70-050	NEW-P	83-13-113	383-06-040	NEW	83-15-063	388-15-620	NEW	83-08-024
365-70-050	NEW-E	83-13-114	383-06-050	NEW-P	83-06-053	388-15-630	NEW-P	83-05-042
365-70-050	NEW	83-17-047	383-06-050	NEW-E	83-06-055	388-15-630	NEW-E	83-05-043
365-70-060	NEW-P	83-13-113	383-06-050	NEW-C	83-10-030	388-15-630	NEW	83-08-024

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
388-17-100	AMD-P	83-10-074	388-29-125	AMD-P	83-14-008
388-17-100	AMD	83-13-070	388-29-125	AMD-E	83-14-049
388-17-160	AMD-P	83-10-074	388-29-125	AMD	83-17-070
388-17-160	AMD	83-13-070	388-29-130	AMD-P	83-14-008
388-17-180	AMD-P	83-10-074	388-29-130	AMD-E	83-14-049
388-17-180	AMD	83-13-070	388-29-130	AMD	83-17-070
388-20-010	AMD-P	83-11-009	388-29-135	AMD-P	83-14-008
388-20-010	AMD	83-14-028	388-29-135	AMD-E	83-14-049
388-20-020	REP-P	83-11-009	388-29-135	AMD	83-17-070
388-20-020	REP	83-14-028	388-29-145	AMD-P	83-14-008
388-24-040	AMD-P	83-17-041	388-29-145	AMD-E	83-14-049
388-24-040	AMD-E	83-17-090	388-29-145	AMD	83-17-070
388-24-042	AMD-P	83-17-041	388-29-160	AMD-P	83-14-008
388-24-042	AMD-E	83-17-090	388-29-160	AMD-E	83-14-049
388-24-044	AMD-P	83-13-031	388-29-160	AMD	83-17-070
388-24-044	AMD-E	83-13-032	388-29-200	AMD-P	83-14-008
388-24-044	AMD	83-17-012	388-29-200	AMD-E	83-14-049
388-24-050	AMD-P	83-17-041	388-29-200	AMD	83-17-070
388-24-050	AMD-E	83-17-090	388-29-220	AMD-P	83-14-008
388-24-055	AMD-P	83-17-041	388-29-220	AMD-E	83-14-049
388-24-055	AMD-E	83-17-090	388-29-220	AMD	83-17-070
388-24-070	AMD-P	83-17-041	388-29-260	AMD-P	83-14-008
388-24-070	AMD-E	83-17-090	388-29-260	AMD-E	83-14-049
388-24-074	NEW-P	83-17-041	388-29-260	AMD	83-17-070
388-24-074	NEW-E	83-17-090	388-29-280	AMD-P	83-14-008
388-24-090	AMD-P	83-17-041	388-29-280	AMD-E	83-14-049
388-24-090	AMD-E	83-17-090	388-29-280	AMD	83-17-070
388-24-107	AMD-P	83-17-041	388-29-295	AMD-P	83-14-008
388-24-107	AMD-E	83-17-090	388-29-295	AMD-E	83-14-049
388-24-125	AMD-P	83-17-041	388-29-295	AMD	83-17-070
388-24-125	AMD-E	83-17-090	388-33-135	AMD	83-04-033
388-24-137	AMD-P	83-17-041	388-33-135	AMD-P	83-20-054
388-24-137	AMD-E	83-17-090	388-33-135	AMD-E	83-20-058
388-24-265	AMD-P	83-17-041	388-33-140	AMD	83-04-033
388-24-265	AMD-E	83-17-090	388-33-140	AMD-P	83-13-059
388-28-005	AMD	83-04-033	388-33-140	AMD-E	83-13-060
388-28-355	AMD	83-04-033	388-33-140	AMD	83-17-004
388-28-400	AMD	83-04-033	388-33-140	AMD-P	83-20-054
388-28-415	AMD	83-04-033	388-33-140	AMD-E	83-20-058
388-28-473	AMD	83-04-033	388-33-595	AMD-P	83-13-059
388-28-475	AMD	83-04-033	388-33-595	AMD-E	83-13-060
388-28-480	AMD	83-04-033	388-33-595	AMD	83-17-004
388-28-480	AMD-P	83-17-035	388-34-160	AMD-P	83-07-053
388-28-481	AMD	83-04-033	388-34-160	AMD	83-10-077
388-28-482	AMD	83-04-033	388-37-010	AMD-P	83-05-002
388-28-483	NEW	83-04-033	388-37-010	AMD	83-08-025
388-28-483	AMD-P	83-20-054	388-37-010	AMD-P	83-17-085
388-28-483	AMD-E	83-20-058	388-37-010	AMD-E	83-17-092
388-28-484	AMD	83-04-033	388-37-020	AMD-P	83-17-085
388-28-500	AMD	83-04-033	388-37-020	AMD-E	83-17-092
388-28-530	AMD-P	83-14-008	388-37-025	AMD-P	83-17-085
388-28-530	AMD-E	83-14-049	388-37-025	AMD-E	83-17-092
388-28-530	AMD	83-17-070	388-37-030	AMD-P	83-05-002
388-28-535	AMD	83-04-033	388-37-030	AMD	83-08-025
388-28-535	AMD-P	83-20-054	388-37-030	AMD-P	83-17-085
388-28-535	AMD-E	83-20-058	388-37-030	AMD-E	83-17-092
388-28-560	AMD	83-04-033	388-37-032	AMD-P	83-05-002
388-28-570	AMD-P	83-20-054	388-37-032	AMD	83-08-025
388-28-570	AMD-E	83-20-058	388-37-035	AMD-P	83-05-002
388-28-575	AMD-P	83-20-054	388-37-035	AMD	83-08-025
388-28-575	AMD-E	83-20-058	388-37-035	AMD-P	83-17-085
388-28-590	AMD	83-04-060	388-37-035	AMD-E	83-17-092
388-28-600	AMD	83-04-033	388-37-036	AMD-P	83-05-002
388-28-650	AMD-P	83-17-035	388-37-036	AMD	83-08-025
388-29	AMD-C	83-05-015	388-37-037	AMD-P	83-05-002
388-29-010	AMD	83-11-010	388-37-037	AMD	83-08-025
388-29-080	AMD	83-11-010	388-37-038	AMD-P	83-05-002
388-29-100	AMD-P	83-14-008	388-37-038	AMD	83-08-025
388-29-100	AMD-E	83-14-049	388-37-050	AMD-P	83-05-002
388-29-100	AMD	83-17-070	388-37-050	AMD	83-08-025
388-29-110	AMD-P	83-14-008	388-37-060	AMD-P	83-05-002
388-29-110	AMD-E	83-14-049	388-37-060	AMD	83-08-025
388-29-110	AMD	83-17-070	388-37-070	NEW-P	83-17-106
388-29-112	AMD	83-11-010	388-38-200	AMD-P	83-10-018
388-29-112	AMD-P	83-14-008	388-38-200	AMD	83-13-095
388-29-112	AMD-E	83-14-049	388-44-010	AMD	83-05-046
388-29-112	AMD	83-17-070	388-44-020	AMD	83-05-046
388-44-025	NEW	83-05-046			
388-44-035	AMD	83-05-046			
388-44-110	AMD	83-05-046			
388-44-115	AMD	83-05-046			
388-44-125	AMD	83-05-046			
388-44-127	AMD	83-05-046			
388-44-130	AMD	83-05-046			
388-44-145	AMD	83-05-046			
388-44-150	AMD	83-05-046			
388-54-615	AMD-E	83-04-042			
388-54-615	AMD-P	83-04-043			
388-54-615	AMD	83-08-071			
388-54-620	AMD-P	83-17-040			
388-54-620	AMD-E	83-20-056			
388-54-630	AMD-E	83-04-042			
388-54-630	AMD-P	83-04-043			
388-54-630	AMD	83-08-071			
388-54-630	AMD-P	83-18-046			
388-54-630	AMD-E	83-20-057			
388-54-640	AMD-E	83-04-042			
388-54-640	AMD-P	83-04-043			
388-54-640	AMD	83-08-071			
388-54-645	AMD-E	83-04-042			
388-54-645	AMD-P	83-04-043			
388-54-645	AMD	83-08-071			
388-54-650	AMD-E	83-04-042			
388-54-650	AMD-P	83-04-043			
388-54-650	AMD	83-08-071			
388-54-655	AMD-E	83-04-042			
388-54-655	AMD-P	83-04-043			
388-54-655	AMD	83-08-071			
388-54-660	AMD-P	83-07-010			
388-54-660	AMD	83-10-078			
388-54-665	AMD-E	83-04-042			
388-54-665	AMD-P	83-04-043			
388-54-665	AMD	83-08-071			
388-54-670	AMD	83-03-015			
388-54-670	AMD-E	83-04-042			
388-54-670	AMD-P	83-04-043			
388-54-670	AMD	83-08-071			
388-54-675	AMD-E	83-04-042			
388-54-675	AMD-P	83-04-043			
388-54-675	AMD	83-08-071			
388-54-675	AMD-E	83-04-042			
388-54-675	AMD-P	83-04-043			
388-54-675	AMD	83-08-071			
388-54-676	NEW-P	83-18-047			
388-54-680	AMD-P	83-07-010			
388-54-680	AMD	83-10-078			
388-54-687	AMD-E	83-04-042			
388-54-687	AMD-P	83-04-043			
388-54-687	AMD	83-08-071			
388-54-695	AMD-E	83-04-042			
388-54-695	AMD-P	83-04-043			
388-54-695	AMD	83-08-071			
388-54-715	AMD-E	83-04-042			
388-54-715	AMD-P	83-04-043			
388-54-715	AMD	83-08-071			
388-54-730	AMD-E	83-04-042			
388-54-730	AMD-P	83-04-043			
388-54-730	AMD	83-08-071			
388-54-730	AMD-P	83-14-025			
388-54-730	AMD-E	83-14-050			
388-54-730	AMD	83-17-072			
388-54-740	AMD	83-03-015			
388-54-740	AMD-E	83-04-042			
388-54-740	AMD-P	83-04-043			
388-54-740	AMD	83-08-071			
388-54-740	AMD-P	83-16-047			
388-54-740	AMD-E	83-19-034			
388-54-750	AMD-E	83-04-042			
388-54-750	AMD-P	83-04-043			
388-54-750	AMD	83-08-071			
388-54-760	AMD-E	83-04-042			
388-54-760	AMD-P	83-04-043			
388-54-760	AMD	83-08-071			
388-54-760	AMD-P	83-17-040			
388-54-760	AMD-E	83-20-056			
388-54-765	AMD-P	83-17-040			

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-54-765	AMD-E	83-20-056	388-57-095	AMD-P	83-17-082	388-72-240	REP	83-08-023
388-54-768	NEW-P	83-17-040	388-57-095	AMD-E	83-17-091	388-72-250	REP-P	83-05-003
388-54-768	NEW-E	83-20-056	388-57-097	AMD-P	83-17-082	388-72-250	REP	83-08-023
388-54-770	AMD-P	83-17-040	388-57-097	AMD-E	83-17-091	388-72-255	REP-P	83-05-003
388-54-770	AMD-E	83-20-056	388-57-097	AMD-P	83-19-025	388-72-255	REP	83-08-023
388-54-775	AMD-P	83-17-040	388-57-097	AMD-E	83-19-033	388-72-260	REP-P	83-05-003
388-54-775	AMD-E	83-20-056	388-70-068	AMD	83-04-061	388-72-260	REP	83-08-023
388-54-780	AMD-E	83-04-042	388-70-069	AMD	83-04-061	388-72-265	REP-P	83-05-003
388-54-780	AMD-P	83-04-043	388-70-080	AMD-P	83-13-011	388-72-265	REP	83-08-023
388-54-780	AMD	83-08-071	388-70-080	AMD	83-17-003	388-72-270	REP-P	83-05-003
388-54-780	AMD-P	83-17-040	388-72-020	REP-P	83-05-003	388-72-270	REP	83-08-023
388-54-780	AMD-E	83-20-056	388-72-020	REP	83-08-023	388-72-275	REP-P	83-05-003
388-54-785	AMD	83-03-015	388-72-025	REP-P	83-05-003	388-72-275	REP	83-08-023
388-54-785	AMD-E	83-04-042	388-72-025	REP	83-08-023	388-72-280	REP-P	83-05-003
388-54-785	AMD-P	83-04-043	388-72-030	REP-P	83-05-003	388-72-280	REP	83-08-023
388-54-785	AMD	83-08-071	388-72-030	REP	83-08-023	388-72-285	REP-P	83-05-003
388-54-800	AMD-P	83-08-012	388-72-035	REP-P	83-05-003	388-72-285	REP	83-08-023
388-54-800	AMD-E	83-08-013	388-72-035	REP	83-08-023	388-72-300	REP-P	83-05-003
388-54-800	AMD	83-12-003	388-72-040	REP-P	83-05-003	388-72-300	REP	83-08-023
388-54-805	AMD-P	83-17-025	388-72-040	REP	83-08-023	388-72-305	REP-P	83-05-003
388-54-810	REP	83-03-015	388-72-045	REP-P	83-05-003	388-72-305	REP	83-08-023
388-54-815	AMD-E	83-17-020	388-72-045	REP	83-08-023	388-72-310	REP-P	83-05-003
388-54-815	AMD-P	83-17-036	388-72-050	REP-P	83-05-003	388-72-310	REP	83-08-023
388-54-817	NEW-E	83-17-020	388-72-050	REP	83-08-023	388-72-315	REP-P	83-05-003
388-54-817	NEW-P	83-17-036	388-72-060	REP-P	83-05-003	388-72-315	REP	83-08-023
388-54-820	AMD-E	83-17-020	388-72-060	REP	83-08-023	388-72-350	REP-P	83-05-003
388-54-820	AMD-P	83-17-036	388-72-070	REP-P	83-05-003	388-72-350	REP	83-08-023
388-54-821	REP-E	83-17-020	388-72-070	REP	83-08-023	388-72-355	REP-P	83-05-003
388-54-821	REP-P	83-17-036	388-72-080	REP-P	83-05-003	388-72-355	REP	83-08-023
388-54-826	REP-E	83-17-020	388-72-080	REP	83-08-023	388-72-400	REP-P	83-05-003
388-54-826	REP-P	83-17-036	388-72-090	REP-P	83-05-003	388-72-400	REP	83-08-023
388-54-82650	NEW-E	83-17-020	388-72-090	REP	83-08-023	388-72-405	REP-P	83-05-003
388-54-82650	NEW-P	83-17-036	388-72-100	REP-P	83-05-003	388-72-405	REP	83-08-023
388-54-827	REP-E	83-17-020	388-72-100	REP	83-08-023	388-72-410	REP-P	83-05-003
388-54-827	REP-P	83-17-036	388-72-105	REP-P	83-05-003	388-72-410	REP	83-08-023
388-54-828	REP-E	83-17-020	388-72-105	REP	83-08-023	388-72-415	REP-P	83-05-003
388-54-828	REP-P	83-17-036	388-72-110	REP-P	83-05-003	388-72-415	REP	83-08-023
388-54-829	NEW-E	83-17-020	388-72-110	REP	83-08-023	388-72-425	REP-P	83-05-003
388-54-829	NEW-P	83-17-036	388-72-115	REP-P	83-05-003	388-72-425	REP	83-08-023
388-54-830	REP-E	83-17-020	388-72-115	REP	83-08-023	388-72-435	REP-P	83-05-003
388-54-830	REP-P	83-17-036	388-72-120	REP-P	83-05-003	388-72-435	REP	83-08-023
388-54-83050	NEW-E	83-17-020	388-72-120	REP	83-08-023	388-72-445	REP-P	83-05-003
388-54-83050	NEW-P	83-17-036	388-72-125	REP-P	83-05-003	388-72-445	REP	83-08-023
388-54-835	REP-E	83-17-020	388-72-125	REP	83-08-023	388-72-500	REP-P	83-05-003
388-54-835	REP-P	83-17-036	388-72-150	REP-P	83-05-003	388-72-500	REP	83-08-023
388-54-840	REP-E	83-17-020	388-72-150	REP	83-08-023	388-72-505	REP-P	83-05-003
388-54-840	REP-P	83-17-036	388-72-155	REP-P	83-05-003	388-72-505	REP	83-08-023
388-54-850	NEW-E	83-17-020	388-72-155	REP	83-08-023	388-72-510	REP-P	83-05-003
388-54-850	NEW-P	83-17-036	388-72-160	REP-P	83-05-003	388-72-510	REP	83-08-023
388-55-010	AMD-P	83-10-075	388-72-160	REP	83-08-023	388-72-515	REP-P	83-05-003
388-55-010	AMD	83-13-069	388-72-165	REP-P	83-05-003	388-72-515	REP	83-08-023
388-55-020	NEW-P	83-10-075	388-72-165	REP	83-08-023	388-72-520	REP-P	83-05-003
388-55-020	NEW	83-13-069	388-72-170	REP-P	83-05-003	388-72-520	REP	83-08-023
388-55-030	NEW-P	83-10-075	388-72-170	REP	83-08-023	388-72-550	REP-P	83-05-003
388-55-030	NEW	83-13-069	388-72-175	REP-P	83-05-003	388-72-550	REP	83-08-023
388-55-040	NEW-P	83-10-075	388-72-175	REP	83-08-023	388-72-555	REP-P	83-05-003
388-55-040	NEW	83-13-069	388-72-180	REP-P	83-05-003	388-72-555	REP	83-08-023
388-57-015	AMD-P	83-17-082	388-72-180	REP	83-08-023	388-72-560	REP-P	83-05-003
388-57-015	AMD-E	83-17-091	388-72-200	REP-P	83-05-003	388-72-560	REP	83-08-023
388-57-020	AMD-P	83-17-082	388-72-200	REP	83-08-023	388-72-565	REP-P	83-05-003
388-57-020	AMD-E	83-17-091	388-72-205	REP-P	83-05-003	388-72-565	REP	83-08-023
388-57-028	AMD-P	83-17-082	388-72-205	REP	83-08-023	388-72-570	REP-P	83-05-003
388-57-028	AMD-E	83-17-091	388-72-207	REP-P	83-05-003	388-72-570	REP	83-08-023
388-57-032	AMD-P	83-17-082	388-72-207	REP	83-08-023	388-72-575	REP-P	83-05-003
388-57-032	AMD-E	83-17-091	388-72-210	REP-P	83-05-003	388-72-575	REP	83-08-023
388-57-036	AMD-P	83-17-082	388-72-210	REP	83-08-023	388-72-580	REP-P	83-05-003
388-57-036	AMD-E	83-17-091	388-72-215	REP-P	83-05-003	388-72-580	REP	83-08-023
388-57-056	AMD-P	83-17-082	388-72-215	REP	83-08-023	388-72-585	REP-P	83-05-003
388-57-056	AMD-E	83-17-091	388-72-220	REP-P	83-05-003	388-72-585	REP	83-08-023
388-57-057	AMD-P	83-17-082	388-72-220	REP	83-08-023	388-72-590	REP-P	83-05-003
388-57-057	AMD-E	83-17-091	388-72-225	REP-P	83-05-003	388-72-590	REP	83-08-023
388-57-061	AMD-P	83-17-082	388-72-225	REP	83-08-023	388-72-600	REP-P	83-05-003
388-57-061	AMD-E	83-17-091	388-72-230	REP-P	83-05-003	388-72-600	REP	83-08-023
388-57-064	AMD-P	83-17-082	388-72-230	REP	83-08-023	388-72-605	REP-P	83-05-003
388-57-064	AMD-E	83-17-091	388-72-235	REP-P	83-05-003	388-72-605	REP	83-08-023
388-57-070	AMD-P	83-17-082	388-72-235	REP	83-08-023	388-72-610	REP-P	83-05-003
388-57-070	AMD-E	83-17-091	388-72-240	REP-P	83-05-003	388-72-610	REP	83-08-023

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-72-615	REP-P	83-05-003	388-83-140	REP	83-12-059	388-95-030	REP	83-12-059
388-72-615	REP	83-08-023	388-83-200	NEW-P	83-05-042	388-95-035	REP-P	83-09-046
388-72-620	REP-P	83-05-003	388-83-200	NEW-E	83-05-043	388-95-035	REP	83-12-059
388-72-620	REP	83-08-023	388-83-200	NEW	83-08-024	388-95-040	REP-P	83-09-046
388-72-625	REP-P	83-05-003	388-83-200	AMD-P	83-15-020	388-95-040	REP	83-12-059
388-72-625	REP	83-08-023	388-83-200	AMD	83-18-030	388-95-045	REP-P	83-09-046
388-72-630	REP-P	83-05-003	388-84-120	AMD-P	83-13-066	388-95-045	REP	83-12-059
388-72-630	REP	83-08-023	388-84-120	AMD-E	83-14-047	388-95-055	REP-P	83-09-046
388-72-635	REP-P	83-05-003	388-84-120	AMD	83-17-006	388-95-055	REP	83-12-059
388-72-635	REP	83-08-023	388-86-005	AMD-E	83-12-036	388-95-060	REP-P	83-09-046
388-73	AMD-C	83-13-065	388-86-005	AMD-P	83-12-037	388-95-060	REP	83-12-059
388-73	AMD-C	83-16-006	388-86-005	AMD-P	83-14-024	388-95-065	REP-P	83-09-046
388-73	AMD-C	83-17-069	388-86-005	AMD-E	83-14-052	388-95-065	REP	83-12-059
388-73-012	AMD-P	83-09-047	388-86-005	AMD	83-17-073	388-95-070	REP-P	83-09-046
388-73-014	AMD	83-02-060	388-86-005	AMD	83-17-073	388-95-070	REP	83-12-059
388-73-014	AMD-P	83-09-047	388-86-02301	NEW-P	83-14-024	388-95-075	REP-P	83-09-046
388-73-01950	NEW	83-02-060	388-86-02301	NEW-E	83-14-052	388-95-075	REP-P	83-12-059
388-73-020	AMD	83-02-060	388-86-040	NEW	83-17-073	388-95-080	REP	83-09-046
388-73-024	AMD	83-02-060	388-86-040	AMD-P	83-07-053	388-95-080	REP-P	83-12-059
388-73-042	AMD	83-02-060	388-86-050	AMD	83-10-077	388-95-080	REP	83-12-059
388-73-050	AMD	83-02-060	388-86-050	AMD-E	83-02-046	388-95-210	REP-P	83-09-046
388-73-054	AMD-P	83-09-047	388-86-050	AMD	83-05-050	388-95-210	REP	83-12-059
388-73-058	AMD	83-02-060	388-86-050	AMD-E	83-12-036	388-95-215	REP-P	83-09-046
388-73-058	AMD-P	83-09-047	388-86-050	AMD-P	83-12-037	388-95-215	REP	83-12-059
388-73-060	AMD	83-02-060	388-86-050	AMD-P	83-14-024	388-95-225	REP-P	83-09-046
388-73-062	AMD	83-02-060	388-86-050	AMD-E	83-14-052	388-95-225	REP	83-12-059
388-73-068	AMD	83-02-060	388-86-050	AMD	83-17-073	388-95-225	REP-P	83-09-046
388-73-072	AMD-P	83-09-047	388-86-075	AMD	83-03-016	388-95-235	REP	83-12-059
388-73-076	AMD	83-02-060	388-86-120	AMD-P	83-13-066	388-95-235	REP-P	83-09-046
388-73-077	NEW-P	83-09-047	388-86-120	AMD-E	83-14-047	388-95-255	REP	83-12-059
388-73-102	AMD	83-02-060	388-86-120	AMD	83-17-006	388-95-260	REP-P	83-09-046
388-73-103	NEW	83-02-060	388-87-005	AMD-P	83-14-024	388-95-260	REP	83-12-059
388-73-108	AMD	83-02-060	388-87-005	AMD-E	83-14-052	388-95-260	REP-P	83-09-046
388-73-108	AMD-P	83-09-047	388-87-005	AMD	83-17-073	388-95-265	REP	83-12-059
388-73-118	AMD	83-02-060	388-87-007	AMD-P	83-07-053	388-95-270	REP-P	83-09-046
388-73-118	AMD-P	83-09-047	388-87-007	AMD	83-10-077	388-95-270	REP	83-12-059
388-73-132	AMD	83-02-060	388-87-007	AMD-P	83-14-027	388-95-280	REP-P	83-09-046
388-73-134	AMD	83-02-060	388-87-008	AMD	83-17-095	388-95-280	REP	83-12-059
388-73-136	AMD	83-02-060	388-87-008	NEW-P	83-07-053	388-95-300	NEW-P	83-09-046
388-73-140	AMD	83-02-060	388-87-008	NEW	83-10-077	388-95-300	NEW	83-12-059
388-73-140	AMD-P	83-09-047	388-87-010	AMD-P	83-13-066	388-95-320	NEW-P	83-09-046
388-73-142	AMD	83-02-060	388-87-010	AMD-E	83-14-047	388-95-320	NEW	83-12-059
388-73-142	AMD-P	83-09-047	388-87-010	AMD	83-17-006	388-95-340	NEW-P	83-09-046
388-73-144	AMD	83-02-060	388-87-011	AMD-P	83-10-081	388-95-340	NEW	83-12-059
388-73-144	AMD-P	83-09-047	388-87-011	AMD	83-13-071	388-95-360	NEW-P	83-09-046
388-73-146	AMD	83-02-060	388-87-013	AMD	83-03-016	388-95-360	NEW	83-12-059
388-73-146	AMD-P	83-09-047	388-87-013	NEW-P	83-14-024	388-95-360	AMD-P	83-14-062
388-73-304	AMD	83-02-060	388-87-04701	NEW-E	83-14-052	388-95-360	AMD-E	83-14-063
388-73-310	AMD	83-02-060	388-87-04701	NEW	83-17-073	388-95-360	AMD	83-17-093
388-73-504	AMD	83-02-060	388-87-070	AMD	83-03-016	388-95-380	NEW-P	83-09-046
388-73-602	AMD-P	83-09-047	388-87-070	AMD-P	83-05-040	388-95-380	NEW	83-12-059
388-73-604	AMD	83-02-060	388-87-070	AMD-E	83-05-041	388-95-390	NEW-P	83-09-046
388-73-606	AMD-P	83-09-047	388-87-070	AMD	83-08-022	388-95-390	NEW	83-12-059
388-73-610	AMD-P	83-09-047	388-87-070	AMD-P	83-14-043	388-95-400	NEW-P	83-09-046
388-73-708	AMD	83-02-060	388-87-070	AMD-E	83-14-054	388-95-400	NEW	83-12-059
388-73-714	AMD	83-02-060	388-87-070	AMD	83-17-096	388-96-010	AMD-P	83-14-046
388-73-900	NEW-P	83-09-047	388-88-101	AMD-P	83-18-019	388-96-010	AMD-E	83-14-056
388-73-902	NEW-P	83-09-047	388-92-030	AMD-P	83-09-046	388-96-010	AMD-E	83-19-046
388-73-904	NEW-P	83-09-047	388-92-030	AMD	83-12-059	388-96-010	AMD	83-19-047
388-80-005	AMD-P	83-13-066	388-92-045	AMD-P	83-07-053	388-96-020	AMD-P	83-14-046
388-80-005	AMD-E	83-14-047	388-92-045	AMD	83-10-077	388-96-020	AMD-E	83-14-056
388-80-005	AMD	83-17-006	388-93-015	AMD-P	83-07-053	388-96-020	AMD-E	83-19-046
388-82-115	AMD-P	83-13-103	388-93-015	AMD	83-10-077	388-96-020	AMD	83-19-047
388-82-115	AMD	83-17-005	388-93-035	AMD-P	83-07-053	388-96-023	AMD-P	83-14-046
388-82-125	AMD-P	83-09-046	388-93-035	AMD	83-10-077	388-96-023	AMD-E	83-14-056
388-82-125	REP	83-12-059	388-93-060	AMD-P	83-07-053	388-96-023	AMD-E	83-19-046
388-82-126	AMD-P	83-13-066	388-93-060	AMD	83-10-077	388-96-023	AMD	83-19-047
388-82-126	AMD-E	83-14-047	388-93-080	AMD-P	83-07-053	388-96-026	AMD-P	83-14-046
388-82-126	AMD	83-17-006	388-93-080	AMD	83-10-077	388-96-026	AMD-E	83-14-056
388-83-006	AMD-P	83-13-066	388-95	AMD-P	83-09-046	388-96-026	AMD-E	83-19-046
388-83-006	AMD-E	83-14-047	388-95	AMD	83-12-059	388-96-026	AMD	83-19-047
388-83-006	AMD	83-17-006	388-95-005	REP-P	83-09-046	388-96-026	AMD	83-19-047
388-83-028	AMD-P	83-13-103	388-95-005	REP	83-12-059	388-96-029	AMD-P	83-14-046
388-83-028	AMD	83-17-005	388-95-010	REP-P	83-09-046	388-96-029	AMD-E	83-14-056
388-83-135	AMD-P	83-09-046	388-95-010	REP	83-12-059	388-96-029	AMD	83-19-047
388-83-135	REP	83-12-059	388-95-025	REP-P	83-09-046	388-96-032	AMD-P	83-14-046
388-83-140	AMD-P	83-09-046	388-95-025	REP	83-12-059	388-96-032	AMD-E	83-14-056
			388-95-030	REP-P	83-09-046	388-96-032	AMD-E	83-19-046

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-96-032	AMD	83-19-047	388-96-221	NEW-E	83-19-046	388-96-539	AMD	83-05-007
388-96-101	AMD-P	83-14-046	388-96-221	NEW	83-19-047	388-96-539	AMD-P	83-14-046
388-96-101	AMD-E	83-14-056	388-96-221	AMD	83-05-007	388-96-539	AMD-E	83-14-056
388-96-101	AMD-E	83-19-046	388-96-222	REP-P	83-14-046	388-96-539	AMD-E	83-19-046
388-96-101	AMD	83-19-047	388-96-222	REP-E	83-14-056	388-96-539	AMD	83-19-047
388-96-104	AMD-P	83-14-046	388-96-222	REP-E	83-19-046	388-96-543	AMD-P	83-14-046
388-96-104	AMD-E	83-14-056	388-96-222	REP	83-19-047	388-96-543	AMD-E	83-14-056
388-96-104	AMD-E	83-19-046	388-96-223	REP-P	83-14-046	388-96-543	AMD-E	83-19-046
388-96-104	AMD	83-19-047	388-96-223	REP-E	83-14-056	388-96-543	AMD	83-19-047
388-96-107	AMD-P	83-14-046	388-96-223	REP-E	83-19-046	388-96-553	AMD	83-05-007
388-96-107	AMD-E	83-14-056	388-96-223	REP	83-19-047	388-96-553	AMD-P	83-14-046
388-96-107	AMD-E	83-19-046	388-96-224	NEW-P	83-14-046	388-96-553	AMD-E	83-14-056
388-96-107	AMD	83-19-047	388-96-224	NEW-E	83-14-056	388-96-553	AMD-E	83-19-046
388-96-108	AMD-P	83-14-046	388-96-224	NEW-E	83-19-047	388-96-553	AMD	83-19-047
388-96-108	AMD-E	83-14-056	388-96-224	NEW	83-19-047	388-96-554	NEW	83-05-007
388-96-108	AMD-E	83-19-046	388-96-225	AMD	83-05-007	388-96-554	AMD-P	83-14-046
388-96-108	AMD	83-19-047	388-96-225	REP-P	83-14-046	388-96-554	AMD-E	83-14-056
388-96-110	AMD-P	83-14-046	388-96-225	REP-E	83-14-056	388-96-554	AMD-E	83-19-046
388-96-110	AMD-E	83-14-056	388-96-225	REP-E	83-19-046	388-96-554	AMD	83-19-047
388-96-110	AMD-E	83-19-046	388-96-225	REP	83-19-047	388-96-557	AMD-P	83-14-046
388-96-110	AMD	83-19-047	388-96-226	NEW-P	83-14-046	388-96-557	AMD-E	83-14-056
388-96-113	AMD	83-05-007	388-96-226	NEW-E	83-14-056	388-96-557	AMD-E	83-19-046
388-96-113	AMD-P	83-14-046	388-96-226	NEW-E	83-19-046	388-96-557	AMD	83-19-047
388-96-113	AMD-E	83-14-056	388-96-226	NEW	83-19-047	388-96-561	AMD-P	83-14-046
388-96-113	AMD-E	83-19-046	388-96-227	AMD	83-05-007	388-96-561	AMD-E	83-14-056
388-96-113	AMD	83-19-047	388-96-227	REP-P	83-14-046	388-96-561	AMD-E	83-19-046
388-96-125	REP-P	83-14-046	388-96-227	REP-E	83-14-056	388-96-561	AMD	83-19-047
388-96-125	REP-E	83-14-056	388-96-227	REP-E	83-19-046	388-96-565	AMD-P	83-14-046
388-96-125	REP-E	83-19-046	388-96-227	REP	83-19-047	388-96-565	AMD-E	83-14-056
388-96-125	REP	83-19-047	388-96-228	NEW-P	83-14-046	388-96-565	AMD-E	83-19-046
388-96-128	AMD-P	83-14-046	388-96-228	NEW-E	83-14-056	388-96-565	AMD	83-19-047
388-96-128	AMD-E	83-14-056	388-96-228	NEW-E	83-19-046	388-96-572	AMD-P	83-14-046
388-96-128	AMD-E	83-19-046	388-96-228	NEW	83-19-047	388-96-572	AMD-E	83-14-056
388-96-128	AMD	83-19-047	388-96-229	NEW-P	83-14-046	388-96-572	AMD-E	83-19-046
388-96-131	AMD-P	83-14-046	388-96-229	NEW-E	83-14-056	388-96-572	AMD	83-19-047
388-96-131	AMD-E	83-14-056	388-96-229	NEW-E	83-19-046	388-96-573	AMD	83-05-007
388-96-131	AMD-E	83-19-046	388-96-229	NEW	83-19-047	388-96-585	AMD-P	83-14-046
388-96-131	AMD	83-19-047	388-96-310	NEW-P	83-14-046	388-96-585	AMD-E	83-14-056
388-96-134	AMD-P	83-14-046	388-96-310	NEW-E	83-14-056	388-96-585	AMD-E	83-19-046
388-96-134	AMD-E	83-14-056	388-96-310	NEW-E	83-19-046	388-96-585	AMD	83-19-047
388-96-134	AMD-E	83-19-046	388-96-310	NEW	83-19-047	388-96-710	AMD-P	83-14-046
388-96-134	AMD	83-19-047	388-96-369	AMD-P	83-14-046	388-96-710	AMD-E	83-14-056
388-96-201	REP-P	83-14-046	388-96-369	AMD-E	83-14-056	388-96-710	AMD-E	83-19-046
388-96-201	REP-E	83-14-056	388-96-369	AMD-E	83-19-046	388-96-710	AMD	83-19-047
388-96-201	REP-E	83-19-046	388-96-369	AMD	83-19-047	388-96-713	AMD-P	83-14-046
388-96-201	REP	83-19-047	388-96-372	AMD-P	83-14-046	388-96-713	AMD-E	83-14-056
388-96-202	NEW-E	83-14-055	388-96-372	AMD-E	83-14-056	388-96-713	AMD-E	83-19-046
388-96-204	AMD-P	83-14-046	388-96-372	AMD-E	83-19-046	388-96-713	AMD	83-19-047
388-96-204	AMD-E	83-14-056	388-96-372	AMD	83-19-047	388-96-716	AMD-P	83-14-046
388-96-204	AMD-E	83-19-046	388-96-521	AMD-P	83-14-046	388-96-716	AMD-E	83-14-056
388-96-204	AMD	83-19-047	388-96-521	AMD-E	83-14-056	388-96-716	AMD-E	83-19-046
388-96-207	AMD-P	83-14-046	388-96-521	AMD-E	83-19-046	388-96-716	AMD	83-19-047
388-96-207	AMD-E	83-14-056	388-96-521	AMD	83-19-047	388-96-717	NEW-P	83-14-046
388-96-207	AMD-E	83-19-046	388-96-523	AMD-P	83-14-046	388-96-717	NEW-E	83-14-056
388-96-207	AMD	83-19-047	388-96-523	AMD-E	83-14-056	388-96-717	NEW-E	83-19-046
388-96-210	AMD-P	83-14-046	388-96-523	AMD-E	83-19-046	388-96-717	NEW	83-19-047
388-96-210	AMD-E	83-14-056	388-96-523	AMD	83-19-047	388-96-719	AMD-P	83-14-046
388-96-210	AMD-E	83-19-046	388-96-529	AMD-P	83-14-046	388-96-719	AMD-E	83-14-056
388-96-210	AMD	83-19-047	388-96-529	AMD-E	83-14-056	388-96-719	AMD-E	83-19-046
388-96-213	AMD-P	83-14-046	388-96-529	AMD-E	83-19-046	388-96-719	AMD	83-19-047
388-96-213	AMD-E	83-14-056	388-96-529	AMD	83-19-047	388-96-720	REP-P	83-14-046
388-96-213	AMD-E	83-19-046	388-96-531	AMD-P	83-14-046	388-96-720	REP-E	83-14-056
388-96-213	AMD	83-19-047	388-96-531	AMD-E	83-14-056	388-96-720	REP-E	83-19-046
388-96-216	AMD-P	83-14-046	388-96-531	AMD-E	83-19-046	388-96-720	REP	83-19-047
388-96-216	AMD-E	83-14-056	388-96-531	AMD	83-19-047	388-96-722	AMD-P	83-14-046
388-96-216	AMD-E	83-19-046	388-96-533	AMD-P	83-14-046	388-96-722	AMD-E	83-14-056
388-96-216	AMD	83-19-047	388-96-533	AMD-E	83-14-056	388-96-722	AMD-E	83-19-046
388-96-219	REP-P	83-14-046	388-96-533	AMD-E	83-19-046	388-96-722	AMD	83-19-047
388-96-219	REP-E	83-14-056	388-96-533	AMD	83-19-047	388-96-727	AMD-P	83-14-046
388-96-219	REP-E	83-19-046	388-96-534	AMD-P	83-14-046	388-96-727	AMD-E	83-14-056
388-96-219	REP	83-19-047	388-96-534	AMD-E	83-14-056	388-96-727	AMD-E	83-19-046
388-96-220	NEW-P	83-14-046	388-96-534	AMD-E	83-19-046	388-96-727	AMD	83-19-047
388-96-220	NEW-E	83-14-056	388-96-534	AMD	83-19-047	388-96-735	AMD-P	83-14-046
388-96-220	NEW-E	83-19-046	388-96-535	AMD-P	83-14-046	388-96-735	AMD-E	83-14-056
388-96-220	NEW	83-19-047	388-96-535	AMD-E	83-14-056	388-96-735	AMD-E	83-19-046
388-96-221	NEW-P	83-14-046	388-96-535	AMD-E	83-19-046	388-96-735	AMD	83-19-047
388-96-221	NEW-E	83-14-056	388-96-535	AMD	83-19-047	388-96-743	AMD-P	83-14-046

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-96-743	AMD-E	83-14-056	391-08-105	REP-P	83-20-008	392-123-070	AMD-P	83-17-056
388-96-743	AMD-E	83-19-046	391-08-120	AMD-P	83-20-008	392-123-071	AMD-P	83-17-056
388-96-743	AMD	83-19-047	391-08-130	REP-P	83-20-008	392-123-072	AMD-P	83-17-056
388-96-750	AMD-P	83-14-046	391-08-140	REP-P	83-20-008	392-123-076	AMD-P	83-17-056
388-96-750	AMD-E	83-14-056	391-08-150	REP-P	83-20-008	392-123-078	AMD-P	83-17-056
388-96-750	AMD-E	83-19-046	391-08-170	REP-P	83-20-008	392-123-079	AMD-P	83-17-056
388-96-750	AMD	83-19-047	391-08-180	AMD-P	83-20-008	392-123-085	REP-P	83-17-056
388-96-760	AMD-P	83-14-046	391-08-210	AMD-P	83-20-008	392-123-095	AMD-P	83-17-056
388-96-760	AMD-E	83-14-056	391-08-220	REP-P	83-20-008	392-123-115	AMD-P	83-17-056
388-96-760	AMD-E	83-19-046	391-08-300	AMD-P	83-20-008	392-123-120	AMD-P	83-17-056
388-96-760	AMD	83-19-047	391-08-310	AMD-P	83-20-008	392-123-140	AMD-P	83-17-056
388-96-772	REP-P	83-14-046	391-08-320	REP-P	83-20-008	392-123-170	NEW-P	83-17-056
388-96-772	REP-E	83-14-056	391-08-330	REP-P	83-20-008	392-123-175	NEW-P	83-17-056
388-96-772	REP-E	83-19-046	391-08-340	REP-P	83-20-008	392-123-180	NEW-P	83-17-056
388-96-772	REP	83-19-047	391-08-350	REP-P	83-20-008	392-137-010	AMD-P	83-14-088
388-96-773	NEW-P	83-14-046	391-08-360	REP-P	83-20-008	392-137-010	AMD	83-17-067
388-96-773	NEW-E	83-14-056	391-08-370	REP-P	83-20-008	392-137-020	AMD-P	83-14-088
388-96-773	NEW-E	83-19-046	391-08-400	REP-P	83-20-008	392-137-020	AMD	83-17-067
388-96-773	NEW	83-19-047	391-08-410	REP-P	83-20-008	392-137-040	AMD-P	83-14-088
388-96-807	AMD-P	83-14-046	391-08-420	REP-P	83-20-008	392-137-040	AMD	83-17-067
388-96-807	AMD-E	83-14-056	391-08-450	REP-P	83-20-008	392-137-045	AMD-P	83-14-088
388-96-807	AMD-E	83-19-046	391-08-460	REP-P	83-20-008	392-137-045	AMD	83-17-067
388-96-807	AMD	83-19-047	391-08-470	REP-P	83-20-008	392-137-055	AMD-P	83-14-088
388-96-813	AMD-P	83-14-046	391-08-490	REP-P	83-20-008	392-137-055	AMD	83-17-067
388-96-813	AMD-E	83-14-056	391-08-600	AMD-P	83-20-008	392-137-060	AMD-P	83-14-088
388-96-813	AMD-E	83-19-046	391-08-610	AMD-P	83-20-008	392-137-060	AMD	83-17-067
388-96-813	AMD	83-19-047	391-25-002	AMD-P	83-20-009	392-137-065	AMD-P	83-14-088
388-96-816	AMD-P	83-14-046	391-25-330	REP-P	83-20-009	392-137-065	AMD	83-17-067
388-96-816	AMD-E	83-14-056	391-35-002	AMD-P	83-20-010	392-137-070	NEW-P	83-14-088
388-96-816	AMD-E	83-19-046	391-35-150	REP-P	83-20-010	392-137-070	NEW	83-17-067
388-96-816	AMD	83-19-047	391-45-002	AMD-P	83-20-011	392-138	AMD-C	83-03-004
388-98-001	AMD-P	83-20-055	391-45-150	REP-P	83-20-011	392-138-003	NEW-P	83-14-089
388-98-700	NEW-P	83-20-055	391-55-002	AMD-P	83-20-012	392-138-010	AMD-P	83-14-089
388-99-020	AMD-P	83-14-045	391-55-110	AMD-P	83-20-012	392-138-012	NEW-P	83-14-089
388-99-020	AMD-E	83-14-053	391-55-205	AMD-P	83-20-012	392-138-014	NEW-P	83-14-089
388-99-020	AMD	83-17-094	391-55-210	AMD-P	83-20-012	392-138-015	REP-P	83-14-089
388-99-035	AMD-P	83-10-081	391-55-310	AMD-P	83-20-012	392-138-016	NEW-P	83-14-089
388-99-035	AMD	83-13-071	391-55-355	AMD-P	83-20-012	392-138-017	NEW-P	83-14-089
388-99-045	AMD-P	83-09-046	391-55-455	AMD-P	83-20-012	392-138-020	REP-P	83-14-089
388-99-045	REP	83-12-059	391-55-500	REP-P	83-20-012	392-138-025	REP-P	83-14-089
388-99-060	AMD	83-03-016	391-55-510	REP-P	83-20-012	392-138-030	AMD-P	83-14-089
388-100-005	AMD-P	83-10-081	391-55-515	REP-P	83-20-012	392-138-035	AMD-P	83-14-089
388-100-005	AMD	83-13-071	391-55-520	REP-P	83-20-012	392-138-047	NEW-P	83-14-089
388-100-025	AMD-P	83-10-081	391-55-525	REP-P	83-20-012	392-138-050	AMD-P	83-14-089
388-100-025	AMD	83-13-071	391-55-530	REP-P	83-20-012	392-138-071	NEW-P	83-14-089
388-100-030	AMD-P	83-14-026	391-55-535	REP-P	83-20-012	392-138-075	AMD-P	83-14-089
388-100-030	AMD-E	83-14-051	391-55-540	REP-P	83-20-012	392-138-100	NEW-P	83-14-089
388-100-030	AMD	83-17-071	391-55-545	REP-P	83-20-012	392-139-001	NEW-P	83-14-090
388-100-035	AMD-P	83-14-026	391-55-560	REP-P	83-20-012	392-139-001	NEW	83-17-058
388-100-035	AMD-E	83-14-051	391-65-002	AMD-P	83-20-013	392-139-001	AMD-P	83-20-085
388-100-035	AMD	83-17-071	391-65-500	REP-P	83-20-013	392-139-001	AMD-E	83-20-086
388-120-220	AMD	83-03-021	391-65-510	REP-P	83-20-013	392-139-005	AMD-P	83-14-090
389-12-010	AMD-E	83-13-017	391-65-515	REP-P	83-20-013	392-139-005	AMD	83-17-058
389-12-020	AMD-E	83-13-017	391-65-525	REP-P	83-20-013	392-139-005	AMD-P	83-20-085
389-12-030	AMD-E	83-13-017	391-65-530	REP-P	83-20-013	392-139-005	AMD-E	83-20-086
389-12-040	AMD-E	83-13-017	391-65-535	REP-P	83-20-013	392-139-010	AMD-P	83-20-085
389-12-050	AMD-E	83-13-017	391-65-540	REP-P	83-20-013	392-139-010	AMD-E	83-20-086
389-12-080	AMD-E	83-13-017	391-65-545	REP-P	83-20-013	392-139-016	AMD-P	83-14-090
389-12-100	AMD-E	83-13-017	391-65-550	REP-P	83-20-013	392-139-016	AMD	83-17-058
389-12-130	AMD-E	83-13-017	391-65-555	REP-P	83-20-013	392-139-016	AMD-P	83-20-085
389-12-230	AMD-E	83-13-017	391-65-560	REP-P	83-20-013	392-139-016	AMD-E	83-20-086
389-12-270	AMD-E	83-13-017	391-95-210	REP-P	83-20-014	392-139-017	AMD-P	83-20-085
390-13-010	NEW-P	83-06-033	391-95-280	NEW-P	83-20-014	392-139-017	AMD-E	83-20-086
390-13-010	NEW	83-11-004	392-101-001	NEW-P	83-14-087	392-139-018	AMD-P	83-20-085
390-13-100	NEW-P	83-14-036	392-101-001	NEW	83-17-057	392-139-018	AMD-E	83-20-086
390-13-100	NEW	83-17-138	392-101-005	AMD-P	83-14-087	392-139-019	NEW-P	83-14-090
390-20-145	AMD-P	83-13-046	392-101-005	AMD	83-17-057	392-139-019	NEW	83-17-058
390-20-145	AMD-C	83-17-034	392-121-105	AMD-E	83-17-061	392-139-019	REP-P	83-20-085
390-20-146	NEW-P	83-13-046	392-121-105	AMD-P	83-17-062	392-139-019	REP-E	83-20-086
390-20-146	NEW-C	83-17-034	392-123-003	NEW-P	83-17-056	392-139-021	AMD-P	83-14-090
390-24-010	AMD-P	83-20-051	392-123-046	NEW-P	83-17-056	392-139-021	AMD	83-17-058
390-24-020	AMD-P	83-20-051	392-123-047	AMD-P	83-17-056	392-139-022	NEW-P	83-14-090
390-24-025	AMD-P	83-20-051	392-123-049	AMD-P	83-17-056	392-139-022	NEW	83-17-058
391-08-001	AMD-P	83-20-008	392-123-053	AMD-P	83-17-056	392-139-022	AMD-P	83-20-085
391-08-007	AMD-P	83-20-008	392-123-054	AMD-P	83-17-056	392-139-022	AMD-E	83-20-086
391-08-100	AMD-P	83-20-008	392-123-055	AMD-P	83-17-056	392-139-026	AMD-P	83-20-085
391-08-103	REP-P	83-20-008	392-123-060	AMD-P	83-17-056	392-139-026	AMD-E	83-20-086

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
392-139-027	REP-P	83-20-085	392-143-040	AMD-P	83-17-109	392-163-255	NEW	83-08-030
392-139-027	REP-E	83-20-086	392-143-050	AMD-P	83-17-109	392-163-255	AMD-P	83-14-091
392-139-031	AMD-P	83-20-085	392-143-060	AMD-P	83-17-109	392-163-255	AMD	83-17-060
392-139-031	AMD-E	83-20-086	392-143-065	AMD-P	83-17-109	392-163-260	NEW-P	83-04-054
392-139-036	AMD-P	83-14-090	392-143-070	AMD-P	83-17-109	392-163-260	NEW	83-08-030
392-139-036	AMD	83-17-058	392-143-075	REP-P	83-17-109	392-163-300	NEW-P	83-04-054
392-139-036	AMD-P	83-20-085	392-145-001	NEW-P	83-17-066	392-163-300	NEW	83-08-030
392-139-036	AMD-E	83-20-086	392-145-010	AMD-P	83-17-066	392-163-305	NEW-P	83-04-054
392-139-037	AMD-P	83-20-085	392-163	NEW-C	83-07-058	392-163-305	NEW	83-08-030
392-139-037	AMD-E	83-20-086	392-163	NEW	83-08-030	392-163-310	NEW-P	83-04-054
392-139-038	AMD-P	83-20-085	392-163	AMD-P	83-14-091	392-163-310	NEW	83-08-030
392-139-038	AMD-E	83-20-086	392-163-005	REP-P	83-04-054	392-163-315	NEW-P	83-04-054
392-140-010	AMD-E	83-13-052	392-163-005	REP-P	83-14-091	392-163-315	NEW	83-08-030
392-140-010	AMD-P	83-14-009	392-163-005	REP	83-17-060	392-163-320	NEW-P	83-04-054
392-140-010	AMD	83-17-059	392-163-100	NEW-P	83-04-054	392-163-320	NEW	83-08-030
392-140-011	AMD-E	83-13-052	392-163-100	NEW	83-08-030	392-163-322	NEW-P	83-04-054
392-140-011	AMD-P	83-14-009	392-163-105	NEW-P	83-04-054	392-163-322	NEW	83-08-030
392-140-011	AMD	83-17-059	392-163-105	NEW	83-08-030	392-163-325	NEW-P	83-04-054
392-140-013	AMD-E	83-13-052	392-163-110	NEW-P	83-04-054	392-163-325	NEW	83-08-030
392-140-013	AMD-P	83-14-009	392-163-110	NEW	83-08-030	392-163-330	NEW-P	83-04-054
392-140-013	AMD	83-17-059	392-163-115	NEW-P	83-04-054	392-163-330	NEW	83-08-030
392-140-014	AMD-E	83-13-052	392-163-115	NEW	83-08-030	392-163-335	NEW-P	83-04-054
392-140-014	AMD-P	83-14-009	392-163-120	NEW-P	83-04-054	392-163-335	NEW	83-08-030
392-140-014	AMD	83-17-059	392-163-120	NEW	83-08-030	392-163-340	NEW-P	83-04-054
392-140-015	AMD-E	83-13-052	392-163-125	NEW-P	83-04-054	392-163-340	NEW	83-08-030
392-140-015	AMD-P	83-14-009	392-163-125	NEW	83-08-030	392-163-345	NEW-P	83-04-054
392-140-015	AMD	83-17-059	392-163-125	NEW	83-08-030	392-163-345	NEW	83-08-030
392-140-016	AMD-E	83-13-052	392-163-130	NEW-P	83-04-054	392-163-350	NEW-P	83-04-054
392-140-016	AMD-P	83-14-009	392-163-130	NEW	83-08-030	392-163-350	NEW	83-08-030
392-140-016	AMD	83-17-059	392-163-135	NEW-P	83-04-054	392-163-355	NEW-P	83-04-054
392-140-017	AMD-E	83-13-052	392-163-135	NEW	83-08-030	392-163-355	NEW	83-08-030
392-140-017	AMD-P	83-14-009	392-163-140	NEW-P	83-04-054	392-163-360	NEW-P	83-04-054
392-140-017	AMD	83-17-059	392-163-140	AMD-P	83-14-091	392-163-360	NEW	83-08-030
392-140-018	AMD-E	83-13-052	392-163-140	AMD	83-17-060	392-163-365	NEW-P	83-04-054
392-140-018	AMD-P	83-14-009	392-163-142	NEW-P	83-04-054	392-163-365	NEW	83-08-030
392-140-018	AMD	83-17-059	392-163-142	NEW	83-08-030	392-163-370	NEW-P	83-04-054
392-140-019	AMD-E	83-13-052	392-163-142	AMD-P	83-14-091	392-163-370	NEW	83-08-030
392-140-019	AMD-P	83-14-009	392-163-142	AMD	83-17-060	392-163-375	NEW-P	83-04-054
392-140-019	AMD	83-17-059	392-163-145	NEW-P	83-04-054	392-163-375	NEW	83-08-030
392-140-020	AMD-E	83-13-052	392-163-145	NEW	83-08-030	392-163-385	NEW-P	83-04-054
392-140-020	AMD-P	83-14-009	392-163-170	NEW-P	83-04-054	392-163-385	NEW	83-08-030
392-140-020	AMD	83-17-059	392-163-170	NEW	83-08-030	392-163-385	AMD-P	83-14-091
392-140-021	AMD-E	83-13-052	392-163-175	NEW-P	83-04-054	392-163-390	NEW	83-08-030
392-140-021	AMD-P	83-14-009	392-163-175	NEW	83-08-030	392-163-390	NEW	83-08-030
392-140-021	AMD	83-17-059	392-163-180	NEW-P	83-04-054	392-163-400	NEW-P	83-04-054
392-140-022	AMD-E	83-13-052	392-163-180	NEW	83-08-030	392-163-400	NEW	83-08-030
392-140-022	AMD-P	83-14-009	392-163-180	AMD-P	83-14-091	392-163-405	NEW-P	83-04-054
392-140-022	AMD	83-17-059	392-163-180	AMD	83-17-060	392-163-405	NEW	83-08-030
392-140-023	AMD-E	83-13-052	392-163-185	NEW-P	83-04-054	392-163-410	NEW-P	83-04-054
392-140-023	AMD-P	83-14-009	392-163-185	NEW	83-08-030	392-163-410	NEW	83-08-030
392-140-023	AMD	83-17-059	392-163-190	NEW-P	83-04-054	392-163-415	NEW-P	83-04-054
392-141-045	REP-P	83-20-029	392-163-190	NEW	83-08-030	392-163-415	NEW	83-08-030
392-141-054	REP-P	83-20-029	392-163-195	NEW-P	83-04-054	392-163-420	NEW-P	83-04-054
392-141-055	REP-P	83-20-029	392-163-195	NEW	83-08-030	392-163-420	NEW	83-08-030
392-141-061	REP-P	83-20-029	392-163-200	NEW-P	83-04-054	392-163-425	NEW-P	83-04-054
392-142-005	NEW-P	83-19-071	392-163-200	NEW	83-08-030	392-163-425	NEW	83-08-030
392-142-010	NEW-P	83-19-071	392-163-205	NEW-P	83-04-054	392-163-425	AMD-E	83-13-053
392-142-015	NEW-P	83-19-071	392-163-205	NEW	83-08-030	392-163-425	AMD-P	83-14-091
392-142-020	NEW-P	83-19-071	392-163-210	NEW-P	83-04-054	392-163-430	AMD	83-17-060
392-142-025	NEW-P	83-19-071	392-163-210	NEW	83-08-030	392-163-430	NEW-P	83-04-054
392-142-030	NEW-P	83-19-071	392-163-215	NEW-P	83-04-054	392-163-430	NEW	83-08-030
392-142-035	NEW-P	83-19-071	392-163-215	NEW	83-08-030	392-163-440	NEW-P	83-04-054
392-142-040	NEW-P	83-19-071	392-163-220	NEW-P	83-04-054	392-163-440	NEW	83-08-030
392-142-045	NEW-P	83-19-071	392-163-220	NEW	83-08-030	392-163-440	NEW	83-08-030
392-142-050	NEW-P	83-19-071	392-163-225	NEW-P	83-04-054	392-163-445	NEW-P	83-04-054
392-142-055	NEW-P	83-19-071	392-163-225	NEW	83-08-030	392-163-445	NEW	83-08-030
392-142-060	NEW-P	83-19-071	392-163-230	NEW-P	83-04-054	392-163-450	NEW-P	83-04-054
392-142-065	NEW-P	83-19-071	392-163-230	NEW	83-08-030	392-163-450	NEW	83-08-030
392-142-070	NEW-P	83-19-071	392-163-235	NEW-P	83-04-054	392-163-455	NEW-P	83-04-054
392-143-001	NEW-P	83-17-109	392-163-235	NEW	83-08-030	392-163-455	NEW	83-08-030
392-143-005	AMD-P	83-17-109	392-163-240	NEW-P	83-04-054	392-163-460	NEW-P	83-04-054
392-143-010	AMD-P	83-17-109	392-163-240	NEW	83-08-030	392-163-460	NEW	83-08-030
392-143-015	AMD-P	83-17-109	392-163-245	NEW-P	83-04-054	392-163-465	NEW-P	83-04-054
392-143-020	REP-P	83-17-109	392-163-245	NEW	83-08-030	392-163-500	NEW-P	83-14-091
392-143-025	AMD-P	83-17-109	392-163-250	NEW-P	83-04-054	392-163-500	NEW	83-17-060
392-143-030	AMD-P	83-17-109	392-163-250	NEW	83-08-030	392-171	AMD-C	83-07-057
392-143-035	AMD-P	83-17-109	392-163-255	NEW-P	83-04-054			

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
392-171	AMD	83-08-029	402-24-085	AMD-P	83-15-061
392-171-386	AMD-P	83-04-072	402-24-085	AMD	83-19-050
392-171-386	AMD	83-08-029	402-24-095	AMD-P	83-15-061
392-171-401	AMD-P	83-04-072	402-24-095	AMD	83-19-050
392-171-401	AMD	83-08-029	402-24-110	AMD-P	83-15-061
392-171-631	AMD-P	83-04-072	402-24-110	AMD	83-19-050
392-171-631	AMD	83-08-029	402-24-120	AMD-P	83-15-061
392-171-661	AMD-P	83-04-072	402-24-120	AMD	83-19-050
392-171-661	AMD	83-08-029	402-24-125	AMD-P	83-15-061
392-171-691	AMD-P	83-04-072	402-24-125	AMD	83-19-050
392-171-691	AMD	83-08-029	402-24-140	AMD-P	83-15-061
392-171-761	AMD-P	83-04-072	402-24-140	AMD	83-19-050
392-171-761	AMD	83-08-029	402-24-165	NEW-P	83-15-061
392-171-766	AMD-P	83-04-072	402-24-165	NEW	83-19-050
392-171-766	AMD	83-08-029	402-24-170	AMD-P	83-15-061
392-171-771	AMD-P	83-04-072	402-24-170	AMD	83-19-050
392-171-771	AMD	83-08-029	402-24-180	AMD-P	83-15-061
392-171-776	AMD-P	83-04-072	402-24-180	AMD	83-19-050
392-171-776	AMD	83-08-029	402-24-190	AMD-P	83-15-061
392-171-781	AMD-P	83-04-072	402-24-190	AMD	83-19-050
392-171-781	AMD	83-08-029	402-24-230	AMD-P	83-15-061
402-12-050	AMD-P	83-15-061	402-24-230	AMD	83-19-050
402-12-050	AMD	83-19-050	402-28-020	AMD-P	83-15-061
402-12-090	AMD-P	83-15-061	402-28-020	AMD	83-19-050
402-12-090	AMD	83-19-050	402-28-031	AMD-P	83-15-061
402-12-160	AMD-P	83-15-061	402-28-031	AMD	83-19-050
402-12-160	AMD	83-19-050	402-28-032	AMD-P	83-15-061
402-12-200	REP-P	83-15-061	402-28-032	AMD	83-19-050
402-12-210	REP-P	83-15-061	402-28-035	AMD-P	83-15-061
402-16-230	AMD-P	83-15-061	402-28-035	AMD	83-19-050
402-16-230	AMD	83-19-050	402-28-040	AMD-P	83-15-061
402-16-232	AMD-P	83-15-061	402-28-040	AMD	83-19-050
402-16-232	AMD	83-19-050	402-28-051	AMD-P	83-15-061
402-16-234	AMD-P	83-15-061	402-28-051	AMD	83-19-050
402-16-234	AMD	83-19-050	402-28-052	AMD-P	83-15-061
402-16-238	AMD-P	83-15-061	402-28-052	AMD	83-19-050
402-16-238	AMD	83-19-050	402-28-053	AMD-P	83-15-061
402-16-240	AMD-P	83-15-061	402-28-053	AMD	83-19-050
402-16-240	AMD	83-19-050	402-28-054	AMD-P	83-15-061
402-16-250	AMD-P	83-15-061	402-28-054	AMD	83-19-050
402-16-250	AMD	83-19-050	402-28-080	AMD-P	83-15-061
402-16-270	AMD-P	83-15-061	402-28-080	AMD	83-19-050
402-16-270	AMD	83-19-050	402-28-091	AMD-P	83-15-061
402-19-010	AMD-P	83-15-061	402-28-091	AMD	83-19-050
402-19-010	AMD	83-19-050	402-28-110	AMD-P	83-15-061
402-19-190	AMD-P	83-15-061	402-28-110	AMD	83-19-050
402-19-190	AMD	83-19-050	402-28-120	REP-P	83-15-061
402-19-250	AMD-P	83-15-061	402-28-120	REP	83-19-050
402-19-250	AMD	83-19-050	402-28-130	REP-P	83-15-061
402-19-300	AMD-P	83-15-061	402-28-130	REP	83-19-050
402-19-300	AMD	83-19-050	402-28-990	AMD-P	83-15-061
402-19-330	NEW-P	83-15-061	402-28-990	AMD	83-19-050
402-19-330	NEW	83-19-050	402-28-99001	AMD-P	83-15-061
402-19-350	AMD-P	83-15-061	402-28-99001	AMD	83-19-050
402-19-350	AMD	83-19-050	402-28-99002	REP-P	83-15-061
402-19-370	AMD-P	83-15-061	402-28-99002	REP	83-19-050
402-19-370	AMD	83-19-050	402-28-99003	AMD-P	83-15-061
402-19-500	AMD-P	83-15-061	402-28-99003	AMD	83-19-050
402-19-500	AMD	83-19-050	402-28-99004	AMD-P	83-15-061
402-19-530	AMD-P	83-15-061	402-28-99004	AMD	83-19-050
402-19-530	AMD	83-19-050	402-32-020	AMD-P	83-15-061
402-19-550	AMD-P	83-15-061	402-32-020	AMD	83-19-050
402-19-550	AMD	83-19-050	402-32-030	AMD-P	83-15-061
402-19-580	AMD-P	83-15-061	402-32-030	AMD	83-19-050
402-19-580	AMD	83-19-050	402-32-100	AMD-P	83-15-061
402-19-590	NEW-P	83-15-061	402-32-100	AMD	83-19-050
402-19-590	NEW	83-19-050	402-34-010	NEW-P	83-15-061
402-21-050	AMD-P	83-15-061	402-34-010	NEW	83-19-050
402-21-050	AMD	83-19-050	402-34-030	NEW-P	83-15-061
402-22-060	AMD-P	83-15-061	402-34-030	NEW	83-19-050
402-22-060	AMD	83-19-050	402-34-050	NEW-P	83-15-061
402-22-070	AMD-P	83-15-061	402-34-050	NEW	83-19-050
402-22-070	AMD	83-19-050	402-34-090	NEW-P	83-15-061
402-22-240	NEW-P	83-15-061	402-34-090	NEW	83-19-050
402-22-240	NEW	83-19-050	402-34-100	NEW-P	83-15-061
402-24-060	AMD-P	83-15-061	402-34-100	NEW	83-19-050
402-24-060	AMD	83-19-050	402-34-120	NEW-P	83-15-061
402-34-120	NEW	83-19-050	402-34-120	NEW-P	83-15-061
402-34-140	NEW-P	83-15-061			
402-34-140	NEW	83-19-050			
402-34-150	NEW-P	83-15-061			
402-34-150	NEW	83-19-050			
402-34-170	NEW-P	83-15-061			
402-34-170	NEW	83-19-050			
402-34-190	NEW-P	83-15-061			
402-34-190	NEW	83-19-050			
402-34-210	NEW-P	83-15-061			
402-34-210	NEW	83-19-050			
402-36-025	AMD-P	83-15-061			
402-36-025	AMD	83-19-050			
402-36-027	NEW-P	83-15-061			
402-36-027	NEW	83-19-050			
402-36-035	NEW-P	83-15-061			
402-36-035	NEW	83-19-050			
402-36-060	AMD-P	83-15-061			
402-36-060	AMD	83-19-050			
402-36-070	AMD-P	83-15-061			
402-36-070	AMD	83-19-050			
402-36-080	AMD-P	83-15-061			
402-36-080	AMD	83-19-050			
402-36-095	AMD-P	83-15-061			
402-36-095	AMD	83-19-050			
402-36-100	AMD-P	83-15-061			
402-36-100	AMD	83-19-050			
402-36-110	AMD-P	83-15-061			
402-36-110	AMD	83-19-050			
402-36-120	AMD-P	83-15-061			
402-36-120	AMD	83-19-050			
402-36-125	AMD	83-19-050			
402-36-150	AMD-P	83-15-061			
402-36-150	AMD	83-19-050			
402-36-155	AMD-P	83-15-061			
402-36-155	AMD	83-19-050			
402-36-157	AMD-P	83-15-061			
402-36-157	AMD	83-19-050			
402-36-165	NEW-P	83-15-061			
402-36-165	NEW	83-19-050			
402-48-030	AMD-P	83-15-061			
402-48-030	AMD	83-19-050			
402-48-040	AMD-P	83-15-061			
402-48-040	AMD	83-19-050			
410-20-010	REP-C	83-18-012			
410-20-010	REP-P	83-15-064			
410-20-010	REP	83-19-009			
410-20-020	REP-P	83-15-064			
410-20-020	REP	83-19-009			
410-20-030	REP-P	83-15-064			
410-20-030	REP	83-19-009			
410-20-040	REP-P	83-15-064			
410-20-040	REP	83-19-009			
410-20-050	REP	83-19-009			
410-20-060	REP-P	83-15-064			
410-20-060	REP	83-19-009			
410-20-070	REP-P	83-15-064			
410-20-070	REP	83-19-009			
419-14-020	AMD-P	83-13-040			
419-14-020	AMD-E	83-13-043			
419-14-020	AMD-P	83-16-067			
419-14-020	AMD	83-20-028			
419-14-090	NEW-P	83-13-040			
419-14-090	NEW-E	83-13-043			
419-14-090	NEW-P	83-16-067			
419-14-090	NEW	83-20-028			
419-14-100	NEW-P	83-13-040			
419-14-100	NEW-E	83-13-043			
419-14-100	NEW-P	83-16-067			
419-14-100	NEW	83-20-028			
419-14-110	NEW-P	83-13-040			
419-14-110	NEW-E	83-13-043			
419-14-110	NEW-P	83-16-067			
419-14-110	NEW	83-20-028			
419-18-020	AMD-P	83-13-041			

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
419-18-020	AMD-E	83-13-042	458-12-343	NEW-P	83-18-057	458-20-137	AMD-P	83-04-063
419-18-020	AMD-P	83-16-068	458-14-040	AMD-E	83-10-017	458-20-137	AMD	83-07-034
419-18-020	AMD	83-20-027	458-16-010	AMD-P	83-16-070	458-20-140	AMD-P	83-04-063
419-18-040	AMD-P	83-13-041	458-16-010	AMD	83-19-029	458-20-140	AMD	83-07-034
419-18-040	AMD-E	83-13-042	458-16-012	AMD-P	83-16-070	458-20-141	AMD-P	83-04-063
419-18-040	AMD-P	83-16-068	458-16-013	AMD-P	83-16-070	458-20-141	AMD	83-07-034
419-18-040	AMD	83-20-027	458-16-013	AMD	83-19-029	458-20-142	AMD-P	83-04-063
419-18-050	NEW-P	83-13-041	458-16-020	AMD-P	83-16-070	458-20-142	AMD	83-07-034
419-18-050	NEW-E	83-13-042	458-16-020	AMD	83-19-029	458-20-143	AMD-P	83-04-063
419-18-050	NEW-P	83-16-068	458-16-030	AMD-P	83-16-070	458-20-143	AMD	83-07-034
419-18-050	NEW	83-20-027	458-16-030	AMD	83-19-029	458-20-143	AMD-P	83-13-026
419-18-060	NEW-P	83-13-041	458-16-050	AMD-P	83-16-070	458-20-143	AMD	83-16-053
419-18-060	NEW-E	83-13-042	458-16-050	AMD	83-19-029	458-20-145	AMD-P	83-04-062
419-18-060	NEW-P	83-16-068	458-16-100	AMD-P	83-16-070	458-20-145	AMD	83-07-032
419-18-060	NEW	83-20-027	458-16-100	AMD	83-19-029	458-20-146	AMD-P	83-04-062
419-18-070	NEW-P	83-13-041	458-16-130	AMD-P	83-16-070	458-20-146	AMD	83-07-032
419-18-070	NEW-E	83-13-042	458-16-130	AMD	83-19-029	458-20-148	AMD-P	83-04-063
419-18-070	NEW-P	83-16-068	458-16-150	AMD-P	83-16-070	458-20-148	AMD	83-07-034
419-18-070	NEW	83-20-027	458-16-150	AMD	83-19-029	458-20-150	AMD-P	83-04-063
419-20-030	AMD-P	83-17-029	458-16-210	AMD-P	83-16-070	458-20-150	AMD	83-07-034
419-20-070	AMD-P	83-17-029	458-16-210	AMD	83-19-029	458-20-151	AMD-P	83-04-062
419-20-120	AMD-P	83-17-029	458-16-260	AMD-P	83-16-070	458-20-151	AMD	83-07-032
419-20-140	AMD-P	83-17-029	458-16-260	AMD	83-19-029	458-20-153	AMD-P	83-04-064
419-28	REVIEW	83-14-077	458-16-270	AMD-P	83-16-070	458-20-153	AMD	83-07-033
419-28-060	NEW	83-05-022	458-16-270	AMD	83-19-029	458-20-156	AMD-P	83-04-064
419-36	REVIEW	83-14-077	458-20	AMD-C	83-08-015	458-20-156	AMD	83-07-033
419-40	REVIEW	83-14-077	458-20-100	AMD-P	83-04-062	458-20-159	AMD-P	83-04-064
419-44-010	NEW	83-05-022	458-20-100	AMD	83-07-032	458-20-159	AMD	83-07-033
419-44-020	NEW-W	83-05-021	458-20-101	AMD-P	83-04-062	458-20-161	AMD-P	83-04-064
419-52	REVIEW	83-14-077	458-20-101	AMD	83-07-032	458-20-161	AMD	83-07-033
419-56-010	NEW-P	83-14-078	458-20-102	AMD-P	83-04-063	458-20-162	AMD-P	83-04-064
434-08-060	NEW-E	83-19-028	458-20-102	AMD	83-07-034	458-20-162	AMD	83-07-033
434-36-010	NEW-P	83-19-067	458-20-104	AMD-P	83-04-063	458-20-163	AMD-P	83-04-064
434-36-020	NEW-P	83-19-067	458-20-104	AMD	83-07-034	458-20-163	AMD	83-07-033
434-36-030	NEW-P	83-19-067	458-20-106	AMD-P	83-04-063	458-20-164	AMD-P	83-14-059
434-36-040	NEW-P	83-19-067	458-20-106	AMD	83-07-034	458-20-164	AMD-E	83-14-060
434-36-050	NEW-P	83-19-067	458-20-107	AMD-P	83-04-063	458-20-164	AMD	83-17-099
434-36-060	NEW-P	83-19-067	458-20-107	AMD	83-07-034	458-20-165	AMD-P	83-04-064
434-36-070	NEW-P	83-19-067	458-20-108	AMD-P	83-04-063	458-20-165	AMD	83-07-033
434-36-080	NEW-P	83-19-067	458-20-108	AMD	83-07-034	458-20-166	AMD-P	83-04-064
434-36-090	NEW-P	83-19-067	458-20-112	AMD-P	83-04-063	458-20-166	AMD	83-07-033
434-36-100	NEW-P	83-19-067	458-20-113	AMD-P	83-04-063	458-20-167	AMD-P	83-04-062
434-36-110	NEW-P	83-19-067	458-20-113	AMD-C	83-07-035	458-20-167	AMD	83-07-032
434-36-120	NEW-P	83-19-067	458-20-114	AMD-P	83-04-062	458-20-168	AMD-P	83-04-064
434-36-130	NEW-P	83-19-067	458-20-116	AMD-P	83-04-063	458-20-168	AMD	83-07-033
434-36-140	NEW-P	83-19-067	458-20-116	AMD	83-07-034	458-20-169	AMD-P	83-04-064
434-36-150	NEW-P	83-19-067	458-20-118	AMD-P	83-04-063	458-20-169	AMD	83-07-033
434-36-160	NEW-P	83-19-067	458-20-118	AMD	83-07-034	458-20-170	AMD-P	83-04-064
434-36-170	NEW-P	83-19-067	458-20-121	AMD-P	83-04-063	458-20-170	AMD	83-07-033
434-36-180	NEW-P	83-19-067	458-20-121	AMD	83-07-034	458-20-171	AMD-P	83-04-064
434-36-190	NEW-P	83-19-067	458-20-123	AMD-P	83-04-063	458-20-172	AMD-P	83-04-064
434-36-200	NEW-P	83-19-067	458-20-123	AMD	83-07-034	458-20-172	AMD	83-07-033
434-36-210	NEW-P	83-19-067	458-20-124	AMD-P	83-04-063	458-20-173	AMD-P	83-04-064
440-44-030	AMD-P	83-17-107	458-20-124	AMD	83-07-034	458-20-173	AMD	83-07-033
440-44-035	AMD-P	83-09-048	458-20-125	AMD-P	83-04-063	458-20-174	AMD-P	83-04-064
440-44-035	AMD	83-12-058	458-20-125	AMD	83-07-034	458-20-174	AMD	83-07-033
440-44-040	AMD-P	83-08-005	458-20-126	AMD-P	83-04-063	458-20-175	AMD-P	83-04-064
440-44-040	AMD-P	83-09-048	458-20-126	AMD	83-07-034	458-20-175	AMD	83-07-033
440-44-040	AMD	83-12-058	458-20-126	AMD-P	83-14-059	458-20-176	AMD-P	83-04-064
440-44-048	NEW-P	83-10-076	458-20-126	AMD-E	83-14-060	458-20-176	AMD	83-07-033
440-44-048	NEW	83-14-038	458-20-126	AMD	83-17-099	458-20-177	AMD-P	83-05-048
440-44-050	AMD-P	83-09-048	458-20-127	AMD-P	83-04-063	458-20-177	AMD	83-08-026
440-44-050	AMD	83-12-058	458-20-127	AMD	83-07-034	458-20-178	AMD-P	83-04-064
440-44-057	AMD-P	83-09-048	458-20-128	AMD-P	83-04-063	458-20-178	AMD	83-07-033
440-44-057	AMD	83-12-058	458-20-128	AMD	83-07-034	458-20-180	AMD-P	83-04-064
440-44-060	NEW-P	83-09-048	458-20-130	AMD-P	83-04-063	458-20-180	AMD	83-07-033
440-44-060	NEW	83-12-058	458-20-130	AMD	83-07-034	458-20-181	AMD-P	83-04-064
440-44-065	AMD-P	83-12-015	458-20-131	AMD-P	83-04-063	458-20-181	AMD	83-07-033
440-44-065	AMD	83-15-021	458-20-131	AMD	83-07-034	458-20-184	AMD-P	83-04-064
446-50-080	AMD	83-03-008	458-20-132	AMD-P	83-04-063	458-20-184	AMD	83-07-033
458-12-326	NEW-P	83-18-057	458-20-132	AMD	83-07-034	458-20-185	AMD-P	83-04-062
458-12-327	NEW-P	83-18-057	458-20-134	AMD-P	83-04-062	458-20-185	AMD	83-07-032
458-12-335	AMD-P	83-18-057	458-20-134	AMD	83-07-032	458-20-186	AMD-P	83-04-062
458-12-336	AMD-P	83-18-057	458-20-135	AMD-P	83-04-063	458-20-186	AMD	83-07-032
458-12-337	AMD-P	83-18-057	458-20-135	AMD	83-07-034	458-20-18801	AMD-P	83-04-062
458-12-339	AMD-P	83-18-057	458-20-136	AMD-P	83-04-062	458-20-18801	AMD	83-07-032
458-12-342	NEW-P	83-18-057	458-20-136	AMD	83-07-032	458-20-189	AMD-P	83-04-064

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
458-20-189	AMD	83-07-033	458-20-239	AMD	83-08-026	458-53-100	AMD-E	83-16-051
458-20-190	AMD-P	83-04-064	458-20-240	AMD-P	83-05-048	458-53-165	NEW-P	83-13-047
458-20-190	AMD	83-07-033	458-20-240	AMD	83-08-026	458-53-165	NEW	83-16-050
458-20-191	AMD-P	83-04-064	458-20-241	AMD-P	83-05-048	458-53-165	NEW-E	83-16-051
458-20-191	AMD	83-07-033	458-20-241	AMD	83-08-026	458-57	AMD-P	83-13-120
458-20-193A	AMD-P	83-04-064	458-20-242A	AMD-P	83-05-048	458-57	AMD	83-17-033
458-20-193A	AMD	83-07-033	458-20-242A	AMD	83-08-026	458-57-010	REP-P	83-13-120
458-20-193B	AMD-P	83-04-064	458-20-243	AMD-P	83-05-048	458-57-010	REP	83-17-033
458-20-193B	AMD	83-07-033	458-20-243	AMD	83-08-026	458-57-020	REP-P	83-13-120
458-20-193C	AMD-P	83-04-064	458-20-244	AMD-P	83-14-059	458-57-020	REP	83-17-033
458-20-193C	AMD	83-07-033	458-20-244	AMD-E	83-14-060	458-57-030	REP-P	83-13-120
458-20-193D	AMD-P	83-04-064	458-20-244	AMD	83-17-099	458-57-030	REP	83-17-033
458-20-193D	AMD	83-07-033	458-20-245	NEW-P	83-14-059	458-57-040	REP-P	83-13-120
458-20-194	AMD-P	83-05-048	458-20-245	NEW-E	83-14-060	458-57-040	REP	83-17-033
458-20-194	AMD	83-08-026	458-20-245	NEW	83-17-099	458-57-050	REP-P	83-13-120
458-20-195	AMD-P	83-05-048	458-40-18600	AMD-P	83-11-037	458-57-050	REP	83-17-033
458-20-195	AMD	83-08-026	458-40-18600	AMD-E	83-14-039	458-57-060	REP-P	83-13-120
458-20-196	AMD-P	83-04-062	458-40-18600	AMD	83-14-040	458-57-060	REP	83-17-033
458-20-196	AMD	83-07-032	458-40-18688	NEW-P	83-11-037	458-57-070	REP-P	83-13-120
458-20-198	AMD-P	83-04-062	458-40-18688	NEW-E	83-14-039	458-57-070	REP	83-17-033
458-20-198	AMD	83-07-032	458-40-18688	NEW	83-14-040	458-57-080	REP-P	83-13-120
458-20-199	AMD-P	83-04-062	458-40-18689	NEW-P	83-11-037	458-57-080	REP	83-17-033
458-20-199	AMD	83-07-032	458-40-18689	NEW-E	83-14-039	458-57-090	REP-P	83-13-120
458-20-201	AMD-P	83-05-048	458-40-18689	NEW	83-14-040	458-57-090	REP	83-17-033
458-20-201	AMD	83-08-026	458-40-18690	NEW-P	83-11-037	458-57-100	REP-P	83-13-120
458-20-206	AMD-P	83-05-048	458-40-18690	NEW-E	83-14-039	458-57-100	REP	83-17-033
458-20-206	AMD	83-08-026	458-40-18690	NEW	83-14-040	458-57-110	REP-P	83-13-120
458-20-209	AMD-P	83-05-048	458-40-18691	NEW-P	83-11-037	458-57-110	REP	83-17-033
458-20-209	AMD	83-08-026	458-40-18691	NEW-E	83-14-039	458-57-120	REP-P	83-13-120
458-20-210	AMD-P	83-05-048	458-40-18691	NEW	83-14-040	458-57-120	REP	83-17-033
458-20-210	AMD	83-08-026	458-40-18692	NEW-P	83-11-037	458-57-130	REP-P	83-13-120
458-20-211	AMD-P	83-05-048	458-40-18692	NEW-E	83-14-039	458-57-130	REP	83-17-033
458-20-211	AMD	83-08-026	458-40-18692	NEW	83-14-040	458-57-140	REP-P	83-13-120
458-20-214	AMD-P	83-05-048	458-40-18693	NEW-P	83-11-037	458-57-140	REP	83-17-033
458-20-214	AMD	83-08-026	458-40-18693	NEW-E	83-14-039	458-57-140	REP-P	83-13-120
458-20-215	AMD-P	83-05-048	458-40-18693	NEW	83-14-040	458-57-150	REP	83-17-033
458-20-215	AMD	83-08-026	458-40-18694	NEW-P	83-11-037	458-57-160	REP-P	83-13-120
458-20-218	AMD-P	83-05-048	458-40-18694	NEW-E	83-14-039	458-57-160	REP	83-17-033
458-20-218	AMD	83-08-026	458-40-18694	NEW	83-14-040	458-57-170	REP-P	83-13-120
458-20-219	AMD-P	83-05-048	458-40-18695	NEW-P	83-11-037	458-57-170	REP	83-17-033
458-20-219	AMD	83-08-026	458-40-18695	NEW-E	83-14-039	458-57-180	REP-P	83-13-120
458-20-221	AMD-P	83-05-048	458-40-18695	NEW	83-14-040	458-57-180	REP	83-17-033
458-20-221	AMD	83-08-026	458-40-18696	NEW-P	83-11-037	458-57-190	REP-P	83-13-120
458-20-222	AMD-P	83-05-048	458-40-18696	NEW-E	83-14-039	458-57-190	REP	83-17-033
458-20-222	AMD	83-08-026	458-40-18696	NEW	83-14-040	458-57-200	REP-P	83-13-120
458-20-223	AMD-P	83-05-048	458-40-19000	AMD-P	83-11-037	458-57-200	REP	83-17-033
458-20-223	AMD	83-08-026	458-40-19000	AMD-E	83-14-039	458-57-210	REP-P	83-13-120
458-20-224	AMD-P	83-04-062	458-40-19000	AMD	83-14-040	458-57-210	REP	83-17-033
458-20-224	AMD	83-07-032	458-40-19001	AMD-P	83-11-037	458-57-220	REP-P	83-13-120
458-20-224	AMD-P	83-14-059	458-40-19001	AMD-E	83-14-039	458-57-220	REP	83-17-033
458-20-224	AMD-E	83-14-060	458-40-19001	AMD	83-14-040	458-57-230	REP-P	83-13-120
458-20-224	AMD	83-17-099	458-40-19002	AMD-P	83-11-037	458-57-230	REP	83-17-033
458-20-226	AMD-P	83-05-048	458-40-19002	AMD-E	83-14-039	458-57-240	REP-P	83-13-120
458-20-226	AMD	83-08-026	458-40-19002	AMD	83-14-040	458-57-240	REP	83-17-033
458-20-227	AMD-P	83-05-048	458-40-19003	AMD-P	83-11-037	458-57-250	REP-P	83-13-120
458-20-227	AMD	83-08-026	458-40-19003	AMD-E	83-14-039	458-57-250	REP	83-17-033
458-20-228	AMD-E	83-13-024	458-40-19003	AMD	83-14-040	458-57-260	REP-P	83-13-120
458-20-228	AMD-P	83-13-025	458-40-19004	AMD-P	83-11-037	458-57-260	REP	83-17-033
458-20-228	AMD	83-16-052	458-40-19004	AMD-E	83-14-039	458-57-270	REP-P	83-13-120
458-20-229	AMD-P	83-05-048	458-40-19004	AMD	83-14-040	458-57-270	REP	83-17-033
458-20-229	AMD	83-08-026	458-40-19101	AMD-P	83-02-056	458-57-280	REP-P	83-13-120
458-20-231	AMD-P	83-05-048	458-40-19101	AMD	83-05-013	458-57-280	REP	83-17-033
458-20-231	AMD	83-08-026	458-40-19108	NEW-P	83-20-075	458-57-290	REP-P	83-13-120
458-20-232	AMD-P	83-05-048	458-53-051	NEW-P	83-13-047	458-57-290	REP	83-17-033
458-20-232	AMD	83-08-026	458-53-051	NEW	83-16-050	458-57-300	REP-P	83-13-120
458-20-234	AMD-P	83-05-048	458-53-070	NEW-E	83-16-051	458-57-300	REP	83-17-033
458-20-234	AMD	83-08-026	458-53-070	AMD-P	83-13-047	458-57-310	REP-P	83-13-120
458-20-235	AMD-P	83-04-062	458-53-070	AMD	83-16-050	458-57-310	REP	83-17-033
458-20-235	AMD	83-07-032	458-53-070	AMD-E	83-16-051	458-57-320	REP-P	83-13-120
458-20-236	AMD-P	83-05-048	458-53-080	AMD-P	83-13-047	458-57-320	REP	83-17-033
458-20-237	AMD-P	83-06-046	458-53-080	AMD	83-16-050	458-57-330	REP-P	83-13-120
458-20-237	AMD-E	83-06-047	458-53-080	AMD-E	83-16-051	458-57-330	REP	83-17-033
458-20-237	AMD	83-09-028	458-53-090	AMD-P	83-13-047	458-57-340	REP-P	83-13-120
458-20-238	AMD-P	83-05-048	458-53-090	AMD	83-16-050	458-57-340	REP	83-17-033
458-20-238	AMD	83-08-026	458-53-090	AMD-E	83-16-051	458-57-350	REP-P	83-13-120
458-20-238	AMD-P	83-18-067	458-53-100	AMD-P	83-13-047	458-57-350	REP	83-17-033
458-20-239	AMD-P	83-05-048	458-53-100	AMD	83-16-050	458-57-360	REP-P	83-13-120

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
460-32A-520	NEW-P	83-15-040	460-34A-030	NEW	83-19-035	460-36A-100	NEW-P	83-15-041
460-32A-525	NEW-P	83-15-040	460-34A-035	NEW-P	83-15-042	460-36A-100	NEW	83-19-036
460-32A-530	NEW-P	83-15-040	460-34A-035	NEW	83-19-035	460-36A-105	NEW-P	83-15-041
460-32A-535	NEW-P	83-15-040	460-34A-037	NEW-P	83-15-042	460-36A-105	NEW	83-19-036
460-32A-540	NEW-P	83-15-040	460-34A-037	NEW	83-19-035	460-36A-110	NEW-P	83-15-041
460-32A-545	NEW-P	83-15-040	460-34A-040	NEW-P	83-15-042	460-36A-110	NEW	83-19-036
460-32A-550	NEW-P	83-15-040	460-34A-040	NEW	83-19-035	460-36A-115	NEW-P	83-15-041
460-32A-555	NEW-P	83-15-040	460-34A-045	NEW-P	83-15-042	460-36A-115	NEW	83-19-036
460-32A-560	NEW-P	83-15-040	460-34A-045	NEW	83-19-035	460-36A-120	NEW-P	83-15-041
460-32A-565	NEW-P	83-15-040	460-34A-050	NEW-P	83-15-042	460-36A-120	NEW	83-19-036
460-32A-570	NEW-P	83-15-040	460-34A-050	NEW	83-19-035	460-36A-125	NEW-P	83-15-041
460-32A-575	NEW-P	83-15-040	460-34A-055	NEW-P	83-15-042	460-36A-125	NEW	83-19-036
460-32A-580	NEW-P	83-15-040	460-34A-055	NEW	83-19-035	460-36A-130	NEW-P	83-15-041
460-32A-585	NEW-P	83-15-040	460-34A-060	NEW-P	83-15-042	460-36A-130	NEW	83-19-036
460-32A-590	NEW-P	83-15-040	460-34A-060	NEW	83-19-035	460-36A-135	NEW-P	83-15-041
460-32A-595	NEW-P	83-15-040	460-34A-065	NEW-P	83-15-042	460-36A-135	NEW	83-19-036
460-32A-600	NEW-P	83-15-040	460-34A-065	NEW	83-19-035	460-36A-140	NEW-P	83-15-041
460-32A-605	NEW-P	83-15-040	460-34A-070	NEW-P	83-15-042	460-36A-140	NEW	83-19-036
460-32A-610	NEW-P	83-15-040	460-34A-070	NEW	83-19-035	460-36A-145	NEW-P	83-15-041
460-32A-615	NEW-P	83-15-040	460-34A-075	NEW-P	83-15-042	460-36A-145	NEW	83-19-036
460-32A-620	NEW-P	83-15-040	460-34A-075	NEW	83-19-035	460-36A-150	NEW-P	83-15-041
460-32A-625	NEW-P	83-15-040	460-34A-080	NEW-P	83-15-042	460-36A-150	NEW	83-19-036
460-32A-630	NEW-P	83-15-040	460-34A-080	NEW	83-19-035	460-36A-155	NEW-P	83-15-041
460-32A-635	NEW-P	83-15-040	460-34A-085	NEW-P	83-15-042	460-36A-155	NEW	83-19-036
460-32A-640	NEW-P	83-15-040	460-34A-085	NEW	83-19-035	460-36A-160	NEW-P	83-15-041
460-32A-645	NEW-P	83-15-040	460-34A-090	NEW-P	83-15-042	460-36A-160	NEW	83-19-036
460-32A-650	NEW-P	83-15-040	460-34A-090	NEW	83-19-035	460-36A-165	NEW-P	83-15-041
460-32A-655	NEW-P	83-15-040	460-34A-095	NEW-P	83-15-042	460-36A-165	NEW	83-19-036
460-32A-660	NEW-P	83-15-040	460-34A-095	NEW	83-19-035	460-36A-170	NEW-P	83-15-041
460-32A-665	NEW-P	83-15-040	460-34A-100	NEW-P	83-15-042	460-36A-170	NEW	83-19-036
460-32A-670	NEW-P	83-15-040	460-34A-100	NEW	83-19-035	460-36A-175	NEW-P	83-15-041
460-32A-675	NEW-P	83-15-040	460-34A-105	NEW-P	83-15-042	460-36A-175	NEW	83-19-036
460-32A-680	NEW-P	83-15-040	460-34A-105	NEW	83-19-035	460-36A-180	NEW-P	83-15-041
460-32A-685	NEW-P	83-15-040	460-34A-110	NEW-P	83-15-042	460-36A-180	NEW	83-19-036
460-32A-690	NEW-P	83-15-040	460-34A-110	NEW	83-19-035	460-36A-185	NEW-P	83-15-041
460-32A-695	NEW-P	83-15-040	460-34A-112	NEW-P	83-15-042	460-36A-185	NEW	83-19-036
460-32A-700	NEW-P	83-15-040	460-34A-112	NEW	83-19-035	460-36A-190	NEW-P	83-15-041
460-32A-705	NEW-P	83-15-040	460-34A-115	NEW-P	83-15-042	460-36A-190	NEW	83-19-036
460-32A-710	NEW-P	83-15-040	460-34A-115	NEW	83-19-035	460-36A-195	NEW-P	83-15-041
460-32A-715	NEW-P	83-15-040	460-34A-120	NEW-P	83-15-042	460-36A-195	NEW	83-19-036
460-32A-720	NEW-P	83-15-040	460-34A-120	NEW	83-19-035	460-46A-020	AMD-P	83-12-038
460-32A-725	NEW-P	83-15-040	460-34A-125	NEW-P	83-15-042	460-46A-020	AMD	83-15-025
460-32A-730	NEW-P	83-15-040	460-34A-125	NEW	83-19-035	460-46A-040	AMD-P	83-12-038
460-32A-735	NEW-P	83-15-040	460-34A-130	NEW-P	83-15-042	460-46A-080	AMD-P	83-12-038
460-32A-735	NEW-P	83-15-040	460-34A-130	NEW	83-19-035	460-46A-080	AMD	83-15-025
460-33A-010	NEW	83-03-025	460-34A-135	NEW-P	83-15-042	460-46A-085	AMD-P	83-12-038
460-33A-015	NEW	83-03-025	460-34A-135	NEW	83-19-035	460-46A-085	AMD	83-15-025
460-33A-015	AMD-E	83-09-034	460-34A-200	NEW-P	83-15-042	460-46A-090	AMD-P	83-12-038
460-33A-015	AMD-P	83-11-023	460-34A-200	NEW	83-19-035	460-46A-090	AMD	83-15-025
460-33A-015	AMD	83-15-043	460-36A-010	REP-P	83-15-041	460-46A-091	NEW-P	83-12-038
460-33A-016	NEW	83-03-025	460-36A-010	REP	83-19-036	460-46A-091	NEW	83-15-025
460-33A-017	NEW	83-03-025	460-36A-015	REP-P	83-15-041	460-46A-095	AMD-P	83-12-038
460-33A-020	NEW	83-03-025	460-36A-015	REP	83-19-036	460-46A-095	AMD	83-15-025
460-33A-025	NEW	83-03-025	460-36A-020	REP-P	83-15-041	460-46A-155	AMD-P	83-12-038
460-33A-030	NEW	83-03-025	460-36A-020	REP	83-19-036	460-46A-155	AMD	83-15-025
460-33A-035	NEW	83-03-025	460-36A-025	REP-P	83-15-041	460-65A-010	NEW	83-03-024
460-33A-040	NEW	83-03-025	460-36A-025	REP	83-19-036	460-65A-020	NEW	83-03-024
460-33A-050	NEW	83-03-025	460-36A-030	REP-P	83-15-041	460-65A-030	NEW	83-03-024
460-33A-055	NEW	83-03-025	460-36A-030	REP	83-19-036	460-65A-040	NEW	83-03-024
460-33A-060	NEW	83-03-025	460-36A-035	REP-P	83-15-041	460-65A-100	NEW	83-03-024
460-33A-065	NEW	83-03-025	460-36A-035	REP	83-19-036	460-65A-105	NEW	83-03-024
460-33A-070	NEW	83-03-025	460-36A-040	REP-P	83-15-041	460-65A-110	NEW	83-03-024
460-33A-075	NEW	83-03-025	460-36A-040	REP	83-19-036	460-65A-115	NEW	83-03-024
460-33A-080	NEW	83-03-025	460-36A-045	REP-P	83-15-041	460-65A-125	NEW	83-03-024
460-33A-085	NEW	83-03-025	460-36A-045	REP	83-19-036	460-90-100	REP-P	83-03-056
460-33A-090	NEW	83-03-025	460-36A-050	REP-P	83-15-041	460-90-100	REP	83-06-076
460-33A-100	NEW	83-03-025	460-36A-050	REP	83-19-036	460-90-110	REP-P	83-03-056
460-33A-105	NEW	83-03-025	460-36A-055	REP-P	83-15-041	460-90-110	REP	83-06-076
460-33A-110	NEW	83-03-025	460-36A-055	REP	83-19-036	460-90-120	REP-P	83-03-056
460-34A-010	NEW-P	83-15-042	460-36A-060	REP-P	83-15-041	460-90-120	REP	83-06-076
460-34A-010	NEW	83-19-035	460-36A-060	REP	83-19-036	460-90-122	REP-P	83-03-056
460-34A-015	NEW-P	83-15-042	460-36A-065	REP-P	83-15-041	460-90-122	REP	83-06-076
460-34A-015	NEW	83-19-035	460-36A-065	REP	83-19-036	460-90-125	REP-P	83-03-056
460-34A-020	NEW-P	83-15-042	460-36A-070	REP-P	83-15-041	460-90-125	REP	83-06-076
460-34A-020	NEW	83-19-035	460-36A-070	REP	83-19-036	460-90-130	REP-P	83-03-056
460-34A-025	NEW-P	83-15-042	460-36A-075	REP-P	83-15-041	460-90-130	REP	83-06-076
460-34A-025	NEW	83-19-035	460-36A-075	REP	83-19-036	460-90-140	REP-P	83-03-056
460-34A-030	NEW-P	83-15-042						

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
460-90-140	REP	83-06-076	460-90A-150	NEW-P	83-03-056	468-42-101	REP	83-09-038
460-90-150	REP-P	83-03-056	460-90A-150	NEW	83-06-076	468-42-104	REP-P	83-06-070
460-90-150	REP	83-06-076	461-08-180	AMD-C	83-04-037	468-42-104	REP	83-09-038
460-90-160	REP-P	83-03-056	461-08-180	AMD	83-06-031	468-42-106	REP-P	83-06-070
460-90-160	REP	83-06-076	463-28-060	AMD-E	83-04-023	468-42-106	REP	83-09-038
460-90-170	REP-P	83-03-056	463-28-060	AMD-P	83-04-047	468-42-125	REP-P	83-06-070
460-90-170	REP	83-06-076	463-28-060	AMD-C	83-08-014	468-42-125	REP	83-09-038
460-90-180	REP-P	83-03-056	463-28-060	AMD	83-08-031	468-42-129	REP-P	83-06-070
460-90-180	REP	83-06-076	468-10-232	NEW-P	83-16-015	468-42-129	REP	83-09-038
460-90-190	REP-P	83-03-056	468-10-232	NEW	83-19-016	468-42-151	REP-P	83-06-070
460-90-190	REP	83-06-076	468-10-234	NEW-P	83-16-015	468-42-151	REP	83-09-038
460-90-200	REP-P	83-03-056	468-10-234	NEW	83-19-016	468-42-153	REP-P	83-06-070
460-90-200	REP	83-06-076	468-18-080	AMD-E	83-10-009	468-42-153	REP	83-09-038
460-90-300	REP-P	83-03-056	468-18-080	AMD-P	83-10-010	468-42-161	REP-P	83-06-070
460-90-300	REP	83-06-076	468-18-080	AMD	83-13-099	468-42-161	REP	83-09-038
460-90-310	REP-P	83-03-056	468-30-060	AMD-P	83-15-030	468-42-164	REP-P	83-06-070
460-90-310	REP	83-06-076	468-30-060	AMD	83-19-012	468-42-164	REP	83-09-038
460-90-320	REP-P	83-03-056	468-38-010	AMD-P	83-12-009	468-42-167	REP-P	83-06-070
460-90-320	REP	83-06-076	468-38-010	AMD-E	83-12-010	468-42-167	REP	83-09-038
460-90-330	REP-P	83-03-056	468-38-010	AMD	83-16-018	468-42-169	REP-P	83-06-070
460-90-330	REP	83-06-076	468-38-010	AMD	83-12-009	468-42-169	REP	83-09-038
460-90-400	REP-P	83-03-056	468-38-070	AMD-P	83-12-009	468-42-202	REP-P	83-06-070
460-90-400	REP	83-06-076	468-38-070	AMD-E	83-12-010	468-42-202	REP	83-09-038
460-90-400	REP-P	83-03-056	468-38-070	AMD	83-16-018	468-42-202	REP-P	83-06-070
460-90-410	REP	83-06-076	468-38-070	AMD	83-11-032	468-42-202	REP	83-09-038
460-90-410	REP	83-06-076	468-38-080	REP-P	83-11-032	468-42-224	REP	83-09-038
460-90-420	REP-P	83-03-056	468-38-090	AMD-P	83-12-009	468-42-270	REP-P	83-06-070
460-90-420	REP	83-06-076	468-38-090	AMD-E	83-12-010	468-42-270	REP	83-09-038
460-90-430	REP-P	83-03-056	468-38-090	AMD	83-16-018	468-42-272	REP-P	83-06-070
460-90-430	REP	83-06-076	468-38-090	AMD-E	83-12-009	468-42-272	REP	83-09-038
460-90-440	REP-P	83-03-056	468-38-120	AMD-P	83-12-009	468-42-290	REP-P	83-06-070
460-90-440	REP	83-06-076	468-38-120	AMD-E	83-12-010	468-42-290	REP	83-09-038
460-90-450	REP-P	83-03-056	468-38-120	AMD	83-16-018	468-42-291	REP-P	83-06-070
460-90-450	REP	83-06-076	468-38-290	AMD-P	83-12-009	468-42-291	REP	83-09-038
460-90-460	REP-P	83-03-056	468-38-290	AMD-E	83-12-010	468-42-291	REP-P	83-06-070
460-90-460	REP	83-06-076	468-38-290	AMD	83-16-018	468-42-302	REP	83-09-038
460-90-470	REP-P	83-03-056	468-38-440	REP-P	83-16-069	468-42-302	REP	83-06-070
460-90-470	REP	83-06-076	468-38-440	REP	83-19-013	468-42-308	REP-P	83-06-070
460-90-470	REP	83-06-076	468-42-002	REP-P	83-06-070	468-42-308	REP	83-09-038
460-90-480	REP-P	83-03-056	468-42-002	REP	83-09-038	468-42-395	REP-P	83-06-070
460-90-480	REP	83-06-076	468-42-003	REP-P	83-06-070	468-42-395	REP	83-09-038
460-90-490	REP-P	83-03-056	468-42-003	REP	83-09-038	468-42-401	REP-P	83-06-070
460-90-490	REP	83-06-076	468-42-004	REP-P	83-06-070	468-42-401	REP	83-09-038
460-90-500	REP-P	83-03-056	468-42-004	REP	83-09-038	468-42-410	REP-P	83-06-070
460-90-500	REP	83-06-076	468-42-005	REP-P	83-06-070	468-42-410	REP	83-09-038
460-90-510	REP-P	83-03-056	468-42-005	REP	83-09-038	468-42-501	REP-P	83-06-070
460-90-510	REP	83-06-076	468-42-006	REP-P	83-06-070	468-42-501	REP	83-09-038
460-90-900	REP-P	83-03-056	468-42-006	REP	83-09-038	468-42-504	REP-P	83-06-070
460-90-900	REP	83-06-076	468-42-007	REP-P	83-06-070	468-42-504	REP	83-09-038
460-90A-010	NEW-P	83-03-056	468-42-007	REP	83-09-038	468-42-507	REP-P	83-06-070
460-90A-010	NEW	83-06-076	468-42-009	REP-P	83-06-070	468-42-507	REP	83-09-038
460-90A-020	NEW-P	83-03-056	468-42-009	REP	83-09-038	468-42-509	REP-P	83-06-070
460-90A-020	NEW	83-06-076	468-42-011	REP-P	83-06-070	468-42-509	REP	83-09-038
460-90A-030	NEW-P	83-03-056	468-42-011	REP	83-09-038	468-42-511	REP-P	83-06-070
460-90A-030	NEW	83-06-076	468-42-012	REP-P	83-06-070	468-42-512	REP	83-09-038
460-90A-040	NEW-P	83-03-056	468-42-012	REP	83-09-038	468-42-514	REP-P	83-06-070
460-90A-040	NEW	83-06-076	468-42-014	REP-P	83-06-070	468-42-514	REP	83-09-038
460-90A-050	NEW-P	83-03-056	468-42-014	REP	83-09-038	468-42-515	REP-P	83-06-070
460-90A-050	NEW	83-06-076	468-42-020	REP-P	83-06-070	468-42-515	REP	83-09-038
460-90A-060	NEW-P	83-03-056	468-42-020	REP	83-09-038	468-42-516	REP-P	83-06-070
460-90A-060	NEW	83-06-076	468-42-022	REP-P	83-06-070	468-42-516	REP	83-09-038
460-90A-070	NEW-P	83-03-056	468-42-022	REP	83-09-038	468-42-520	REP-P	83-06-070
460-90A-070	NEW	83-06-076	468-42-023	REP-P	83-06-070	468-42-520	REP	83-09-038
460-90A-080	NEW-P	83-03-056	468-42-023	REP	83-09-038	468-42-522	REP-P	83-06-070
460-90A-080	NEW	83-06-076	468-42-024	REP-P	83-06-070	468-42-522	REP	83-09-038
460-90A-090	NEW-P	83-03-056	468-42-024	REP	83-09-038	468-42-525	REP-P	83-06-070
460-90A-090	NEW	83-06-076	468-42-027	REP-P	83-06-070	468-42-525	REP	83-09-038
460-90A-100	NEW-P	83-03-056	468-42-027	REP	83-09-038	468-42-526	REP-P	83-06-070
460-90A-100	NEW	83-06-076	468-42-028	REP-P	83-06-070	468-42-526	REP	83-09-038
460-90A-105	NEW-P	83-03-056	468-42-028	REP	83-09-038	468-42-527	REP-P	83-06-070
460-90A-105	NEW	83-06-076	468-42-031	REP-P	83-06-070	468-42-527	REP	83-09-038
460-90A-110	NEW-P	83-03-056	468-42-031	REP	83-09-038	468-42-539	REP-P	83-06-070
460-90A-110	NEW	83-06-076	468-42-090	REP-P	83-06-070	468-42-539	REP	83-09-038
460-90A-120	NEW-P	83-03-056	468-42-090	REP	83-09-038	468-42-542	REP-P	83-06-070
460-90A-120	NEW	83-06-076	468-42-097	REP-P	83-06-070	468-42-542	REP	83-09-038
460-90A-130	NEW-P	83-03-056	468-42-097	REP	83-09-038	468-42-543	REP-P	83-06-070
460-90A-130	NEW	83-06-076	468-42-099	REP-P	83-06-070	468-42-543	REP	83-09-038
460-90A-140	NEW-P	83-03-056	468-42-099	REP	83-09-038	468-42-901	REP-P	83-06-070
460-90A-140	NEW	83-06-076	468-42-101	REP-P	83-06-070	468-42-901	REP	83-09-038

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
468-42-906	REP-P	83-06-070	480-30-100	AMD-P	83-03-053	484-20-110	AMD-P	83-18-068
468-42-906	REP	83-09-038	480-30-100	AMD	83-06-018	484-20-120	AMD-P	83-18-068
468-42-908	REP-P	83-06-070	480-40	REVIEW	83-11-003	484-20-125	REP-P	83-18-068
468-42-908	REP	83-09-038	480-40-070	AMD-P	83-03-052	484-20-130	REP-P	83-18-068
468-46-040	AMD-P	83-04-056	480-40-070	AMD	83-06-019	484-20-155	REP-P	83-18-068
468-46-040	AMD	83-07-025	480-40-075	AMD-P	83-03-052	490-28A-003	NEW	83-10-003
468-50-010	REP-P	83-06-069	480-40-075	AMD	83-06-019	490-36A-040	NEW	83-10-003
468-50-010	REP	83-09-039	480-50	REVIEW	83-11-003	490-500-060	AMD-P	83-14-007
468-58-120	NEW-E	83-07-026	480-60	REVIEW	83-11-003	490-500-060	AMD-E	83-14-048
468-300-010	AMD-P	83-04-052	480-62	REVIEW	83-11-003	490-500-060	AMD	83-17-100
468-300-010	READOPT	83-07-062	480-62-100	AMD-P	83-06-075	490-500-190	AMD-P	83-14-007
468-300-020	AMD-P	83-04-052	480-62-100	AMD	83-09-004	490-500-190	AMD-E	83-14-048
468-300-020	READOPT	83-07-062	480-62-110	NEW-P	83-06-020	490-500-190	AMD	83-17-100
468-300-030	AMD-P	83-04-052	480-62-110	NEW-W	83-09-005	504-16	REP-C	83-04-010
468-300-030	READOPT	83-07-062	480-62-120	NEW-P	83-06-021	504-16-100	REP	83-08-060
468-300-040	AMD-P	83-04-052	480-62-120	NEW	83-09-003	504-16-110	REP	83-08-060
468-300-040	READOPT	83-07-062	480-63	REVIEW	83-11-003	504-16-115	REP	83-08-060
468-300-070	AMD-P	83-04-052	480-66	REVIEW	83-11-003	504-16-120	REP	83-08-060
468-300-070	READOPT	83-07-062	480-69	REVIEW	83-11-003	504-16-140	REP	83-08-060
468-300-410	AMD-P	83-10-005	480-70	REVIEW	83-11-003	504-16-150	REP	83-08-060
468-300-410	AMD-E	83-10-006	480-70-330	AMD-P	83-03-055	504-16-160	REP	83-08-060
468-300-410	AMD	83-13-100	480-70-330	AMD	83-06-015	504-16-170	REP	83-08-060
468-310-010	NEW-P	83-15-023	480-70-400	AMD-P	83-03-055	504-17	AMD-C	83-04-010
468-310-010	NEW-E	83-15-024	480-70-400	AMD	83-06-015	504-17-010	NEW	83-08-060
468-310-010	NEW	83-19-014	480-80	REVIEW	83-11-003	504-17-020	NEW	83-08-060
468-310-010	AMD-E	83-19-015	480-90	REVIEW	83-11-003	504-17-030	NEW	83-08-060
468-310-020	NEW-P	83-15-023	480-93	REVIEW	83-11-003	504-17-040	NEW	83-08-060
468-310-020	NEW-E	83-15-024	480-100	REVIEW	83-11-003	504-17-050	NEW	83-08-060
468-310-020	NEW	83-19-014	480-105	REVIEW	83-11-003	504-17-060	NEW	83-08-060
468-310-020	AMD-E	83-19-015	480-110	REVIEW	83-11-003	504-17-070	NEW	83-08-060
468-310-030	NEW-P	83-15-023	480-120	REVIEW	83-11-003	504-17-080	NEW	83-08-060
468-310-030	NEW-E	83-15-024	480-120-046	AMD-P	83-08-087	504-17-090	NEW	83-08-060
468-310-030	NEW	83-19-014	480-120-046	AMD	83-11-020	504-17-100	NEW	83-08-060
468-310-030	AMD-E	83-19-015	480-125	NEW-C	83-17-039	504-17-110	NEW	83-08-060
468-310-040	NEW-P	83-15-023	480-125	NEW-C	83-18-044	504-17-120	NEW	83-08-060
468-310-040	NEW-E	83-15-024	480-125-005	NEW-E	83-18-036	504-17-130	NEW	83-08-060
468-310-040	NEW	83-19-014	480-125-010	NEW-P	83-14-023	504-17-140	NEW	83-08-060
468-310-040	NEW	83-19-014	480-125-010	NEW-E	83-18-036	504-17-150	NEW	83-08-060
468-310-050	NEW-P	83-15-023	480-125-020	NEW-P	83-14-023	504-17-160	NEW	83-08-060
468-310-050	NEW-E	83-15-024	480-125-020	NEW-E	83-18-036	504-17-170	NEW	83-08-060
468-310-050	NEW	83-19-014	480-125-030	NEW-P	83-14-023	504-17-180	NEW	83-08-060
468-310-050	AMD-E	83-19-015	480-125-030	NEW-E	83-18-036	504-17-190	NEW	83-08-060
468-310-060	NEW-P	83-15-023	480-125-040	NEW-P	83-14-023	504-17-200	NEW	83-08-060
468-310-060	NEW-E	83-15-024	480-125-040	NEW-E	83-18-036	504-17-210	NEW	83-08-060
468-310-060	NEW	83-19-014	480-125-050	NEW-P	83-14-023	504-17-220	NEW	83-08-060
468-310-070	NEW-P	83-15-023	480-125-050	NEW-E	83-18-036	504-17-230	NEW	83-08-060
468-310-070	NEW-E	83-15-024	480-125-060	NEW-P	83-14-023	504-17-240	NEW	83-08-060
468-310-070	NEW	83-19-014	480-125-060	NEW-E	83-18-036	504-17-250	NEW	83-08-060
468-310-080	NEW-P	83-15-023	480-125-060	NEW-E	83-18-036	504-17-260	NEW	83-08-060
468-310-080	NEW-E	83-15-024	480-125-070	NEW-P	83-14-023	504-17-270	NEW	83-08-060
468-310-080	NEW	83-19-014	480-125-070	NEW-E	83-18-036	504-17-280	NEW	83-08-060
468-310-080	AMD-E	83-19-015	480-125-080	NEW-P	83-14-023	504-17-290	NEW	83-08-060
468-310-090	NEW-P	83-15-023	480-125-080	NEW-E	83-18-036	504-17-300	NEW	83-08-060
468-310-090	NEW-E	83-15-024	480-125-090	NEW-P	83-14-023	504-17-310	NEW	83-08-060
468-310-090	NEW	83-19-014	480-125-090	NEW-E	83-18-036	504-17-320	NEW	83-08-060
468-310-090	AMD-E	83-19-015	480-125-100	NEW-P	83-14-023	504-17-330	NEW	83-08-060
468-310-100	NEW-P	83-15-023	480-125-110	NEW-P	83-14-023	504-17-340	NEW	83-08-060
468-310-100	NEW-E	83-15-024	480-130	REVIEW	83-11-003	504-17-350	NEW	83-08-060
468-310-100	NEW	83-19-014	480-140	REVIEW	83-11-003	504-17-360	NEW	83-08-060
468-310-100	AMD-E	83-19-015	480-140-040	AMD-P	83-03-023	504-17-370	NEW	83-08-060
479-01-010	AMD-P	83-18-018	480-140-040	AMD	83-06-016	504-17-380	NEW	83-08-060
479-01-020	AMD-P	83-18-018	480-140-160	AMD-P	83-03-023	504-17-390	NEW	83-08-060
479-01-030	AMD-P	83-18-018	480-140-160	AMD	83-06-016	504-17-400	NEW	83-08-060
480-10	REVIEW	83-11-003	480-143	REVIEW	83-11-003	504-17-410	NEW	83-08-060
480-12	REVIEW	83-11-003	480-146	REVIEW	83-11-003	504-17-420	NEW	83-08-060
480-12-180	AMD-P	83-03-054	480-149-120	AMD-P	83-08-038	504-17-430	NEW	83-08-060
480-12-180	AMD	83-06-017	480-149-120	AMD	83-11-019	504-17-440	NEW	83-08-060
480-12-190	AMD-P	83-03-054	484-20-010	AMD-P	83-18-068	504-17-450	NEW	83-08-060
480-12-190	AMD	83-06-017	484-20-015	AMD-P	83-18-068	504-17-460	NEW	83-08-060
480-12-322	NEW-P	83-07-072	484-20-040	AMD-P	83-18-068	504-17-470	NEW	83-08-060
480-12-322	NEW-C	83-10-028	484-20-065	AMD-P	83-18-068	504-17-480	NEW	83-08-060
480-12-322	NEW	83-12-028	484-20-068	AMD-P	83-18-068	504-17-490	NEW	83-08-060
480-12-350	AMD-P	83-16-030	484-20-070	AMD-P	83-18-068	504-17-500	NEW	83-08-060
480-12-350	AMD-E	83-16-031	484-20-075	AMD-P	83-18-068	504-17-510	NEW	83-08-060
480-12-350	AMD	83-18-072	484-20-085	AMD-P	83-18-068	504-17-520	NEW	83-08-060
480-30	REVIEW	83-11-003	484-20-090	AMD-P	83-18-068	504-17-530	NEW	83-08-060
480-30-095	AMD-P	83-03-053	484-20-100	AMD-P	83-18-068	504-17-540	NEW	83-08-060
480-30-095	AMD	83-06-018	484-20-105	AMD-P	83-18-068	504-17-550	NEW	83-08-060
						504-17-560	NEW	83-08-060
						504-17-570	NEW	83-08-060
						504-17-580	NEW	83-08-060
						504-17-590	NEW	83-08-060
						504-17-600	NEW	83-08-060
						504-17-610	NEW	83-08-060
						504-17-620	NEW	83-08-060
						504-17-630	NEW	83-08-060
						504-17-640	NEW	83-08-060
						504-17-650	NEW	83-08-060
						504-17-660	NEW	83-08-060
						504-17-670	NEW	83-08-060
						504-17-680	NEW	83-08-060
						504-17-690	NEW	83-08-060
						504-17-700	NEW	83-08-060
						504-17-710	NEW	83-08-060
						504-17-720	NEW	83-08-060
						504-17-730	NEW	83-08-060
						504-17-740	NEW	83-08-060
						504-17-750	NEW	83-08-060
						504-17-760	NEW	83-08-060
						504-17-770	NEW	83-08-060
						504-17-780	NEW	83-08-060
						504-17-790	NEW	83-08-060
						504-17-800	NEW	83-08-060
						504-17-810	NEW	83-08-060
						504-17-820	NEW	83-08-060
						504-17-830	NEW	83-08-060
						504-17-840	NEW	83-08-060
						504-17-850	NEW	83-08-060
						504-17-860	NEW	83-08-060
						504-17-870	NEW	83-08-060
						504-17-880	NEW	83-08-060
						504-17-890	NEW	83-08-060
						504-17-900	NEW	83-08-060
						504-17-910	NEW	83-08-060
						504-17-920	NEW	83-08-060
						504-17-930	NEW	83-08-060
						504-17-940	NEW	83-08-060
						504-17-950	NEW	83-08-060
						504-17-960	NEW	83-08-060
						504-17-970	NEW	83-08-060
						504-17-980	NEW	83-08-060
						504-17-990	NEW	83-08-060
						504-18-000	NEW	83-08-060
						504-18-010	NEW	83-08-060
						504-18-020	NEW	83-08-060
						504-18-030	NEW	83-08-060
						504-18-040	NEW	83-08-060
						504-18-050	NEW	83-08-060
						504-18-060	NEW	83-08-060
						504-18-070	NEW	83-08-060
						504-18-080	NEW	83-08-060
						504-18-090	NEW	83-08-060
						504-18-100	NEW	83-08-060
</								

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #		
516-12-120	REP-P	83-09-040	516-13-070	NEW	83-14-014
516-12-120	REP	83-14-014	516-13-080	NEW-P	83-09-040
516-12-130	REP-P	83-09-040	516-13-080	NEW	83-14-014
516-12-130	REP	83-14-014	516-14-010	REP-P	83-09-040
516-12-140	REP-P	83-09-040	516-14-010	REP	83-14-014
516-12-140	REP	83-14-014	516-14-020	REP-P	83-09-040
516-12-145	REP-P	83-09-040	516-14-020	REP	83-14-014
516-12-145	REP	83-14-014	516-14-030	REP-P	83-09-040
516-12-150	REP-P	83-09-040	516-14-030	REP	83-14-014
516-12-150	REP	83-14-014	516-14-040	REP-P	83-09-040
516-12-160	REP-P	83-09-040	516-14-040	REP	83-14-014
516-12-160	REP	83-14-014	516-14-050	REP-P	83-09-040
516-12-170	REP-P	83-09-040	516-14-050	REP	83-14-014
516-12-170	REP	83-14-014	516-14-060	REP-P	83-09-040
516-12-175	REP-P	83-09-040	516-14-060	REP	83-14-014
516-12-175	REP	83-14-014	516-14-070	REP-P	83-09-040
516-12-180	REP-P	83-09-040	516-14-070	REP	83-14-014
516-12-180	REP	83-14-014	516-14-080	REP-P	83-09-040
516-12-190	REP-P	83-09-040	516-14-080	REP	83-14-014
516-12-190	REP	83-14-014	516-14-090	REP-P	83-09-040
516-12-200	REP-P	83-09-040	516-14-090	REP	83-14-014
516-12-200	REP	83-14-014	516-14-100	REP-P	83-09-040
516-12-210	REP-P	83-09-040	516-14-100	REP	83-14-014
516-12-210	REP	83-14-014	516-14-110	REP-P	83-09-040
516-12-220	REP-P	83-09-040	516-14-110	REP	83-14-014
516-12-220	REP	83-14-014	516-14-200	NEW-P	83-09-040
516-12-230	REP-P	83-09-040	516-14-200	NEW	83-14-014
516-12-230	REP	83-14-014			
516-12-240	REP-P	83-09-040			
516-12-240	REP	83-14-014			
516-12-250	REP-P	83-09-040			
516-12-250	REP	83-14-014			
516-12-255	REP-P	83-09-040			
516-12-255	REP	83-14-014			
516-12-256	REP-P	83-09-040			
516-12-256	REP	83-14-014			
516-12-260	REP-P	83-09-040			
516-12-260	REP	83-14-014			
516-12-265	REP-P	83-09-040			
516-12-265	REP	83-14-014			
516-12-268	REP-P	83-09-040			
516-12-268	REP	83-14-014			
516-12-280	REP-P	83-09-040			
516-12-280	REP	83-14-014			
516-12-290	REP-P	83-09-040			
516-12-290	REP	83-14-014			
516-12-300	REP-P	83-09-040			
516-12-300	REP	83-14-014			
516-12-310	REP-P	83-09-040			
516-12-310	REP	83-14-014			
516-12-320	REP-P	83-09-040			
516-12-320	REP	83-14-014			
516-12-400	NEW-P	83-09-040			
516-12-400	NEW	83-14-014			
516-12-410	NEW-P	83-09-040			
516-12-410	NEW	83-14-014			
516-12-420	NEW-P	83-09-040			
516-12-420	NEW	83-14-014			
516-12-430	NEW-P	83-09-040			
516-12-430	NEW	83-14-014			
516-12-440	NEW-P	83-09-040			
516-12-440	NEW	83-14-014			
516-12-450	NEW-P	83-09-040			
516-12-450	NEW	83-14-014			
516-12-460	NEW-P	83-09-040			
516-12-460	NEW	83-14-014			
516-12-470	NEW-P	83-09-040			
516-12-470	NEW	83-14-014			
516-12-480	NEW-P	83-09-040			
516-12-480	NEW	83-14-014			
516-13-010	AMD-P	83-09-040			
516-13-010	AMD	83-14-014			
516-13-020	AMD-P	83-09-040			
516-13-020	AMD	83-14-014			
516-13-030	AMD-P	83-09-040			
516-13-030	AMD	83-14-014			
516-13-070	NEW-P	83-09-040			

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

ABORTIONS		AGRICULTURE, DEPARTMENT OF—cont.	
Certificate of approval	83-01-066	Horses	
Definitions	83-01-066	importation	83-05-016
Facility approval	83-01-066	slaughter	83-06-064
ACCOUNTANCY, BOARD OF			83-09-009
Basic requirements, amounts	83-09-049	Horticultural inspection fees	83-03-058
Continuing education	83-02-036		83-06-048
Public Accountancy Act of 1983	83-14-032	Insects, pollinating, protect from chemicals	83-13-076
	83-15-066		83-14-005
	83-19-007	Inspections	83-16-039
ACUPUNCTURE (See MEDICAL EXAMINERS)			83-03-047
AERONAUTICS (See TRANSPORTATION, DEPARTMENT OF)			83-03-058
			83-03-060
			83-06-063
AGRICULTURE, DEPARTMENT OF		Milk tank	83-17-105
Alfalfa, clover, mint, chemical use on	83-13-076	Motor fuels and home heating	83-05-039
	83-14-005		83-09-012
Agency organization	83-01-098	Pesticides on pollen shedding	
Apple orchards, endrin	83-12-044	corn	83-16-039
	83-15-037	Pesticides on pollinating insects	83-13-076
	83-16-045		83-14-005
Asparagus	83-03-059	Public records	83-01-098
	83-06-049	Quarantined feedlots	83-03-050
	83-06-050	Seed potato marketing order	83-15-052
Bean certification fees	83-10-039	Seeds	83-08-064
Cattle			83-08-065
brucellosis	83-02-061		83-08-066
	83-04-030		83-08-067
	83-04-031		83-11-030
	83-06-064		83-11-031
	83-07-029	State laboratory coordinating council	83-17-053
feedlots quarantined	83-03-050	Swine	83-09-045
	83-07-028	importation of animals	83-02-001
importation of animals	83-01-105	Weeds	83-08-065
	83-01-106		83-11-029
	83-01-135	AIR POLLUTION (See ECOLOGY, DEPARTMENT OF)	
	83-01-136		
	83-04-030	ALCOHOLISM	
	83-04-031	County plan	83-02-025
	83-05-016	Hospitals	
	83-06-064	infection control	83-06-010
	83-09-009		83-10-079
sale requirements	83-02-061	Public assistance	83-05-002
	83-03-051		83-08-025
	83-06-002	Recovery house facilities—extended care services	83-15-002
	83-06-064		83-15-006
scabies	83-07-029		83-18-027
	83-04-031	Treatment facilities	83-18-034
	83-06-064	ANACORTES	
slaughter	83-09-009	Shoreline management master program	83-02-004
temporary grazing	83-04-030		83-17-115
	83-04-031	ASIAN-AMERICAN AFFAIRS COMMISSION	
vesicular stomatitis	83-06-064	Meeting schedule	83-01-085
Chemicals on alfalfa, clover, mint	83-13-076		83-15-035
	83-14-005	ARCHITECTS (See LICENSING, DEPARTMENT OF)	
Corn, pesticides	83-16-039	ATTORNEY GENERAL, OFFICE OF THE	
Corn seed experimental program	83-17-053	City ordinances, taxation,	
Crop dusting		initiative and referendum	83-17-018
(See TRANSPORTATION, DEPARTMENT OF)		Community college education, board	
Dairy products		vocational education duties	83-01-070
filled dairy products	83-01-053	Constitutional convention by initiative	83-07-054
	83-02-031	Counties	
Endrin	83-12-044	home rule charter	83-01-035
	83-15-037	officer salaries	83-01-035
	83-16-045	treasurers, qualified depositories	83-20-074
Fruits and vegetable movement	83-03-060	Election records tape duplication tests	83-13-030
	83-06-050	Firearms, police power	83-16-037
Grain, hay, beans, peas	83-03-047		83-20-022
	83-06-063	Firefighter as council member	83-07-047
	83-08-064	Hospital districts	
Grain storage and warehousing	83-12-063	commissioner compensation	83-08-027
	83-13-010	Industrial development bonds	
	83-15-036	public corporation, board membership	83-18-033
Gypsy moth	83-04-022	Judges	
Hops, assessment increase	83-07-052		
	83-16-040		
	83-16-041		

Subject/Agency Index
(Citations in bold type refer to material in this issue)

ATTORNEY GENERAL, OFFICE OF THE—cont.			
jurisdiction of judicial qualifications commission	83-01-048		
LEOFF			
contributions	83-08-033		
Plan II non-duty disability retirees, return to service	83-18-032		
Pharmacists, others licensed to dispense drugs	83-13-107		
Prevailing wages, school bus transportation	83-16-023		
Public utility district records	83-11-040		
Public work prevailing wage law	83-07-030		
School districts			
fund transfers	83-12-046		
medical insurance, employer contribution	83-18-055		
public schools employee salaries	83-02-047		
social security participation	83-08-003		
transportation, prevailing wages	83-16-023		
Superintendent of public instruction			
vocational education duties	83-01-070		
Tax by cities, referendum and initiative	83-17-018		
University of Washington open public meetings	83-07-011		
Vocational education commission			
vocational education duties	83-01-070		
Vocation rehabilitation			
retroactive/prospective	83-09-042		
ATTORNEYS (See also SUPREME COURT)			
Disciplinary rules	83-04-045		
Limited practice rule, closing officers form approval	83-02-044 83-14-070		
AVIATION (See TRANSPORTATION, DEPARTMENT OF, subtopic Aeronautics)			
BANKS (See GENERAL ADMINISTRATION, DEPARTMENT OF)			
BARBERS (See LICENSING, DEPARTMENT OF)			
BEER (See LIQUOR CONTROL BOARD)			
BELLEVUE			
Shoreline master program	83-02-065		
BELLEVUE COMMUNITY COLLEGE (District 8)			
Alcohol and chemical dependency of employees	83-13-074 83-18-001		
Amendment to bylaws	83-01-043 83-05-051		
General operating policies	83-13-074 83-18-001		
Meeting schedule	83-01-040 83-01-043 83-05-051 83-08-058		
Student code	83-07-040 83-12-012		
BLIND			
Prevention of blindness program			
appeal and fair hearing	83-05-014 83-06-067 83-10-034 83-10-035		
eye physicians advisory committee	83-01-068 83-01-069		
financial eligibility	83-05-014 83-06-067 83-10-034 83-10-035		
medical eligibility	83-05-014 83-06-067 83-10-034 83-10-035		
ophthalmologist consultant	83-01-068 83-01-069		
purpose	83-01-068 83-01-069		
services	83-05-014 83-06-067 83-10-034 83-10-035		
BLIND—cont.			
social and health services cooperative agreement	83-01-068 83-01-069		
Repeal of obsolete sections	83-05-003 83-08-023		
Vocational rehabilitation			
confidential information—disclosure	83-01-080		
definitions	83-01-080		
eligibility	83-10-033		
group services	83-01-080		
liability insurance	83-01-080		
program termination	83-01-080		
sheltered workshops	83-01-080		
training	83-01-080		
college and trade school	83-06-068 83-10-033		
vocational	83-06-068 83-10-033		
BOARDING ROOMS (See HEALTH, STATE BOARD OF; SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)			
BOATS (See LICENSING, DEPARTMENT OF implementation of ch 7 Laws of 1983)			
BOTHELL			
Shoreline master program	83-02-064 83-03-069		
BUILDING CODE ADVISORY COUNCIL			
Amendments	83-10-082		
Barrier free facilities	83-07-012 83-15-033		
CATTLE (See AGRICULTURE, DEPARTMENT OF)			
CEMETERY BOARD			
Development plan	83-02-063		
Endowment care fund records	83-02-063		
Gross sales price defined	83-02-063		
Prearrangement trust fund records	83-02-063		
CENTRAL WASHINGTON UNIVERSITY			
College facilities use			
bookstore	83-07-024 83-08-070 83-11-033		
Library policies	83-01-036		
Meeting schedule	83-05-010 83-16-010 83-13-034		
Parking and traffic regulations			
CENTRALIA COLLEGE AND OLYMPIA TECHNICAL COMMUNITY COLLEGE (District 12)			
Environmental protection	83-12-043 83-17-022		
Meeting schedule	83-01-079 83-04-015 83-08-035 83-08-068 83-13-057 83-16-033 83-19-030		
Personnel rules			
faculty tenure and probationary employment	83-07-067 83-03-072		
leave policies for professionals	83-07-067		
procedures for professional negotiations	83-03-072		
repeal administrative leave, tenure and probation	83-07-067 83-03-072 83-07-067		
work load for full-time faculty	83-03-072 83-07-067		
CHELAN COUNTY			
Shoreline management master program	83-17-114		
CHILDBIRTH CENTERS (See HEALTH, STATE BOARD OF)			

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

CHILDREN/JUVENILES		COMMUNITY COLLEGE EDUCATION, STATE BOARD FOR	
Day care (See DAY CARE)		(See also individual community colleges)	
CHIROPRACTIC EXAMINERS, BOARD OF		Annuity retirement system	83-16-057
Colleges		Meetings	83-20-042
educational standards required for accreditation	83-01-028	Vocational education duties	83-11-016
CHORE SERVICES (See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)			83-16-028
CIVIL DEFENSE (See EMERGENCY SERVICES, DEPARTMENT OF)		COMMUNITY ECONOMIC REVITALIZATION BOARD	83-01-070
CLALLAM COUNTY		General provisions	83-03-061
Shoreline management master program	83-02-008	Loans and grants	83-07-003
CLAMS (See FISHERIES, DEPARTMENT OF, subtopic Shellfish)		Meeting schedule	83-03-061
CLARK COLLEGE (District 14)		Practice and procedures	83-01-086
Meeting schedule	83-03-001 83-04-034	Public records	83-03-062
COCKTAIL LOUNGES (See LIQUOR CONTROL BOARD)		SEPA	83-14-076
COLLEGES (See individual colleges)			83-03-061
COMMON CARRIERS (See UTILITIES AND TRANSPORTATION COMMISSION)		COMMUNITY MENTAL HEALTH (See MENTAL HEALTH/ILLNESS)	83-07-003
COMMUNITY COLLEGE DISTRICT 1 (See PENINSULA COLLEGE)		COMMUNITY WORK EXPERIENCE PROGRAM	83-03-061
COMMUNITY COLLEGE DISTRICT 2 (See GRAYS HARBOR COMMUNITY COLLEGE)		Establish program as ongoing versus pilot	83-07-003
COMMUNITY COLLEGE DISTRICT 3 (See OLYMPIC COMMUNITY COLLEGE)			83-19-025
COMMUNITY COLLEGE DISTRICT 4 (See SKAGIT VALLEY COLLEGE)		CONTRACTORS	83-19-033
COMMUNITY COLLEGE DISTRICT 5 (See EDMONDS AND EVERETT COMMUNITY COLLEGES)		Small works roster	83-02-024
COMMUNITY COLLEGE DISTRICT 6 (See SEATTLE COMMUNITY COLLEGE)		CONVENTION AND TRADE CENTER	
COMMUNITY COLLEGE DISTRICT 7 (See SHORELINE COMMUNITY COLLEGE)		Corporate organization	83-06-035
COMMUNITY COLLEGE DISTRICT 8 (See BELLEVUE COMMUNITY COLLEGE)		General procedures	83-02-054
COMMUNITY COLLEGE DISTRICT 9 (See HIGHLINE COMMUNITY COLLEGE)		Meeting schedule	83-03-006
COMMUNITY COLLEGE DISTRICT 10 (See GREEN RIVER COMMUNITY COLLEGE)		Public records	83-02-054
COMMUNITY COLLEGE DISTRICT 11 (See FORT STEILACOOM COMMUNITY COLLEGE)		SEPA compliance	83-06-035
COMMUNITY COLLEGE DISTRICT 12 (SEE CENTRALIA COLLEGE AND OLYMPIA TECHNICAL COMMUNITY COLLEGE)			83-02-053
COMMUNITY COLLEGE DISTRICT 14 (See CLARK COLLEGE)		CONSERVATION COMMISSION	83-06-034
COMMUNITY COLLEGE DISTRICT 17 (See SPOKANE COMMUNITY COLLEGES)		Meetings	83-13-117
COMMUNITY COLLEGE DISTRICT 20 (See WALLA WALLA COMMUNITY COLLEGE)		CONSUMER FINANCE ACT (See GENERAL ADMINISTRATION, DEPARTMENT OF)	
COMMUNITY COLLEGE DISTRICT 21 (See WHATCOM COMMUNITY COLLEGE)		CORRECTIONS, DEPARTMENT OF	
COMMUNITY COLLEGE DISTRICT 22 (See TACOMA COMMUNITY COLLEGE)		Community residential programs	83-05-009
		Facility review committee membership	83-01-084
		Inmates	83-05-009
		mail	83-02-048
		marriages	83-02-050
		out-of-state transfer	83-06-011
		personal property	83-08-007
		stationary and postage	83-08-063
			83-15-004
			83-17-135
			83-20-036
			83-20-037
			83-13-015
			83-01-138
			83-02-049
			83-02-051
			83-06-011
			83-08-007
			83-08-063
			83-15-004
			83-17-136
			83-20-035
			83-20-038
			83-02-019
			83-02-020
			83-07-006
			83-07-007
			83-08-063

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

CORRECTIONS, DEPARTMENT OF —cont.		CRIMINAL JUSTICE TRAINING COMMISSION	
telephone usage	83-02-018	Basic law enforcement training	83-04-009
	83-02-021		83-04-014
	83-06-011	equivalency certification	83-04-007
	83-08-007		83-04-013
	83-08-063		83-07-044
	83-15-004		83-07-045
Legal services contracts	83-08-006	prior training	83-07-046
	83-11-021		83-04-008
	83-16-017		83-04-012
Probation and parole		CRIPPLED CHILDREN'S SERVICES	
cost of supervision	83-01-137	(See HEALTH, STATE BOARD OF)	
interstate compact	83-01-139	DAIRY PRODUCTS COMMISSION	
Work/training release	83-07-049	Milk assessment	83-04-048
	83-10-042		83-08-018
			83-08-019
CORRECTIONS STANDARDS BOARD		DAY CARE	
Classification and uses of holding facilities	83-17-139	Abuse, neglect, exploitation	83-02-060
	83-19-065	Fire standards	83-02-060
Maximum capacities	83-16-081	General and seasonal services described	83-02-028
	83-20-092	Handicapped (see DEVELOPMENTALLY DISABLED)	
COUNCIL FOR POSTSECONDARY EDUCATION		Licensing	
Displaced homemaker program	83-10-064	adult family homes	83-02-060
	83-14-041		83-17-024
Educational Services Registration Act	83-16-080	capacity	83-02-060
	83-20-007	family day care homes	83-02-060
Residency status	83-09-010	juvenile detention facilities	83-02-060
	83-09-043	Religious activities	83-02-060
	83-10-065	Safety and maintenance	83-02-060
	83-13-092		
Teacher incentive loan program,		DEFERRED COMPENSATION, COMMITTEE FOR	
math and science	83-19-017	Retirement rules	
	83-20-034	amendments	83-09-020
			83-09-021
COUNTIES			83-10-050
Alcoholism			83-13-044
county plan	83-02-025	new sections	83-09-020
	83-03-011		83-09-021
Community mental health program			83-10-050
(See MENTAL HEALTH/ILLNESS)			83-13-044
Developmental disabilities		DENTAL DISCIPLINARY BOARD	
county plan	83-02-025	Identification of treating dentist	83-08-020
	83-03-011	Prescription drugs	
Drug abuse		inventory and recording	83-04-050
county plan	83-02-025	Scheduled drugs	
	83-03-011	recording	83-04-050
Flooding emergency	83-01-020	DENTAL EXAMINERS, BOARD OF	
	83-01-021	Examination content	83-04-049
	83-01-095		83-08-021
	83-01-096	Foreign trained dentists	83-04-049
	83-03-009		83-08-021
Health board		DENTAL HYGIENE EXAMINATION COMMITTEE	
on-site sewage disposal	83-01-125	Examination	83-04-070
Home rule charter	83-01-035		83-07-051
Probation and parole			83-17-063
cost of supervision	83-01-137	DEVELOPMENTALLY DISABLED AND HANDI-	
interstate compact	83-01-139	CAPPED	
Salaries of county officers	83-01-035	Barrier free facilities	83-07-012
			83-15-033
COUNTY ROAD ADMINISTRATION BOARD		Community training program	83-01-118
RAP projects			83-05-017
approval process	83-19-039	County plan	83-02-025
prioritization	83-19-038		83-03-011
Road fund levy, diversion	83-15-039	Day care/group homes	
Rural arterial trust funds		licensing	83-09-047
allocation	83-19-040		83-13-065
apportionment	83-19-042	Developmentally disabled planning council	83-16-006
local matching requirements	83-19-041	Discrimination in public accommodations and real estate (See HUMAN RIGHTS COMMISSION)	83-17-069
CRAB (See FISHERIES, DEPARTMENT OF, subtopic Shellfish)		Education for handicapped children	83-04-072
			83-07-057
CREDIT UNIONS		Governor's committee on employment of the handicapped	83-13-021
(See GENERAL ADMINISTRATION, DEPARTMENT OF)			
CRIME VICTIMS COMPENSATION (See LABOR AND INDUSTRIES, subtopic Industrial insurance)			

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

EDUCATION, STATE BOARD OF—cont.			
Educational service districts	83-13-097		
Meeting dates	83-17-123		
Practice and procedure	83-17-124		
Private schools approval/disapproval	83-17-133		
Public records	83-05-038		
	83-08-016		
Pupils			
tests and immunizations	83-13-096		83-04-023
	83-16-049		83-04-047
	83-01-131		83-08-014
uniform entry qualifications	83-05-023		83-08-031
	83-08-042		
	83-13-004		
School plant facilities, state assistance	83-17-125		
	83-17-126		
	83-17-127		
	83-17-128		
	83-17-129		
	83-17-130		
	83-17-131		
	83-17-132		
	83-13-005		
Secondary education			
State support of public schools			
annual reporting and review	83-13-002		
lack of classroom space	83-08-043		
	83-13-002		
Teacher's retirement	83-08-045		
	83-13-003		
ELECTIONS (See SECRETARY OF STATE)			
ELECTRIC ENERGY			
Public utility tax	83-01-059		
Weatherization assistance plan hearing	83-03-064		
ELMA			
Shoreline management master program	83-02-003		
EMERGENCY SERVICES, DEPARTMENT OF			
Aircraft rescue transmitters	83-01-039		
Flooding			
Pend Oreille county	83-08-001		
tidal shorelines	83-01-095		
western Washington	83-01-020		
	83-01-021		
	83-01-096		
	83-03-009		
	83-03-019		
	83-12-023		
Local government			
emergency service organizations	83-20-061		
assistance funds, allocating	83-20-064		
emergency service plans	83-20-062		
emergency service program statements	83-20-063		
Mt. St. Helens restricted zone	83-13-112		
	83-16-025		
EMPLOYMENT			
Sexual harassment	83-18-015		
EMPLOYMENT SECURITY, DEPARTMENT OF			
CETA phase-out	83-01-022		
Corporations			
unemployment compensation coverage	83-20-065		
for officers	83-20-066		
Employment security advisory council	83-13-051		
Job Training Partnership Act			
coordinating council created	83-01-022		
implementation	83-01-022		
labor market information system	83-01-022		
ENERGY FACILITY SITE EVALUATION COUNCIL			
Council purpose	83-01-127		
Definition of issues before hearing	83-01-126		
Dangerous wastes	83-01-127		
monitoring and enforcement	83-01-127		
Energy facility applications			
legal descriptions and ownership	83-01-128		
transmission system criteria	83-01-128		
ENERGY FACILITY SITE EVALUATION COUNCIL			
—cont.			
Prehearing conferences			
attendance by members		83-01-126	
orders		83-01-126	
Request for preemption			
contested case		83-04-023	
		83-04-047	
		83-08-014	
		83-08-031	
ENVIRONMENTAL HEARINGS OFFICE			
Forest practices appeals board			
practice and procedure		83-03-005	
rules and regulations		83-15-045	
Pollution control hearings board			
permit disposition		83-07-031	
		83-11-006	
		83-14-073	
		83-14-074	
Shorelines hearing board			
rules of practice		83-01-019	
		83-04-037	
		83-06-031	
EQUIPMENT COMMISSION			
Automotive engineers standard numbers		83-07-013	
		83-11-028	
Brake systems		83-17-078	
Equipment standards		83-17-079	
Special motor vehicles, construction			
and equipment		83-05-001	
		83-11-028	
		83-07-084	
		83-11-028	
		83-03-014	
		83-17-079	
		83-17-078	
		83-17-079	
Towing businesses		83-11-028	
		83-11-028	
Traction devices		83-03-014	
		83-17-079	
Trailer tongue lamps		83-17-078	
Wheelchair conveyances		83-17-079	
EVERETT COMMUNITY COLLEGE			
(See EDMONDS AND EVERETT COMMUNITY COLLEGES)			
EVERGREEN STATE COLLEGE			
(See THE EVERGREEN STATE COLLEGE)			
EXAMINING COMMITTEE OF PHYSICAL THERAPISTS			
Annual report		83-01-116	
Chairman		83-05-032	
Examination			
passing score		83-01-116	
		83-05-032	
results may be withheld		83-01-116	
when held		83-05-032	
Reciprocity		83-01-116	
		83-05-032	
		83-01-116	
		83-05-032	
Reinstatement		83-01-116	
		83-05-032	
EXECUTIVE ORDERS (See GOVERNOR, OFFICE OF THE)			
FINANCIAL MANAGEMENT, OFFICE OF			
General fund allotments			
expenditure reductions		83-01-101	
		83-06-014	
		83-03-003	
Motor vehicle use		83-15-003	
Pay period, twice monthly		83-15-049	
		83-17-118	
		83-17-097	
Travel regulations			
FIREARMS (See GUNS)			
FIRE MARSHALL (See INSURANCE COMMISSION-ER)			
FISHERIES, DEPARTMENT OF			
<u>Agency procedures</u>			

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

FISHERIES, DEPARTMENT OF—cont.

hydraulic project approval 83-06-062
 83-09-019
 83-09-026
83-20-093
 83-02-024

major code revision
 small works roster

Commercial fishing
 bottomfish
 anchovy 83-04-036
 baitfish regulations 83-01-133
 83-04-025
 candle fish 83-04-036
 83-01-133
 closed areas, trawl gear 83-04-025
 83-06-032
 83-07-069
 83-14-093
 83-04-036
 herring 83-09-008
 roe herring 83-13-027
 zoo food 83-19-003
 idiot rockfish 83-10-014
 pacific cod 83-06-024
 pacific hake 83-07-071
 83-06-032
 83-07-069
 83-10-016
 83-13-048
 83-17-030
 83-18-051
 83-19-003
 83-04-036
 rockfish 83-06-032
 83-07-069
 83-10-016
 83-13-048
 83-17-030
 83-18-051
 83-19-003
 83-07-069
 83-10-016
 83-13-048
 83-17-030
 83-18-051
 83-19-003
 83-11-035
 shad 83-06-032
 shortbelly rockfish 83-10-016
 83-13-048
 83-17-030
 83-18-051
 83-19-003
 widow rockfish 83-03-007
 83-06-032
 83-07-069
 83-10-016
 83-13-048
 83-17-030
 83-18-051
 83-19-003

salmon
 Chehalis river and tributaries 83-07-041
 83-07-055
 83-10-015

Columbia river
 gill net season 83-05-025
 83-18-023
 83-19-043
83-20-050
 seasons, closed 83-18-025
83-20-004
83-20-048
83-20-077
 treaties 83-05-008
 troll fishery 83-10-040
 83-14-037
 83-18-007

FISHERIES, DEPARTMENT OF—cont.

Grays Harbor and tributaries 83-07-055
 83-10-080
 83-13-054
 83-14-094
 83-17-038
83-20-033
83-20-067
83-20-068
83-20-069
 Hoh river 83-07-070
 83-11-015
 Humptulips river 83-01-011
 83-01-017
 83-18-025
83-20-077

Little White Salmon river

Puget Sound
 fishery restrictions 83-01-008
 83-01-012
 83-01-027
 83-01-044
 83-01-100
 83-09-035
 83-10-007
 83-11-039
 83-13-008
 83-14-020
 83-14-064
 83-15-028
 83-15-029
 83-16-012
 83-16-013
 83-16-027
 83-16-043
 83-16-044
 83-17-002
 83-17-016
 83-17-017
 83-17-042
 83-17-043
 83-17-052
 83-17-076
 83-17-077
 83-17-087
 83-17-140
 83-18-008
 83-18-035
 83-18-053
 83-19-004
 83-19-010
 83-19-011
 83-19-026
 83-19-027
 83-19-052
83-20-006
83-20-024
83-20-025
83-20-039
83-20-040
 83-03-071
 83-18-052
 83-15-027
 83-18-025
 83-10-022
 83-10-040
 83-14-037
 83-17-013
 83-17-044
 83-10-080
 83-13-054
 83-18-050
 83-19-043
83-20-005
83-20-026
83-20-041

plan for chinook
 purse seine
 Quillayute
 Spring Creek fish hatchery
 troll fishery

Willapa harbor

shellfish

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

FISHERIES, DEPARTMENT OF—cont.

FISHERIES, DEPARTMENT OF—cont.

crab
dungeness 83-01-026
83-18-014
83-18-024
harvest logs 83-09-014
sea urchin etc. 83-01-133
83-04-025
83-09-027
83-14-015
shrimp 83-01-133
83-04-025
83-06-044
83-09-014
83-10-019
83-01-133
smelt 83-04-025
83-14-015
squid 83-17-015
sturgeon
Columbia river compact 83-06-023
gear 83-04-005
seasons 83-03-030
83-04-053
83-20-070
Indians (See INDIANS)
Personal use and sport fishing rules
bottomfish
barbless hook rule 83-03-071
lingcod areas and seasons 83-03-071
83-07-043
83-08-040
83-13-045
possession limits 83-03-071
83-07-043
83-08-040
83-03-071
general procedures for 1983-84 season
possession of foodfish/shellfish
in unlawful condition 83-07-043
salmon and game fish
Alta lake 83-16-048
bag limit codes 83-08-040
83-08-046
83-15-015
Banks lake 83-08-040
barbless hook rule 85-03-071
83-07-043
Bogachiel river 83-18-049
Calawah river 83-18-049
Camas slough 83-19-037
Camano Island area 83-15-019
Carr inlet 83-16-035
Clearwater river 83-18-049
closed areas 83-03-071
83-07-043
83-08-046
83-16-035
Columbia river 83-08-041
83-19-037
83-19-064
83-20-049
Cowlitz river 83-11-014
83-19-037
83-19-037
Elochoman river 83-19-037
Goose lake 83-08-040
Grays river 83-19-037
Hoh river 83-13-009
83-16-016
83-18-049
83-12-056
Icicle river 83-19-037
Kalama river 83-19-037
Klickitat river 83-16-036
Lake Washington 83-17-001
83-17-037
83-10-023
Lewis river 83-19-037

Minter creek 83-16-035
Naselle river **83-20-030**
Queets river 83-17-086
Quilcene river 83-19-051
Quillayute river 83-18-049
saltwater seasons and bag limits 83-03-071
83-07-043
83-08-040
83-08-046
83-12-030
83-13-104
83-14-042
83-15-015
83-15-019
83-16-042
83-17-014
83-17-086
83-18-022
83-19-037
Skamokawa creek 83-19-037
Soleduck river 83-18-049
size rule 83-03-071
spring chinook
Columbia river 83-06-045
Icicle river 83-13-049
Little White Salmon 83-12-029
83-13-023
83-18-048
Tilton river 83-19-037
Washougal river 83-15-019
Whidbey Island area 83-19-037
White Salmon river 83-19-037
Wind river 83-19-037
shad
areas and seasons 83-03-071
83-07-043
shellfish
clams
possession limits 83-01-134
83-04-027
83-18-013
dungeness crab 83-03-071
hardshells, cockles, mussels 83-07-043
83-08-040
razor clams
areas and seasons 83-01-025
83-01-132
83-03-026
83-03-071
83-07-043
83-08-040
83-13-022
83-07-043
sanctuaries 83-10-019
shrimp 83-03-071
squid or octopus 83-05-011
83-07-043
sturgeon
areas and seasons 83-03-071
83-07-043
subsistence (See INDIANS)
FISHING-GAME FISH (See GAME, DEPARTMENT OF)
FOODFISH (See FISHERIES, DEPARTMENT OF)
FOREST PRACTICES APPEALS BOARD (See ENVIRONMENTAL HEARINGS OFFICE)
FOREST PRACTICES BOARD (See NATURAL RESOURCES, DEPARTMENT OF)
FOOD STAMPS (See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)
FORESTS AND FOREST PRODUCTS
Forest land values 83-02-056
83-05-013
83-20-075

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

FORESTS AND FOREST PRODUCTS—cont.

Forest practices rules and regulations	83-15-045
Timber tax	
conversion definitions and factors	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
definitions	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
harvester adjustments	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
hauling distance zones	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
small harvester option	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
stumpage rate adjustments	83-15-051
stumpage value areas	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
stumpage value tables	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
taxable stumpage value	83-14-039 83-14-040
timber piling volume	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
timber pole volume	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
timber quality code numbers	83-02-032 83-02-033 83-11-037 83-14-039 83-14-040
FORT STEILACOOM COMMUNITY COLLEGE (District 11)	
Meeting schedule	83-09-007 83-09-011 83-09-018 83-09-032 83-19-006
Personnel selection	
administrative personnel	83-17-088 83-19-005
faculty	83-17-088 83-19-005
general standards	83-17-088 83-19-005
professional personnel	83-17-088 83-19-005
specialization	83-17-088 83-19-005
Student senate meetings	83-20-082

FOSTER CARE

Earnings of foster child	83-01-120 83-04-061
Licensing of homes	83-02-060
Resources and income	83-01-120 83-04-061
Support enforcement child referral	83-13-011 83-17-003

FRANKLIN COUNTY

Shoreline management master program	83-10-061 83-14-010 83-17-032
-------------------------------------	-------------------------------------

FUNERAL DIRECTORS AND EMBALMERS
(See LICENSING, DEPARTMENT OF)

GAMBLING COMMISSION (See also LOTTERY COMMISSION)

Amusement games	
authorized types	83-01-107 83-06-077 83-16-008 83-19-024
license requirements	83-19-024
Bingo	
cards, sales and use	83-16-008
daily records	83-10-001 83-13-050
equipment	83-10-001 83-13-050
gross receipts limited	83-08-049
license requirements	83-19-024
licensing of managers	83-17-122
managers, operators, employees, regulation	83-19-023
manner of conducting	83-16-008 83-19-024
monthly records	83-13-050
operation dates	83-10-001 83-13-050 83-17-122
prizes	83-10-001
complimentary gifts	83-17-122
temporary prize limits	83-08-050 83-09-033 83-15-022 83-16-082 83-19-024
Card games	
daily records	83-19-023
fees	83-19-023
licensing	83-17-122
limits on wagers	83-01-045
Charitable and nonprofit organizations	
eligibility	83-17-122
gambling receipt deposits	83-01-107 83-04-067 83-08-051
Commission meeting schedule	83-02-059
Gross receipts defined	83-19-023
Licenses	
amusement games	83-01-107
annual activity reports	83-01-107 83-06-077
application procedure	83-17-122
bingo	83-01-107
activity reports	83-01-107
annual	83-01-107 83-06-077
quarterly	83-01-107
exemptions	83-06-077
fund raisers	83-01-107 83-06-077
raffles	83-01-107
annual activity reports	83-01-107 83-06-077
recordkeeping	83-01-107
social and public card rooms	
employee pictures	83-01-107 83-06-077

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

GAMBLING COMMISSION (See also **LOTTERY COMMISSION**)—cont.

quarterly activity reports	83-01-107
	83-06-077
transfer, conditions	83-16-008
	83-19-024
Prize disclosure	83-08-048
Pull tab/punchboards	
limitations	83-16-008
	83-19-024
monthly records	83-10-001
	83-19-023
Raffles	
license requirements	83-19-024
records	83-08-048
	83-11-034
temporary prize limits	83-01-046
	83-06-072
	83-06-078
	83-10-001
tickets	
conditions	83-08-048
limitations and requirements for use	83-11-034
Records	
distributor's	83-06-072
	83-10-002
manufacturer's	83-06-072
	83-10-002

GAME, DEPARTMENT OF

Agency procedures

conservation licenses	83-17-121
hydraulic code	83-04-040
	83-06-060
	83-09-019
	83-09-026
meeting schedule	83-02-035
small works roster	83-02-024

Fishing

Chehalis river closed	83-03-048
	83-03-057
Cowlitz county	
certain lakes	83-01-004
Elwha river	83-07-001
game fish and catch limits for 1984	83-14-083
game fish classification	83-14-082
game fish seasons and catch limits for 1983	83-01-005
	83-06-038
	83-06-057
	83-09-024
	83-09-025
	83-12-005
	83-12-006
	83-12-039
Grant county	83-04-039
	83-08-088
Mt. St. Helens' area closure	83-14-081
	83-15-018
	83-17-050
	83-18-041
	83-18-089
Skamania county	
certain lakes	83-01-004
steelhead	
Bogachiel river	83-07-005
Calawah river	83-07-005
certain marine waters closed	83-01-091
Chehalis river closed to Indians	83-03-048
	83-03-057
Columbia river	83-08-054
Dickey river	83-07-005
Elwha river closed to Indians	83-06-037
Grand Ronde river	83-12-054
	83-15-056
Green river closed to Indians	83-05-026
Hoh river closed to Indians	83-05-026
Humptulips river closed to Indians	83-05-026

GAME, DEPARTMENT OF—cont.

Lake Washington closed to Indians	83-05-026
Nisqually river closed to Indians	83-04-024
Nooksack river closed to Indians	83-04-024
punchcard amendment	83-14-082
Pysht bay, Morse creek, Sekiu river	83-03-049
Pysht river closed to Indians	83-04-024
Quillayute river	83-06-003
	83-07-005
	83-08-053
Samish river closed to Indians	83-06-007
Skagit river closed to Indians	83-04-024
Snake river	
open fishing season	83-02-043
	83-12-054
	83-15-054
Soleduck river	83-07-005
Sooes rivers closed to Indians	83-04-024
Waatch river closed to Indians	83-04-024
<u>Hunting</u>	
Colville Indian reservation	83-06-030
	83-06-056
	83-09-022
dogs	
training with game birds	83-08-055
	83-08-076
	83-12-055
when they can be destroyed	83-03-017
fall opening dates	83-06-058
	83-09-023
fall turkey season	83-17-102
management units	83-08-078
	83-15-058
mountain goats, sheep and moose	83-06-059
	83-15-057
Mt. St. Helens' closure	83-14-081
	83-15-018
	83-17-050
	83-18-039
	83-18-041
muzzle loaders	83-12-004
seasons and game bag limits 1983	83-08-078
	83-15-058
spring bear and turkey seasons	83-06-061
	83-12-052
unlawful firearms	83-01-006
	83-08-077
upland migratory game bird and migratory waterfowl	83-12-052
	83-14-080
	83-17-021
	83-17-101
	83-18-040
	83-08-075
Livestock grazing	
Reserves	
Bayview	83-14-079
	83-18-043
Flat point	83-15-059
Frenchmen hills	83-14-079
	83-18-043
Gloyd Seep	83-15-059
Green lake	83-15-059
Harris lake	83-14-079
	83-18-043
Lake Sixteen	83-15-059
Lake Stevens	83-15-059
Lenice lake	83-14-079
	83-18-043
Lewisville	83-15-059
Lower crab creek	83-14-079
	83-18-043
Mt. Baker	83-15-059
provisions repealed	83-12-051
Rocky ford springs	83-14-079
	83-18-043
Snoqualmie falls	83-15-059
Wilson creek	83-15-059

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

GAME, DEPARTMENT OF—cont.		GENERAL ADMINISTRATION, DEPARTMENT OF	
Winchester wasteway	83-14-079	—cont.	
	83-18-043	public records	83-17-029
Wiser Lake	83-15-059	satellite/network system	83-01-064
Trapping			83-01-073
baiting, unlawful use	83-12-053		83-16-073
	83-15-060		83-20-072
Mt. St. Helens' closure	83-14-081	application	83-01-065
	83-15-018		83-02-013
	83-17-050		83-05-022
	83-18-039	definitions	83-01-065
	83-18-041	forms and fees, rule review	83-14-077
seasons and regulations	83-12-050	modification	83-01-065
	83-18-042	troubled associations, merger, rule review	83-14-077
		Small works roster	83-02-024
GAS (See OIL AND GAS)		GLIDERS (See TRANSPORTATION, DEPARTMENT OF)	
GENERAL ADMINISTRATION, DEPARTMENT OF		GOVERNOR, OFFICE OF THE	
Banking		CETA phase-out	83-01-022
asset charges	83-16-073	Citizens utility and telecommunication	
	83-20-072	advisory committee	83-16-054
commercial banks		Developmental disabilities planning council	83-01-033
excess fund transactions	83-02-015	Emergency	
examination costs	83-16-073	Mt. St. Helens	
	83-20-072	hazard zone I, II and III	83-13-062
holding company acquisitions	83-10-037	Pend Oreille county	83-08-001
	83-16-072	tidal shorelines	83-01-095
special assessment for working capital	83-20-073		83-03-019
	83-06-065	western Washington	83-01-020
take-over legislation, implementation	83-09-037		83-01-021
	83-10-037		83-01-096
	83-16-072		83-03-019
	83-20-073		83-03-009
U.S. government securities		Skagit county	83-12-023
purchase or sale	83-01-081		83-03-009
	83-01-082	Whatcom county	83-12-023
	83-03-020		83-20-003
Capitol grounds defined	83-16-026	Food assistance, advisory council on	
Capitol grounds parking and traffic	83-13-108	General fund allotments	
	83-13-109	expenditure reductions	83-01-052
Consumer Finance Act	83-14-071		83-01-101
	83-18-017		83-06-014
Credit card use by state personnel	83-15-053		83-08-008
	83-18-004	Governor's committee on employment	
Credit unions	83-05-022	of the handicapped	83-13-021
audit and accounts	83-01-064	Hazardous materials advisory board	83-14-075
	83-05-021	Hazardous materials emergency preparedness	83-14-075
commercial business activities rule review	83-14-077	Hiring freeze	83-08-008
examination and supervision fees	83-13-041	Interagency economic development	
	83-13-042	coordinating council	83-18-016
	83-16-068	Job training coordinating council	83-01-022
	83-20-027	Job Training Partnership Act	83-01-022
generally	83-01-073	Laboratory location	83-09-045
investment practice and approval rule review	83-14-077	Legislature extra session	83-10-024
loan limitation waiver	83-14-078		83-12-024
Minority and women's businesses (See also			83-13-019
MINORITY AND WOMEN'S BUSINESS ENTERPRISES)	83-03-038		83-13-020
Purchasing			83-19-045
bids	83-15-053	Milfoil control, interagency task force	83-20-002
	83-18-004	Minority and women's business enterprises	83-03-038
cooperative purchasing program	83-15-053	Prison overcrowding emergency commission	83-17-064
	83-18-004	Radioactive waste management council	83-05-045
preferences		Recreation resource advisory committee	83-07-063
in-state	83-15-053	Sexual harassment	83-18-015
	83-18-004	State laboratory coordinating council	83-09-045
institution industries	83-15-053	Utility and telecommunication advisory committee	83-16-054
	83-18-004		
recycled paper	83-15-053	GRAYS HARBOR COLLEGE (District 2)	
	83-18-004	Meeting schedule	83-01-102
sheltered workshops	83-15-053		
	83-18-004	GREEN RIVER COMMUNITY COLLEGE (District 10)	
Savings and loan associations		Meeting schedule	83-01-071
examination and supervision fees	83-13-040		
	83-13-043	GROUNDWATER (See ECOLOGY, DEPARTMENT OF)	
	83-16-067		
	83-20-028	GUNS	
operatives and procedures	83-17-029	Hunting	
		unlawful firearms	83-01-006

Subject/Agency Index
(Citations in bold type refer to material in this issue)

**HANDICAPPED (See DEVELOPMENTALLY DIS-
ABLED AND HANDICAPPED)**

**HARBOR AREAS (See NATURAL RESOURCES, DE-
PARTMENT OF)**

**HEALTH, STATE BOARD OF
Abortions (See ABORTIONS)**

Boarding homes 83-09-001
83-13-068

Childbirth center
license 83-03-043
83-07-016
procedures 83-03-044
83-07-017

Crippled children's services
authorization of services 83-01-002
definitions 83-01-002
eligibility 83-01-002
fees 83-01-002
funding ceilings 83-01-002
hospital qualifications 83-01-002
third-party resources 83-01-002

Cytogenetic laboratory services 83-07-073
83-12-049

Dietary department 83-04-059
83-07-048

Food service 83-04-059
83-07-048

Health districts 83-04-011
83-16-084
83-19-057

Hospice care centers
infection control 83-03-042
83-07-015

Hospitals
administrative facilities 83-19-058
birthing rooms 83-19-058
central sterilizing and supply 83-19-058
construction 83-19-058
definitions 83-01-003
83-19-058
design requirements 83-03-026
emergency department 83-19-058
housekeeping department 83-19-058
infant formula facilities 83-19-058
intensive care units 83-16-021
83-19-056
intravenous administration 83-10-058
83-13-061
intravenous preparation 83-10-058
83-13-061
laboratory facilities 83-19-058
laundry 83-19-058
licensing manual amendments 83-14-022
neonatal intensive care 83-19-058
newborn nursery 83-19-058
nursery 83-19-058
obstetrical department 83-19-058
outpatient department 83-19-058
pediatric services 83-19-058
psychiatric unit 83-19-058
radiology facilities 83-19-058
recovery unit 83-19-058
rehabilitation 83-19-058
site development 83-19-058
surgery suite 83-19-058

Kidney centers 83-13-102
83-18-002

On-site sewage disposal 83-01-125
83-07-061
83-13-014

Pharmacy standards
hospital construction 83-10-057
83-13-067
hospital pharmacists 83-10-056
Public water supplies 83-07-060
83-13-101
83-19-002

HEALTH CARE FACILITIES AUTHORITY

Equipment financing applications 83-01-061

**HEARING AIDS, STATE COUNCIL ON
(See also LICENSING, DEPARTMENT OF)**

License renewal dates 83-17-117

HIGHER EDUCATION PERSONNEL BOARD

Annual leave accrual 83-04-065
83-10-029

Appointment, conversion of exempt position **83-20-010**
Appointment, cyclic year position **83-20-020**
Appointment, instructional year 83-10-029
Coverage, exemptions 83-18-064
Cyclic year position 83-06-079
83-10-029
83-20-020

Definitions
cyclic year 83-04-065
83-10-029
instructional year 83-04-065
83-10-029
lay off 83-01-122
83-04-016
83-04-066
83-07-056
lay off seniority 83-04-065
83-10-029
student 83-18-064
temporary assignment 83-18-064
Dismissal notice 83-06-079
83-20-020

Hearings 83-06-079
83-10-029

Holidays 83-04-065
83-10-029
83-20-020

Immediate dismissal **83-20-020**
Leave of absence
appointment when taken 83-18-064
without pay 83-04-065
83-10-029

Layoff lists 83-16-077
83-20-020

Periodic increment date 83-04-065
83-10-029

Restoration of rights **83-20-020**
Superior court appeals 83-10-029
Temporary assignment 83-18-064
Vacation leave, accumulation, excess 83-16-017
83-16-077
83-20-020

Work period designations 83-14-058
83-16-077
83-20-021

**HIGH LEVEL RADIOACTIVE WASTE MANAGE-
MENT ADVISORY COUNCIL**
Membership increased 83-05-045

HIGHLINE COMMUNITY COLLEGE
Meeting schedule 83-16-007

**HIGHWAYS (See TRANSPORTATION, DEPART-
MENT OF)**

HORSE RACING COMMISSION
Definitions
commission employees 83-16-074
83-19-054
Double entries 83-13-115
83-16-075
Jockey apprentice allowance and extensions 83-05-027
83-08-057
Medication misuse 83-13-115
83-16-074
83-19-054
Wagering 83-13-115

HOSPICES (See HEALTH, STATE BOARD OF)

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

HOSPITAL COMMISSION (See also HEALTH, STATE BOARD OF)		INDIANS—cont.	
Alcoholism and psychiatric infection control	83-06-010	Klickitat river subsistence	83-10-020
Accounting and reporting manual	83-04-032		83-13-035
	83-15-009		83-13-072
	83-19-049	Little White Salmon river	83-18-026
Budget and rate requests	83-04-006	plan for Puget Sound chinook	83-20-077
	83-12-041	Puget Sound commercial fishing restrictions	83-03-071
	83-13-038		83-01-008
	83-14-034		83-01-012
	83-17-008		83-01-027
	83-17-081		83-01-044
Operations and procedures meetings	83-06-036		83-01-100
	83-06-036		83-09-035
	83-13-037		83-13-008
	83-14-004		83-15-028
	83-17-080		83-15-029
records	83-06-036		83-16-012
			83-16-013
			83-16-027
HOUSING FINANCE COMMISSION (See also PLANNING AND COMMUNITY AFFAIRS AGENCY)			83-16-043
Bond allocation among local agencies	83-13-113		83-16-044
	83-13-114		83-17-002
	83-17-047		83-17-017
Organization and procedures	83-14-069		83-17-042
	83-19-061		83-17-052
	83-20-047		83-17-076
	83-19-060		83-17-087
Public hearing			83-18-003
			83-18-054
			83-19-004
HUMAN RIGHTS COMMISSION			83-19-010
Handicapped discrimination in public accommodation			83-19-027
reasonable accommodation	83-02-012		83-19-053
structural barriers to accessibility	83-02-012		83-20-025
waiver of rights as condition unfair	83-02-012		83-20-040
Handicap discrimination in real estate transaction			83-20-068
structural barriers to accessibility	83-02-012	Quillayute river	83-15-027
Meeting schedule	83-01-078	Yakima Indian subsistence	83-10-020
	83-11-022	Yakima, Warm Springs, Nez Perce, Umatilla treaties	
	83-13-036		83-05-008
	83-16-034		83-15-008
	83-17-075		83-15-016
	83-17-103		83-15-026
INDIANS			
Colville Indian reservation hunting closure	83-06-030	Steelhead	
	83-06-056	certain rivers closed	83-04-024
	83-09-022	Chehalis river closed	83-03-048
Liquor sales	83-01-060		83-03-057
	83-01-123	Elwha river closed	83-06-037
	83-04-017	Green river closed	83-05-026
	83-15-062	Hoh river closed	83-05-026
	83-17-108	Humptulips river closed	83-05-026
	83-18-069	Lake Washington closed	83-05-026
	83-20-018	Pysht bay, Morse creek, Sekiu river	83-03-049
	83-20-031	Quillayute river closed	83-06-003
Motor vehicle tax exemption	83-05-055	Samish river closed	83-06-007
Salmon		Sturgeon	83-03-030
Chehalis river and tributaries	83-07-041		83-04-053
	83-07-055		
	83-10-015		
Columbia river		INDUSTRIAL INSURANCE (See LABOR AND INDUSTRIES)	
ceremonial subsistence, and treaty fishing	83-11-013	INSURANCE COMMISSIONER	
	83-15-008	Disability insurance	
	83-15-016	loss ratio standards	83-10-060
	83-15-026		83-14-002
	83-20-004	Fire protection standards	
	83-20-048	adult residential treatment facilities	83-01-049
	83-20-077		83-03-028
treaty rights	83-18-025	private adult treatment homes	83-01-024
Grays Harbor and tributaries	83-07-055		83-03-027
	83-20-067		83-06-022
	83-07-070	Funeral regulations	
Hoh river closed	83-01-011	obsolete provisions repealed	83-11-005
Humptulips river	83-01-017		83-14-001
		INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION	
		Applications	83-01-030
		Definitions	83-01-030

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION—cont.

Federal overlay 83-01-030
 Funds 83-01-030
 Goals and objectives 83-01-030
 Grant-in-aid policy 83-01-030
 Local agency requirements 83-01-030
 Meeting schedules 83-01-009
 83-08-011
 83-10-048
83-20-043
 Off-road vehicles 83-01-030
 Organization, operations and procedures 83-01-030
 Participation manuals 83-01-030
 Project contract 83-01-030
 Public records 83-01-030
 Restrictions of sponsors 83-01-030

INTERAGENCY ECONOMIC DEVELOPMENT CO-ORDINATING COUNCIL
(See GOVERNOR, OFFICE OF THE)

JAIL COMMISSION

Maximum capacities 83-04-004
 83-11-046
 New facilities certification 83-04-003
 83-07-059

JEFFERSON COUNTY

Shoreline management master program 83-11-048
 83-14-086

JOB TRAINING COORDINATING COUNCIL
(See EMPLOYMENT SECURITY, DEPARTMENT OF)

JUDGES

Judicial qualification commission jurisdiction 83-01-048

KIDNEY CENTERS (See STATE BOARD OF HEALTH)

KITSAP COUNTY

Shoreline management master program 83-02-010
 83-03-067
 83-08-002

LABOR AND INDUSTRIES, DEPARTMENT OF

Carnival equipment 83-12-008
 Contractor registration 83-12-020
 83-16-059
 83-18-063
 Conveyances 83-12-019
 Electricians 83-16-058
 inspection fees 83-03-039
 journeyman 83-07-074
 83-12-011
 83-12-021
 83-18-056
 specialty 83-03-039
 83-07-074
 83-12-011
 83-12-021
 83-18-056
 83-07-074
 83-12-011
 83-12-021
 83-18-056
 Industrial insurance (See also Workers' compensation this topic)
 appeals board
 administration and organization 83-01-001
 crime victims compensation 83-01-001
 hearing rules 83-01-001
 interest when prevail on appeal 83-16-014
 practice and procedures 83-01-001
 public records 83-01-001
 vocational rehabilitation appeals 83-01-001
 contact sports **83-20-010**

LABOR AND INDUSTRIES, DEPARTMENT OF

—cont.

state fund deficit 83-04-057
 83-07-075
 Industrial Safety and Health Act 83-04-044
 83-15-017
 Logging 83-03-022
 83-05-024
 83-15-017
 83-18-063
 Material lifts
 Mobile homes
 building requirements 83-01-018
 fees 83-01-018
 inspections 83-01-018
 installation permits 83-01-018
 installation requirements 83-01-018
 Plumbers
 certificates 83-19-032
 83-19-044
 examinations 83-14-018
 83-14-019
 83-19-032
 83-19-044
 fees 83-14-018
 83-14-019
 83-19-032
 83-19-044
 Recreational vehicles, reciprocal agreement 83-06-041
 83-06-042
 83-12-014
 Safety and health standards
 definitions amended 83-13-006
 83-15-017
 establishments 83-18-062
 logging 83-13-007
 machines, alarms 83-05-024
 power tools 83-13-006
 83-15-017
 recordkeeping 83-13-007
 83-18-062
 83-18-062
 underground residential distribution 83-18-062
 Self-insurance
 appeals, representation 83-15-050
 83-18-038
 83-06-012
 83-04-002
 83-04-058
 83-07-009
 deficit assessment 83-04-057
 83-07-075
 groups
 admission of new members 83-01-023
 83-01-075
 application 83-01-023
 83-01-075
 funds 83-01-023
 83-01-075
 reports 83-01-023
 83-01-075
 reserves 83-01-023
 83-01-075
 surplus distribution 83-01-023
 83-01-075
 termination of individual members 83-01-023
 83-01-075
 trustee responsibilities 83-01-023
 83-01-075
 83-01-076
 return to work summary report **83-20-017**
 State laboratory coordinating council 83-09-045
 Vocational rehabilitation
 counselor registration qualification 83-13-033
 83-13-110
 83-16-061
 83-17-051
 83-15-065
 83-17-110
 dispute resolution

Subject/Agency Index

(Citations in bold type refer to material in this issue)

LABOR AND INDUSTRIES, DEPARTMENT OF

—cont.

reduction in benefits if refuse to participate **83-20-023**

Workers' compensation chemonucleolysis 83-06-012
83-12-013

classifications, rates, rating system employees supporting separate operations **83-20-084**
experience-rating rules and parameters 83-01-129
evaluation of incurred losses 83-05-018

group dividends 83-01-129
83-05-018

interstate, intrastate, or foreign carriers 83-02-038
83-04-038
83-08-056
83-10-038
83-13-018

medical aid and vocation rehabilitation rules and fee schedule 83-06-012
83-12-013
83-13-121
83-16-066
83-20-094

penalty assessments 83-01-130
83-05-019

premium rates **83-20-084**
qualifications for employer participation 83-01-129
retrospective rating formula 83-05-018

risk classification 83-01-130
83-05-019

contact sports **83-20-019**
employees supporting separate operations 83-02-037
rules and definitions **83-20-084**
state fund deficit 83-04-057
83-07-075
83-20-019

contact sports

LAWYERS (See ATTORNEYS)

LIBRARY, STATE

Grants of federal funds for public library construction 83-13-075
Library network rules and regulations 83-03-073
83-07-077

Meetings reconsideration of proposals and grant awards title II, fiscal 1983 construction funds 83-01-047
83-14-006
Public disclosure exemption 83-03-074
83-07-076

State library commission grants of federal funds for public library construction 83-10-066
meeting 83-18-037

LICENSED PRACTICAL NURSES (See LICENSING, DEPARTMENT OF)

LICENSING, DEPARTMENT OF

Appearance and practice before agency solicitation unethical 83-06-028
83-09-050

Architects corporate practice examination fees 83-04-071
83-01-110
83-05-006

form—oral and written 83-04-071
licenses 83-04-071
83-05-006

meetings 83-04-071
reciprocity 83-04-071

registration fees 83-01-110
schools—approved 83-04-071

Barber examining committee

LICENSING, DEPARTMENT OF—cont.

Boat registration (ch 7 Laws of 1983 implementation) vessel dealer 83-11-011
83-11-025
83-11-045
83-14-031
83-15-013
83-10-021

vessel registration and certificate of title 83-11-044
83-14-061
83-10-051
83-11-043
83-13-105
83-19-062
83-20-089

Camping clubs 83-03-056
83-06-076

Charitable Solicitations Act definitions 83-01-112
exemption not transferable 83-01-112
percentage limitation waiver 83-01-112

Dental hygiene examination 83-04-070
83-07-051
83-17-063

Fees, numerous categories 83-13-116
83-19-008

Funeral directors and embalmers definitions 83-04-020
licenses 83-04-020
reciprocity applications 83-01-111
restrictions 83-04-020

Funeral services, prearrangement 83-04-021
Hearing and filters/dispensers renewal of licenses **83-20-091**

Investment advisor 83-03-024
Licensed practical nurses 83-02-062
83-05-033

Motor vehicles excise tax, Indians exempt 83-05-055
83-08-052

impoundment 83-04-068
83-06-029
83-12-025

Professional licensing fees 83-13-116
83-17-031
83-19-069

Real estate (See also Securities this topic) closing officers 83-02-044
Real estate commission meeting schedule 83-02-042

Securities advertisements 83-15-025
cheap and promotional shares and option restrictions 83-15-025
83-09-034
83-11-023
83-15-043

disclosure document 83-15-025
investment advisor 83-03-024
limited offering exemption 83-12-038
83-15-025

mortgages, trust, contracts 83-03-025
oil and gas programs 83-15-042
83-19-035

price of shares 83-15-025
real estate investment trusts 83-15-041
83-19-036

real estate programs 83-15-040
83-19-068

stock options 83-15-025
Vehicle reciprocity 83-15-064
83-18-012
83-19-009

Light and power businesses (See ELECTRIC ENERGY)

Liquor control board

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

LIQUOR CONTROL BOARD—cont.

Advertising 83-03-013
 Identification card 83-09-016
 83-12-022

Indians
 sales on reservations 83-01-060
 83-01-123
 83-04-017
 83-15-062
 83-17-108
 83-18-069
 83-20-018
 83-20-031

Licenses
 advertising 83-06-025
 applicants
 agreements 83-16-071
 83-18-071
 continuing conditions 83-16-071
 83-18-071
 criminal history 83-16-071
 83-18-071
 finger printing 83-16-071
 83-18-071
 reconsideration 83-16-071
 83-18-071

 class H
 liquor purchases 83-01-029
 premises without lounge 83-07-066
 83-10-031
 83-10-046
 83-13-056

 conduct on premises 83-03-013
 83-06-026

 employees
 prohibited conduct with patrons 83-10-059
 83-13-055
 83-10-032
 83-18-070

 revocation 83-11-026
 83-18-070

Rules review 83-11-026
 Sales person must speak and read English 83-03-012
 83-06-027
 83-10-045

LITTER (See ECOLOGY, DEPARTMENT OF)

LOTTERY COMMISSION (See also GAMBLING COMMISSION)

Agent identification card 83-01-117
 83-05-029

Commission organization 83-01-108
 83-05-028
 83-08-081
 83-10-068

Definitions
 ticket bearer 83-01-117
 83-05-029

General instant game criteria 83-13-086
 83-16-029

Instant game number 1
 criteria 83-04-019
 definitions 83-03-034
 83-04-019
 83-05-030

 ticket validation requirements 83-04-019
 83-05-030

Instant game number 2
 criteria 83-01-109
 83-03-034
 83-03-040
 83-04-069
 83-07-023
 83-08-084
 83-01-109
 83-03-040

 definitions 83-08-083
 83-01-109
 83-03-034
 83-03-040

 grand prize drawings 83-08-083
 ticket validation requirements 83-01-109
 83-03-034
 83-03-040

LOTTERY COMMISSION (See also GAMBLING COMMISSION)—cont.

Instant game number 3
 criteria 83-05-031
 83-05-052
 83-08-079
 83-08-085
 83-10-072
 83-13-077
 83-13-083
 83-17-009
 83-05-031
 83-05-052
 83-08-079
 83-08-085
 83-10-072
 83-13-077
 83-13-083
 83-17-009

 definitions 83-08-083
 83-05-031
 83-05-052
 83-10-072
 83-13-083
 83-17-009

 grand prize drawings 83-08-083
 ticket validation requirements 83-05-031
 83-05-052
 83-10-072
 83-13-083
 83-17-009

Instant game number 4
 criteria 83-05-053
 83-08-086
 83-10-070
 83-13-078
 83-13-084
 83-17-010
 83-05-053
 83-08-086
 83-10-070
 83-13-078
 83-13-084
 83-17-010

 definitions 83-08-083
 83-05-053
 83-08-080
 83-08-086
 83-10-070
 83-13-078
 83-13-084
 83-17-010

 grand prize drawings 83-08-083
 ticket validation 83-05-053
 83-08-080
 83-08-086
 83-10-070
 83-13-078
 83-13-084
 83-17-010

Instant game number 5
 criteria 83-10-067
 83-13-079
 83-13-085
 83-17-011
 83-19-020
 83-19-072
 83-10-067
 83-13-079
 83-13-085
 83-17-011
 83-10-067
 83-13-079
 83-13-085
 83-17-011

 definitions 83-16-078
 83-19-018
 83-16-078
 83-19-018
 83-16-078
 83-19-018

Instant game number 6
 criteria 83-16-078
 83-19-018
 83-16-078
 83-19-018
 83-16-078
 83-19-018

 definitions 83-16-078
 83-19-018
 83-16-078
 83-19-018

 ticket validation 83-16-078
 83-19-018

Licenses 83-08-079
 83-08-085
 83-10-072
 83-13-077
 83-01-117
 83-03-041
 83-05-029

 agent compensation 83-01-117
 83-03-041
 83-05-029

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

LOTTERY COMMISSION (See also GAMBLING COMMISSION)—cont.		MENTAL HEALTH/ILLNESS—cont.	
agent eligibility	83-01-117	county administration regulations	83-01-014
	83-03-041		83-03-065
	83-05-029		83-03-066
agent obligations	83-16-079	definitions	83-09-002
	83-19-019		83-01-014
authority to sell	83-03-034		83-03-065
definitions	83-03-041		83-03-066
fees	83-16-079	licensed service providers	83-09-002
	83-17-028		83-01-014
	83-19-019		83-03-065
general license	83-01-117		83-03-066
location of sale	83-01-117	priorities	83-09-002
	83-03-041		83-01-014
	83-05-029		83-03-065
revocation, denial, suspension	83-03-046		83-03-066
	83-07-022	County plan	83-09-002
off premises sales permit	83-01-117		83-02-025
	83-03-041		83-03-011
special licenses	83-08-047		83-03-065
	83-10-069		83-03-066
	83-13-082	Group homes	83-09-002
Meeting schedule	83-01-050	infection control	83-10-079
	83-12-057	mentally and physically handicapped	83-01-119
	83-16-079	Institutional recipients	
Operations and procedure	83-01-108	medical care	83-09-046
	83-05-028	Psychiatric hospitals	
	83-08-081	infection control	83-06-010
appearance and practice	83-08-074		83-10-079
	83-10-073	schedule of charges	83-15-001
	83-13-081		83-15-007
declaratory rulings	83-13-081		83-18-029
depositions in contested cases	83-13-081	Public assistance	83-05-002
ethical conduct	83-08-074		83-08-025
	83-10-073	Recertification of facilities	83-03-010
	83-13-081		
hearings	83-08-074	MEXICAN-AMERICAN AFFAIRS, COMMISSION ON	
	83-10-073	Meeting schedule	83-01-140
	83-13-081		
Prizes		MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF	
certain winners prohibited	83-04-019	Applications	83-18-011
grand prize procedures	83-12-057	Certification, qualifications	83-18-011
payment	83-01-117		83-19-066
	83-05-029	Directory	83-18-011
Public records	83-01-108	General provisions	83-19-066
	83-05-028	Interim goals and certification procedures	83-17-027
	83-05-054		
	83-08-082	MOBILE HOMES	
	83-10-071	(See LABOR AND INDUSTRIES, DEPARTMENT OF)	
	83-13-080	MOTOR VEHICLE EMISSION STANDARDS	
Tickets		(See ECOLOGY, DEPARTMENT OF)	
certain purchases prohibited	83-04-019	NATIONAL GUARD	
employees of commission	83-03-034	Emergency	
price	83-03-034	flooding in tidal shorelines	83-01-095
	83-04-019	flooding in western Washington	83-01-020
purchase by agent	83-03-033		83-01-021
stolen or lost	83-16-079		83-01-096
	83-19-019		83-03-009
			83-03-019
MASON COUNTY			83-12-023
Shoreline management master program	83-18-058	NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM	
		(See ECOLOGY, DEPARTMENT OF, subtopic NPDES)	
MESSAGE EXAMINING BOARD		NATURAL RESOURCES, DEPARTMENT OF	
Examinations	83-18-061	Aquatic lands	83-02-055
			83-17-068
MATERNITY CENTERS (See DAY CARE)			83-20-079
MATH AND SCIENCE TEACHERS		Board meetings	83-20-081
(See COUNCIL FOR POSTSECONDARY EDUCATION)		Fees for certain services	83-04-018
MEDICAL EXAMINERS			83-20-080
Physicians assistants	83-03-031		
	83-03-045		
	83-07-014		
Physicians acupuncture assistants	83-03-045		
	83-07-014		
MENTAL HEALTH/ILLNESS			
Community mental health program			

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

NATURAL RESOURCES, DEPARTMENT OF—cont.		NURSING HOMES—cont.	
Forest fire advisory board meeting	83-05-035	Personnel	83-01-016
	83-08-028	Rate setting procedures	83-14-055
	83-10-011	Residents	
Forest fire danger closures	83-14-065	intermediate nursing care residents	83-01-016
Forest patrol, forest fire suppression account		residents' rights	83-18-019
assessment procedures	83-01-099	skilled nursing care residents	83-01-016
forest practices board	83-17-019	"Stop placement," defined	83-20-055
	83-20-001		
Grazing permits	83-15-038	OIL AND GAS	
	83-17-104	Lease royalties	83-01-103
Harbor areas	83-16-076	Registration of limited partnerships	83-15-042
Industrial fire tool requirements	83-09-015		83-19-035
Log patrol closure on Lake Whatcom	83-03-029	OKANOGAN COUNTY	
Log transportation	83-07-072	Dog problem	83-03-017
Oil and gas		OLYMPIA TECHNICAL COMMUNITY COLLEGE	
lease royalties	83-01-103	(See CENTRALIA COLLEGE AND	
	83-05-004	OLYMPIA TECHNICAL COMMUNITY COL-	
	83-06-040	LEGE)	
	83-07-039	OLYMPIC COLLEGE (District 3)	
Outdoor burning	83-07-068	Meetings	83-20-083
winter burning	83-07-021	OPTOMETRY BOARD	
	83-09-015	Examination	83-06-073
	83-11-001		83-10-052
	83-02-055	OSTEOPATHIC MEDICINE AND SURGERY	
Pier spacing rules	83-15-038	Acupuncture assistants	83-12-048
Range land grazing permits	83-13-098		83-16-024
Review of rules		Acupuncture program approval	83-16-024
State timber sales		Physician assistants	
definitions	83-18-009	training	83-12-048
market indexes	83-18-009		83-16-024
price, payment	83-18-009	Prescriptive authority	83-12-048
Timber tax			83-16-024
(See FORESTS AND FORESTS PRODUCTS)			83-16-024
Yacolt burn closure removed	83-07-068	Tests and techniques, prohibited	83-16-024
	83-10-036	PARACHUTING (See TRANSPORTATION, DEPART-	
		MENT OF)	
Trust lands		PARKS AND RECREATION	
deduction discontinuation	83-07-037	Environmental learning centers	83-04-073
	83-07-038		83-09-031
	83-11-007	Governor's recreation resource advisory	
	83-11-008	committee established	83-07-063
NOXIOUS WEED CONTROL BOARD		Marine facilities	
List of noxious weeds	83-04-055	moorage and use	83-02-057
	83-07-042		83-02-058
			83-06-051
NURSING, BOARD OF		Meeting schedule	83-01-113
Continuing education	83-12-031		83-01-124
	83-20-090		83-14-030
CRN renewal	83-04-051	Passes	
Legend drugs	83-12-031	disability	83-20-087
	83-16-065	limited income senior citizen	83-20-087
License renewal	83-12-031	off season senior citizen	83-20-087
Long-term care drug therapy	83-08-073	veteran disability	83-20-087
	83-12-026	Public records	83-20-088
		Public use of park area	
NURSING HOMES		assemblies, meetings	83-02-041
Accounting and reimbursement system	83-01-074		83-06-004
	83-05-007	religious services	83-08-032
	83-14-044		83-02-041
	83-14-046		83-06-004
	83-14-056	solicitation	83-08-032
	83-14-057		83-02-041
	83-19-046		83-06-004
	83-19-047		83-08-032
Community option program entry system	83-05-042		83-02-041
	83-05-043		83-06-004
	83-08-024		83-08-032
	83-15-020		83-10-055
Definitions	83-01-016		83-13-089
Health and safety problems,		Rule review	
prohibit admissions	83-20-055	recreational conveyances	83-11-024
IMR program and reimbursement system	83-14-044		83-16-062
	83-14-057	Small works roster	83-02-024
	83-17-074	Snowmobile grants and contracts	83-10-053
			83-13-087
Licensing of nursing homes		Winter recreation program	83-10-054
program administration	83-20-055		83-13-088
"stop placement" defined	83-20-055		
Medicaid contractors			
final settlement	83-01-067		

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

PENINSULA COLLEGE (District 1)

Admission 83-09-041
83-14-068
Discipline 83-09-041
83-14-068
Drugs 83-09-041
83-14-068
Foreign students 83-09-041
83-14-068
Meeting schedule 83-14-067
Scholastic standards 83-09-041
83-14-068
Trespass 83-09-041
83-14-068
Tuition refund 83-09-041
83-14-068

PERSONNEL, DEPARTMENT OF/PERSONNEL BOARD

Abandonment of position 83-10-047
83-13-091
Appointments 83-08-009
83-20-060
Board
meeting schedule 83-03-018
83-17-045
powers and duties 83-01-042
83-05-047
83-07-064
83-08-009
83-11-027
83-13-073
83-13-091
83-20-060
Career seasonal employment
Classified positions
transfer from/to exempt 83-06-043
83-09-030
Compensation time
liquidation 83-08-009
83-12-002
overtime accumulation 83-15-047
Definitions
Career seasonal employees **83-20-060**
Career seasonal employment **83-20-060**
Career seasonal position **83-20-060**
Exchange time **83-20-060**
exit leave 83-01-115
seniority 83-01-115
Demotion
reduction in salary 83-10-047
83-13-091
subsequent elevation 83-01-093
83-05-047A
83-07-036
voluntary 83-01-042
83-05-047
83-07-036
Disability **83-20-060**
Dismissal 83-10-047
83-12-035
83-13-091
83-15-048
83-18-031
Downward reallocation **83-20-060**
Exit leave 83-01-094
83-01-115
83-13-094
83-14-013
83-17-065
83-18-031
Insurance board
eligible employees and retirees 83-07-065
83-08-017
83-12-007
83-18-065
83-18-066
employer contribution

PERSONNEL, DEPARTMENT OF/PERSONNEL BOARD—cont.

group coverage when not in pay status 83-13-106
83-18-065
83-19-001
state contribution for medicare
for actively employed 83-18-065
83-18-066
Intermittent employment **83-20-060**
Lateral reallocation **83-20-060**
Overtime provisions and compensation 83-14-013
83-17-046
83-18-031
83-19-031
83-20-060
Payroll certification **83-20-060**
Performance evaluation 83-14-035
83-18-031
Political activity 83-01-115
Probationary periods 83-07-064
83-12-035
83-15-048
83-18-031
Reduction in force 83-01-041
83-01-094
83-01-115
83-03-035
83-05-047A
83-08-009
83-08-010
83-11-027
83-13-091
83-20-060
Registers
appointments 83-01-042
83-05-047
83-07-036
83-12-002
certification
exceptions 83-06-043
83-09-030
local areas 83-04-035
83-08-010
83-01-115
designation 83-01-115
Salaries 83-03-035
maximum, overtime accumulation 83-12-035
83-15-047
performance increases, management
reduction, demotion procedure 83-07-064
83-10-047
83-13-091
reduction in force register appointment
special pay ranges 83-06-005
83-04-035
83-08-010
Schedule/shift change, provisions and compensation 83-12-035
83-15-048
83-18-031
Shift differential provisions
and compensation **83-20-060**
Sick leave 83-08-009
83-10-047
83-12-002
83-13-090
83-14-013
83-15-048
83-17-046
83-18-031
83-19-031
83-10-047
83-13-091
Suspension, duration, procedure
Transfer
between agencies 83-01-042
83-07-036
between class 83-01-042
83-05-047
83-07-036

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

PERSONNEL, DEPARTMENT OF/PERSONNEL

BOARD—cont.
within class

83-01-042
83-05-047
83-07-036

Unfair labor practice charge
Vacation leave

83-20-060
83-01-115
83-14-013
83-16-011
83-18-031

Work period designation

83-14-013
83-17-046
83-18-031
83-19-031
83-20-060

PHARMACY, BOARD OF

Condom regulations
wholesale/retail license
Drug abuse county plan

83-01-083
83-01-083
83-02-025

Drug abuse, public assistance

83-03-011
83-05-002
83-08-025

Drug therapy, monitoring

83-06-074
83-16-085
83-20-053

Equipment requirements
Legend drugs

83-16-085
83-06-074
83-16-085
83-20-053

Licenses

dispensing by non-pharmacists
fees

83-13-107
83-18-021
83-18-060

licensing periods

83-01-037
83-01-082
83-06-074

pharmacy, closing procedure
Long-term care facilities
drug therapy

83-10-012
83-10-013
83-06-074

Mail order drugs

Operations and procedures of board

Outpatient medications

Patient medication record systems

83-01-083
83-18-060
83-01-083
83-12-047
83-16-064

Pharmacy interns

83-14-084
83-18-021

Public records

Schedule V controlled substances

83-01-083
83-01-083

PHYSICIAN ASSISTANTS (See MEDICAL EXAMINERS)

PHYSICAL THERAPISTS (See EXAMINING COMMITTEE ON PHYSICAL THERAPISTS)

PILOTAGE COMMISSIONERS, BOARD OF

Grays harbor pilotage district

83-11-038
83-15-012

Marine pilot liability

Puget Sound pilotage district

83-03-037
83-12-027
83-17-054
83-17-055

Retirement fund contribution

83-02-045
83-05-049

Vessel certification form

83-10-008
83-14-072
83-16-032

PLANNING AND COMMUNITY AFFAIRS AGENCY

Border town program

83-17-083
83-17-084

Community services advisory council
meeting

83-05-044
83-11-036

Drug abuse prevention office

83-17-049
83-06-052

PLANNING AND COMMUNITY AFFAIRS AGENCY

—cont.

Fire protection services

for state-owned facilities

83-16-086
83-19-063

Housing bonds—allocation among

local agencies (Housing Finance Commission)

83-13-113
83-13-114
83-17-047

Law enforcement assistance funds

for border areas

83-17-083
83-17-084

Small cities community development

block grant program

83-08-034

Weatherization

plan hearing

83-03-064
83-12-040

repealer of certain low-income sections

83-06-066

PODIATRY BOARD

Advertisements

Delegation, circumstances allowed

Ethical and professional standards

Examination

83-03-032
83-20-052
83-20-052
83-20-052

Licenses

Schools

83-03-032
83-03-032

POLLUTION CONTROL HEARINGS BOARD (See ENVIRONMENTAL HEARINGS OFFICE)

POSTSECONDARY EDUCATION

(See COUNCIL FOR POSTSECONDARY EDUCATION)

PREGNANCY TERMINATION (See ABORTION)

PRISON TERMS AND PAROLES

Public records

83-03-036

PROCLAMATIONS (See GOVERNOR, OFFICE OF THE)

PRODUCTIVITY BOARD

Employee suggestion program/incentive pay programs

83-06-053
83-06-055

amount of awards

83-15-063
83-06-053
83-06-055

appeals

83-10-030
83-15-063
83-06-053
83-06-055

appointment of agency coordinators

83-10-030
83-06-053
83-06-055

definitions

83-10-030
83-15-063
83-06-053
83-06-055

duties of program administrator

83-10-030
83-15-063
83-06-053
83-06-055

eligibility for awards

83-10-030
83-15-063
83-06-053
83-06-055

eligibility to participate

83-10-030
83-15-063
83-06-053
83-06-055

functions of the board

83-10-030
83-06-053
83-06-055
83-10-030

procedures for processing multi-agency suggestions

83-15-063
83-06-053
83-06-055
83-10-030

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

PRODUCTIVITY BOARD—cont.		REVENUE, DEPARTMENT OF—cont.	
recognition of merit	83-06-053	reconvening boards	83-10-017
	83-06-055	Boats, see LICENSING, DEPARTMENT OF	
	83-10-030	Border counties	83-06-046
	83-15-063	Business and occupation tax	
responsibilities of evaluators	83-06-053	banks	83-04-062
	83-06-055		83-07-032
	83-10-030	casual or isolated sales	83-07-034
	83-15-063	CATV	83-05-048
suggestion acceptability	83-06-053		83-08-015
	83-06-055		83-08-026
	83-10-030	conditional and installment sales	83-01-097
	83-15-063	credit losses, bad debts, recoveries	83-01-097
suggestion format	83-06-053	dishonored checks	83-04-062
	83-06-055		83-07-032
	83-10-030	exemptions—volume of business	83-07-034
	83-15-063	farming services	83-05-048
Repealers	83-06-054		83-08-015
			83-08-026
PSYCHOLOGY EXAMINERS BOARD		fees, dues, contributions, donations	83-04-062
Continuing education	83-11-042		83-07-032
PUBLIC ASSISTANCE (See SOCIAL AND HEALTH SERVICES)		gross amounts subject to retail sales tax	83-07-033
		hospitals dispensing drugs	83-04-062
			83-04-064
PUBLIC DEPOSIT PROTECTION COMMISSION			83-07-032
Public depositaries			83-07-033
practice and procedure	83-13-017	insurance agents, brokers and solicitors	83-14-059
PUBLIC DISCLOSURE COMMISSION			83-14-060
Campaign finance reports		libraries	83-17-099
election officials duties	83-14-036		83-04-063
	83-17-138	manufacturer, definition revised	83-07-034
Financial affairs statement			83-04-062
forms, amendments	83-20-051	radio and television	83-07-032
forms, initial filing	83-20-051		83-05-048
time for filing	83-20-051		83-08-015
Lobbyist		service tax	83-08-026
entertainment reporting	83-13-046		83-04-062
	83-17-034		83-07-032
event reporting	83-13-046	sports	83-05-048
	83-17-034		83-08-015
Meeting schedule	83-02-030		83-08-026
Optional format for requests for lists of individuals	83-11-004	stay of collection	83-16-052
Public records release	83-06-033	tax liability accounting method	83-01-097
PUBLIC EMPLOYMENT RELATIONS COMMISSION		telephone services	83-14-059
Grievance arbitration rules	83-20-013		83-14-060
Impasse resolution case rules	83-20-012	various services described	83-17-099
Practice and procedure	83-20-008		83-04-064
Representation case rules	83-20-009	warehousing	83-07-033
Unfair labor practices case rules	83-20-011		83-05-048
Union security dispute rules	83-20-014	Conveyance tax	83-08-015
Unit clarification case rules	83-20-010	inventory tax credit application	83-08-026
PUBLIC UTILITIES			83-13-024
(See also UTILITIES AND TRANSPORTATION COMMISSION)			83-13-025
Public utility tax	83-01-059	Deductibility, generally	83-16-052
PUYALLUP			83-05-048
Shoreline management master program	83-08-072		83-07-033
	83-12-017		83-08-015
QUINCY GROUNDWATER		Doing business, in and out-of-state	83-08-026
(See ECOLOGY, DEPARTMENT OF)			83-05-048
RADIATION CONTROL		Estate and Transfer Tax Reform Act	83-08-015
(See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)			83-08-026
RAFFLES (See GAMBLING COMMISSION)		Food products (food tax)	83-13-120
REAL ESTATE (See LICENSING, DEPARTMENT OF)			83-17-033
REFUGEES (See SOCIAL AND HEALTH SERVICES, DEPARTMENT OF)		Forest land values	83-14-059
REVENUE, DEPARTMENT OF		(See FORESTS AND FOREST PRODUCTS)	83-14-060
Appeal procedure		Fuel sales	83-17-099
administrative law judge	83-01-097	motor vehicle and special fuels	83-04-063
in general	83-04-062		83-07-034
	83-07-032	Grain	83-14-059
Board of equalization			83-17-099
		Ingredients or components	83-04-064
			83-07-033
			83-07-035

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

REVENUE, DEPARTMENT OF—cont.

Inheritance tax—repeal	83-13-120
Leasehold excise tax	83-05-048
	83-08-015
	83-08-026
	83-07-034
Libraries	
Nonprofit organizations	
excise tax exceptions	83-07-033
special fuels	83-14-059
	83-14-060
	83-17-099
	83-13-047
Property tax annual ratio study	
Public transportation	
motor vehicle and special fuels	83-14-059
	83-14-060
	83-17-099
sales and use tax	83-06-046
Public utility tax	83-01-059
common carrier special fuels	83-14-059
	83-14-060
	83-17-099
credit losses, bad debts, recoveries	83-01-097
exemptions—volume of business	83-07-034
heat as service	83-04-063
	83-07-034
in—state, out-of—state	83-05-048
	83-08-015
	83-08-026
telephone services	83-14-059
	83-14-060
	83-17-099
Rate of change	83-04-062
	83-07-032
Real estate excise tax	
assignments, purchasers, transfers	83-02-022
deferral	83-02-022
definitions	83-02-022
earnest money	83-02-022
escrow, abstract, title business	83-04-064
	83-07-033
foreclosure	83-02-022
gifts	83-02-022
nominee	83-02-022
refunds	83-02-022
trustee sale	83-02-022
Real property	
cessation of use	83-16-070
	83-19-029
day care centers	83-16-070
	83-19-029
disabled persons	83-16-070
	83-19-029
exemptions, rules of construction	83-16-070
	83-19-029
homes for the aged, sick, or infirm	83-19-029
hospitals	83-19-029
libraries	83-19-029
new construction	83-18-057
nonprofit organizations	83-16-070
	83-19-029
orphanages	83-19-029
ratio determination	83-16-050
	83-16-051
reevaluation	83-18-057
sales studies	83-16-050
	83-16-051
schools and colleges	83-16-070
senior citizens	83-16-070
	83-19-029
Resale certificates	83-04-063
	83-07-034
Sales tax	
alcohol	83-05-048
	83-07-034
	83-08-015
	83-08-026

REVENUE, DEPARTMENT OF—cont.

amusement and recreation services	83-14-059
	83-14-060
animals sold for breeding purposes	83-07-034
collection schedules	83-06-047
	83-09-028
conditional and installment sales	83-04-062
	83-07-032
credit losses, bad debts, recoveries	83-01-097
farm	83-04-063
	83-05-048
	83-07-034
	83-08-015
	83-08-026
food products	83-14-059
	83-14-060
	83-17-099
fuels, motor vehicle and special	83-14-059
	83-14-060
	83-17-099
generally	83-07-033
lessees	83-05-048
	83-08-015
	83-08-026
local tax	83-04-062
	83-06-046
	83-07-032
motor vehicle and special fuels	83-14-059
	83-14-060
	83-17-099
racing forms	83-13-026
	83-16-053
soda fountains	83-07-034
sports	83-05-048
	83-08-015
	83-08-026
state agency exemption	83-04-062
	83-07-032
telephone services	83-14-059
	83-14-060
	83-17-099
vessels, nonresident	83-18-067
Selling price	
returned goods	83-07-034
warranties	83-07-034
Senior citizen exemptions	
adjusted gross income	83-16-070
amount of exemption	83-16-070
claims	83-16-070
definitions	83-16-070
disposable income	83-16-070
qualifications	83-16-070
Stockbrokers	83-07-033
Timber tax (See FORESTS AND FOREST PRODUCTS)	
Tobacco	83-04-062
	83-04-063
	83-07-032
	83-07-034
Uniform Unclaimed Property Act	83-15-054
	83-15-055
	83-17-098
Use tax (See also Sales tax, this topic)	
certificate of registration fee increased	83-04-062
	83-07-032
commercial or industrial	
pit run gravel	83-04-062
	83-07-032
conditional and installment sales	83-04-062
	83-07-032
exemptions	83-04-064
	83-07-033
bailees	83-05-048
	83-08-015
	83-08-026
insulin, oxygen, prosthetics	83-04-062
	83-07-032

Subject/Agency Index
(Citations in bold type refer to material in this issue)

SOCIAL AND HEALTH SERVICES, DEPARTMENT

SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.
 mandatory monthly reporting 83-13-031
 83-13-032
 83-17-012
 pregnant women 83-17-085
 83-17-092
 residence sharing 83-01-121
 retroactive eligibility removed 83-13-066
 retrospective budgeting, prospective budgeting,
 prospective eligibility **83-20-058**
 rules applicability 83-11-009
 83-14-028
 separated spouses 83-17-085
 standards of assistance 83-01-121
 83-05-015
 83-11-010
 after initial one or two payment months
 one-time grant 83-13-059
 83-13-059
 83-13-060
 83-17-004
 strikers 83-17-090
 transfer of property 83-01-104
 83-04-033
 83-17-035
 types of income, effect on need 83-17-035
 unemployment 83-17-090
 verifying 83-10-018
 83-13-095
 employment and training work incentive
 exclusions 83-17-091
 83-17-092
 financial need
 computing income 83-01-104
 83-04-033
83-20-054
 effect of resources and income 83-01-104
 83-04-033
83-20-058
 income of child
 need determination, what income
 may be disregarded **83-20-058**
 net income 83-01-104
 83-04-033
83-20-054
83-20-058
 reporting dates, income
 rules and procedures 83-01-104
 83-04-033
 types of income 83-01-104
 food
 WIC program hearing 83-08-062
 food stamps
 eligibility 83-18-046
 workfare 83-18-047
 GAU pilot project 83-17-106
 hearing 83-03-021
 income defined 83-01-104
 increase or decrease, effective date 83-17-004
83-20-054
83-20-058
 institutionalized recipient
 allocation of income 83-14-062
 83-14-063
 83-17-093
 Job Training Partnership Act
 implementation **83-20-054**
 income rules **83-20-054**
83-20-058
 medical treatment policies 83-05-002
 monthly standards 83-14-049
 need determination, what income
 may be disregarded **83-20-058**
 person in institution other than nursing home 83-07-053
 83-10-077
 pilot project, medical criteria
 Spokane, Rainier, Pierce 83-10-049
 presumptive spouse 83-01-104
 83-04-033

OF—cont.
 Alcoholism hospitals
 infection control 83-06-010
 treatment facilities 83-18-034
 recovery house facilities 83-18-027
 Blind (See BLIND)
 Boarding homes 83-08-005
 83-14-008
 83-14-049
 83-17-070
 Child care (see DAY CARE)
 Chore services 83-11-012
 83-14-029
 83-17-023
 83-17-026
 83-17-089
 Community mental health program
 (See MENTAL HEALTH/ILLNESS)
 Community option program entry system 83-05-042
 83-05-043
 83-08-024
 83-15-020
 83-18-030
 Community work experience program
 see (COMMUNITY WORK EXPERIENCE PROGRAM)
 Day care (See DAY CARE)
 Developmental disabilities
 (See DEVELOPMENTALLY DISABLED AND
 HANDICAPPED)
 Employment and training—work incentive
 community work experience program 83-01-057
 job search program duration 83-01-057
 refusal of training or work 83-09-048
 Fees 83-12-058
 83-17-085
 83-17-092
 attorney fees, SSI
 Food stamps
 aliens 83-07-010
 83-10-078
 83-18-046
 83-18-047
 83-04-042
 83-04-043
 83-08-071
83-20-056
 83-01-055
 83-04-042
 83-04-043
 83-08-071
83-20-056
 conferences 83-17-020
 disqualification 83-17-036
 eligibility standards 83-14-025
 83-14-050
 83-17-072
 hearing, reference charged to conference 83-03-021
 83-17-020
 household determination 83-04-042
 83-04-043
 83-08-071
 income deductions 83-03-015
 83-04-042
 83-04-043
 83-08-071
 83-04-042
 83-04-043
 83-08-071
 lost 83-08-012
 83-08-013
 83-03-015
 83-04-042
 83-04-043
 83-08-071
 83-17-040
 monthly reporting **83-20-056**

Subject/Agency Index
(Citations in **bold type** refer to material in this issue)

SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.	
overpayment	83-17-036
replacement	83-12-003
resources	83-04-042
	83-04-043
	83-08-071
restoration of lost benefits	83-17-025
social security number	83-08-071
student eligibility	83-03-015
	83-04-042
	83-04-043
	83-08-071
unemployment program	83-17-082
utility standards	83-16-046
	83-16-047
	83-19-034
verification	83-08-071
	83-20-057
WIC program	83-08-062
work registration	83-04-042
	83-04-043
	83-08-071
Foster care (See FOSTER CARE)	
Group homes	
mental/physical handicap	83-01-119
	83-06-013
Handicapped (See DEVELOPMENTALLY DISABLED AND HANDICAPPED)	
Health facilities	
certificate of need review fees	83-17-107
Hearings	
WIC program	83-08-062
Indian trust fund	83-17-035
Juvenile rehabilitation	
juvenile disposition sentencing standards	83-16-060
Limited casualty program	
deductibles, reference removed	83-13-066
	83-17-006
hospital care, payment	83-03-016
medically indigent	83-13-071
	83-14-026
	83-14-051
	83-17-071
medically needy in own home	
certification	83-01-058
eligibility determination	83-01-058
	83-10-081
	83-14-045
	83-14-053
	83-17-094
medical care services, defined	83-17-006
resource standards	83-13-071
medicare benefits	83-10-081
	83-13-071
outpatient and emergency care	83-03-016
Medical care services	
alcohol and drug abuse	83-05-002
	83-08-025
definitions	83-14-047
eligibility	
allocation of income	83-02-027
certification	83-02-027
institutional	83-09-046
	83-12-059
special categories	83-17-005
grandfathered recipients	83-07-053
	83-10-077
hearing aids	83-07-053
	83-10-077
hospital care, payment	83-05-040
	83-05-041
	83-08-022
	83-14-043
	83-14-054
	83-17-096

SOCIAL AND HEALTH SERVICES, DEPARTMENT

OF—cont.	
institutional recipients	83-09-046
	83-12-059
allocation of income	83-09-046
	83-12-059
medicare	
deductible and coinsurance	83-13-071
scope	83-10-081
outpatient and emergency care	83-03-016
payment	83-10-077
	83-14-024
	83-14-052
	83-17-073
private duty nursing services	83-01-056
provider agreement, refunds	83-14-027
	83-17-095
providers—ownership disclosure	83-07-053
	83-10-077
services provided	83-01-056
	83-12-036
	83-12-037
	83-14-024
	83-14-052
	83-17-073
inpatient hospital care	83-02-023
	83-02-046
	83-05-050
	83-12-036
	83-12-037
social security benefits	
burial plots and contracts	83-07-053
	83-10-077
eligibility determination	83-02-026
monthly standards	83-09-046
	83-12-059
special categories	83-13-104
Mental health, see MENTAL HEALTH	
Nursing homes (See NURSING HOMES)	
Overpayment and repayment of assistance	
definitions	
intentional overpayment	83-02-016
	83-02-017
	83-05-046
overpayment	83-02-016
	83-02-017
	83-05-046
underpayment	83-02-016
	83-02-017
	83-05-046
effective dates	83-02-016
	83-02-017
liability	83-02-016
	83-02-017
mandatory grant reduction	83-02-016
	83-02-017
repayment	83-02-016
	83-02-017
verification	83-02-016
	83-02-017
Psychiatric hospitals	
infection control	83-06-010
schedule of charges	83-15-001
	83-15-007
	83-18-029
Public records	83-03-021
Radiation control	83-15-061
	83-19-050
Refugee assistance	83-01-034
	83-10-075
	83-13-069
Residential schools	
schedule of costs	83-18-028
Senior citizens' services program	83-10-074
	83-13-070
Shellfish program certification fees	83-12-015
Support enforcement	

Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

TRAPPING (See GAME, DEPARTMENT OF)			
UNIVERSITIES (See individual universities)			
UNIVERSITY OF WASHINGTON			
Meeting schedules	83-02-034		
	83-05-036		
	83-06-008		
	83-13-064		
	83-16-005		
Open public meetings	83-07-011		
URBAN ARTERIAL BOARD			
Address	83-18-018		
Meeting schedule	83-02-052		
	83-09-029		
	83-14-092		
	83-18-018		
	83-20-071		
	83-18-018		
Organization			
UTILITIES (See PUBLIC UTILITIES)			
UTILITIES AND TRANSPORTATION COMMISSION			
Auto stage vehicle speeds	83-06-069		
Carriers			
driver logs	83-03-054		
	83-06-015		
	83-06-017		
	83-06-018		
driver hours	83-03-054		
	83-06-015		
	83-06-017		
	83-06-018		
equipment safety	83-03-054		
	83-06-015		
	83-06-017		
	83-06-018		
household goods			
liability insurance	83-02-014		
written estimates	83-02-014		
insurance requirements	83-16-030		
	83-16-031		
	83-18-072		
Garbage companies	83-03-055		
Hazardous materials, insurance	83-16-030		
	83-16-031		
Log transportation	83-07-072		
	83-10-028		
	83-12-028		
Motor vehicles			
drivers logs	83-03-052		
	83-06-019		
drivers hours	83-03-052		
	83-06-019		
equipment safety	83-03-052		
	83-06-019		
Public utility tax	83-01-059		
Railroads			
bridge safety	83-06-075		
	83-09-004		
tariffs	83-08-038		
	83-11-019		
track equipment operations	83-06-020		
	83-09-005		
train operation, Tacoma	83-06-021		
	83-09-003		
Small business rules review	83-11-003		
Telephone companies	83-08-087		
	83-11-020		
access charges	83-14-023		
	83-17-039		
	83-18-036		
	83-18-044		
Utility company budgets	83-03-023		
reporting requirements	83-06-016		
VESSELS (See LICENSING, DEPARTMENT OF, subtopic Boats, implementation of ch 7 Laws of 1983)			
		VETERANS AFFAIRS, DEPARTMENT OF	
		Washington Soldiers Home and Colony	83-18-068
		Washington Veterans Home	83-18-068
		VETERINARY BOARD OF GOVERNORS	
		Animal technicians	83-16-063
			83-19-055
		Examination	
		procedure	83-04-029
			83-07-050
		results	83-04-029
			83-07-050
		VOCATIONAL EDUCATION	
		Advisory council	
		meeting	83-11-002
			83-17-048
		Commission	
		duties regarding 1975 VOC-ED Act	83-01-070
		local annual applications	83-10-003
		meeting schedule	83-03-063
		trainers of personnel, standards	83-10-003
		VOCATIONAL REHABILITATION (See LABOR AND INDUSTRIES)	
		VOLUNTEER FIREMEN	
		Meetings	83-07-008
		WALLA WALLA	
		Ground water designation	83-02-039
		WALLA WALLA COMMUNITY COLLEGE (District 20)	
		Civil service rules	83-01-090
		Students	
		constitution and bylaws	83-01-089
		procedures of enforcement	83-01-087
		rules of conduct	83-01-087
		summary suspension procedures	83-01-088
		WASHINGTON STATE UNIVERSITY	
		ASB meetings	83-19-021
		Board of regents meeting schedule	83-01-013
			83-08-059
		Parking and traffic regulations	83-01-007
			83-04-010
			83-08-060
		WATER ASSOCIATIONS, WATER COMPANIES (See PUBLIC UTILITIES)	
		WATER RESOURCES PROTECTION PROGRAM (See ECOLOGY, DEPARTMENT OF, subtopic In-stream resources)	
		WEATHERIZATION (See PLANNING AND COMMUNITY AFFAIRS AGENCY)	
		WENATCHEE	
		River basin	83-09-053
			83-10-062
			83-13-016
		WESTERN WASHINGTON UNIVERSITY	
		Appeals from parking violations	83-14-014
		Bicycle impound fees	83-09-040
			83-14-014
		Bicycle traffic	83-14-016
		Citation appeal	83-09-040
		Form modification for easy reading	83-09-040
		Meeting schedules	83-01-072
			83-04-028
			83-06-039
			83-08-036
			83-08-037
			83-10-043
			83-12-042
			83-13-039
			83-13-063
			83-13-093
			83-16-055
			83-18-006
			83-20-046

Subject/Agency Index

(Citations in bold type refer to material in this issue)

WESTERN WASHINGTON UNIVERSITY—cont.

Parking and traffic 83-14-014
Reduction in force 83-12-045

WESTPORT

Shoreline management master program 83-14-085
83-17-113
83-20-059

WHATCOM COMMUNITY COLLEGE (District 21)

Meetings 83-06-006
83-07-018
83-10-044
83-14-016
83-19-048

WHATCOM COUNTY

Emergency 83-03-009
83-12-023
Log patrol closure, Lake Whatcom 83-03-029
Shoreline management master program 83-02-006

WORKERS' COMPENSATION (See LABOR AND INDUSTRIES)

