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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of July 1987 pursuant to RCW 19.52.020 is twelve percent (12%).

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

The maximum allowable retail installment contract service charge applicable for calendar year 1987 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

WASHINGTON STATE REGISTER

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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.

1986 - 1987

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
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86-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21
86-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4
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86-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23
86-24	Nov 5	Nov 19	Dec 3	Dec 17	Jan 6, 1987
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87-01	Nov 26	Dec 10	Dec 24, 1986	Jan 7, 1987	Jan 27
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¹All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 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.

³No 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.

WSR 87-13-001

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF NATURAL RESOURCES
(Board of Natural Resources)
[Memorandum—June 1, 1987]**

The regular meeting of the Board of Natural Resources, Department of Natural Resources, rescheduled on May 12, 1987, for Tuesday, July 14, 1987, has again been rescheduled to be held on Friday, July 10, 1987, Senate Hearing Room 1, 1st Floor of the John A. Cherberg Building, Olympia, Washington, at 9 a.m.

WSR 87-13-002

**NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
[Memorandum—June 4, 1987]**

June 5, 1987
Friday, 12:00 noon
Special Board of Trustees Meeting
Lynnwood Hall, Room 424

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 87-13-003

**NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
(Library Commission)
[Memorandum—June 3, 1987]**

The June 10, 1987, meeting of the Washington State Library Commission with representatives from the Western Library Network Services Council has been changed to Room 103 of the Holiday Inn Motel, Nine North Ninth Street, Yakima, beginning at 2:00 p.m.

WSR 87-13-004

**ADOPTED RULES
DEPARTMENT OF LICENSING
(Board of Osteopathic Medicine and Surgery)
[Order PM 655—Filed June 4, 1987]**

Be it resolved by the Board of Osteopathic Medicine and Surgery, acting at the Southcenter Room, Nendel's Southcenter, 15801 West Valley Highway, Tukwila, WA, that it does adopt the annexed rules relating to the amending of WAC 308-138A-020.

This action is taken pursuant to Notice No. WSR 87-04-048 filed with the code reviser on February 3, 1987. 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 18.57.005 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 April 29, 1987.

By Joseph T. Palermo, D.O.
Chairman

AMENDATORY SECTION (Amending Order PL 440, filed 7/27/83)

WAC 308-138A-020 OSTEOPATHIC PHYSICIANS' ASSISTANTS. (1) Program approval required. No osteopathic physician shall be entitled to register an osteopathic physicians' assistant who has not successfully completed a program of training approved by the Board in accordance with these rules.

(2) Program approval procedures. In order for a program for training osteopathic physicians' assistants to be considered for approval by the board it must meet the minimal criteria established by the committee on allied health education and Accreditation Association of the American Medical Association as of ((+1978)) 1985. The director of the program shall submit to the board a description of the course of training offered, including subjects taught and methods of teaching, entrance requirements, clinical experience provided, etc. The director shall also advise the board concerning the basic medical skills which are attained in such course, and the method by which the proficiency of the students in those skills was tested or ascertained. The board may require such additional information from program sponsors as it desires.

(3) Approved programs. The board shall approve programs in terms of skills attained by its graduates. A registry of approved programs shall be maintained by the board at the division of professional licensing in Olympia, Washington, which shall be available upon request to interested persons.

(4) Additional skills. No osteopathic physician's assistant shall be registered to perform skills not contained in the program approved by the board unless the osteopathic physician's assistant submits with his application a certificate by the program director or other acceptable evidence showing that he or she was trained in the additional skill for which authorization is requested, and the board is satisfied that the applicant has the additional skill and has been properly and adequately tested thereon.

(5) Applications. All applications shall be made to the board on forms supplied by the board. All applications shall be submitted at least 30 days prior to the meeting of the board in which consideration is desired. Applications shall be made jointly by the physician and assistant.

(6) Authorization by board, powers. In granting authorizations for the utilization of the osteopathic physician's assistant, the board may limit the authority for

utilizing an osteopathic physician's assistant to a specific task or tasks, or may grant specific approval in conformity with the program approved and on file with the board.

(7) Limitations, number. No osteopathic physician shall supervise more than one osteopathic physician's assistant.

(8) Limitations—Geographic limitations. No osteopathic physician's assistant shall ordinarily be utilized in a place other than the supervising osteopathic physician's regular place for meeting patients, or when personally accompanied by the supervising osteopathic physician. The "regular place for meeting patients" shall be defined to include the physician's office, the institution(s) in which his or her patients are hospitalized or confined, or the homes of patients for whom a physician-patient relationship has already been established.

(9) Limitations—Remote practice. Special permission may be granted to utilize an osteopathic physician assistant in a place remote from the physician's regular place for meeting patients if:

- (a) There is a demonstrated need for such utilization;
- (b) Adequate provision for immediate communication between the physician and his physician assistant exists;
- (c) A mechanism has been developed to provide for the establishment of a direct patient-physician relationship between the supervising osteopathic physician and patients who may be seen initially by the osteopathic physician assistant;

(d) The responsible physician spends at least one-half day per week in the remote office.

(10) Limitations, hospital functions. An osteopathic physician assistant working in or for a hospital, clinic or other health organization shall be registered in the same manner as any other osteopathic physician assistant and his/her functions shall be limited to those specifically approved by the board. His/her responsibilities, if any, to other physicians must be defined in the application for registration.

(11) Limitations, trainees. An individual enrolled in a training program for physician assistants may function only in direct association with his/her preceptorship physician or a delegated alternate physician in the immediate clinical setting or, as in the case of specialized training in a specific area, an alternate preceptor approved by the program. They may not function in a remote location or in the absence of the preceptor.

(12) Supervising osteopathic physician, responsibility. It shall be the responsibility of the supervising osteopathic physician to see to it that:

(a) Any osteopathic physician's assistant employed by him or her at all times when meeting or treating ~~((patient[s]))~~ patients wears a placard or other identifying plate in a prominent place upon his or her person identifying him or her as a physician's assistant ~~(([+H-]))~~;

(b) No osteopathic physician's assistant in his employ represents himself or herself in any manner which would tend to mislead anyone that he or she is a physician;

(c) That the osteopathic physician's assistant in his or her employ performs only those tasks which he or she is

authorized to perform under the authorization granted by the board.

(d) All EKG's and x-rays and all abnormal laboratory tests shall be reviewed by the physician within 24 hours.

(e) All patient charts and all telephone advice given by the supervising physician shall be documented, reviewed and countersigned by the physician within one week.

(13) Alternate physician, supervisor—Approved by board. In the temporary absence of the supervising osteopathic physician, the osteopathic physician assistant may carry out those tasks for which he is registered, if the supervisory and review mechanisms are provided by a delegated alternate osteopathic physician supervisor.

(14) Reregistration. The annual reregistration fee shall be paid by the first day of July of each year by the supervising osteopathic physician. Any failure to reregister and pay the annual registration fee shall render the registration invalid but registration may be reinstated by payment of a penalty fee together with all delinquent annual registration fees.

WSR 87-13-005

ADOPTED RULES

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

[Order PM 606—Filed June 4, 1987]

Be it resolved by the Washington State Board of Registration for Professional Engineers and Land Surveyors, acting at the Seattle Marriott, 3201 South 176th Street, Seattle, WA, that it does adopt the annexed rules relating to the amending of WAC 196-12-010, 196-12-020, 196-16-007, 196-16-010, 196-20-020, 196-20-030, 196-24-050, 196-24-085 and 196-27-020; adding new sections WAC 196-24-100, 196-24-105 and 196-24-110; and repealing WAC 196-24-070 and 196-08-085.

This action is taken pursuant to Notice No. WSR 87-08-052 filed with the code reviser on April 1, 1987. 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 18.43.035 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 May 8, 1987.

By Willard R. Notestine
Registrar

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-12-010 APPLICATIONS. The deadline for receipt of applications properly filled out and accompanied by the application fee is four months before the date of the examination. Verification of the applicant's claimed experience must be in the board office three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Lack of verification of experience will also cause the application to be held for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the next examination which they intend to take. ~~((An entire application is not required where an applicant has taken the examination and failed or who has filed and failed to appear for the previous examination. However, a new application is required every five years, after board approval of the initial application, to reactivate an application or maintain examination eligibility:))~~

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-12-020 EXPERIENCE RECORDS. (1) Evaluation of records: The basic requirement for registration as a professional engineer is a specific record of eight years or more of approved experience in engineering work of a professional grade. The provisions of the law are that any experience by college study, as defined below, must be substantiated by an official transcript, the supplying of which is the responsibility of the applicant.

(a) Graduation in an approved engineering college curriculum of four years is equivalent to four years of the required experience.

(b) Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

~~(c) ((Graduation in a curriculum other than engineering will be evaluated by the board.~~

~~(d) Postgraduate study in engineering may be given credit up to one year.~~

(e) Engineering teaching of a character satisfactory to the board may be recognized as engineering experience, up to a maximum of two years:)) Graduation in a program in engineering technology approved by the accreditation board for engineering and technology (ABET) is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.

(d) Graduation in a program in engineering technology from a non-ABET approved curricula, however approved by the board, is equivalent to two years of required experience. Satisfactory completion of each year of such a program is equivalent to one-half of one year of experience.

(e) Satisfactory completion of each year of a nonapproved curriculum in engineering may be granted up to

a maximum of one-half of one year of experience. Coursework in such a program must be equivalent to that of an approved curriculum to grant maximum experience credit.

(f) Graduation in a curriculum other than engineering will be evaluated by the board.

(g) Postgraduate study in engineering may be given credit up to one year. A postgraduate degree must be obtained to be granted maximum experience credit.

(h) Applicants having degrees from outside the United States or Canada shall be required to have their transcripts evaluated by a transcript evaluation service approved by the board. This evaluation will be performed at the applicant's expense, and the applicant will be responsible for submitting all the necessary information to the evaluation service. The board shall not take any action on an application until the report from the evaluation service and all other documents are received.

(2) Colleges recognized by the board: All student's credits from curricula approved by the accreditation board for engineering and technology are accepted. In the state of Washington student's credits from other curricula than those approved by the accreditation board for engineering and technology may be accepted at the discretion of the board.

(3) In evaluating the work experience required to qualify for registration, the following criteria will be used:

(a) In the normal educational sequence, experience gained between semesters or quarters will not be considered as professional experience.

(b) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(c) Where a degree is not attained, but at least three years of education in an approved curriculum has been completed prior to a work experience track, the education will be considered in conjunction with the work experience in determining the total years of experience.

(d) Engineering teaching of a character satisfactory to the board may be recognized as professional level experience up to a maximum of two years.

(e) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(f) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(4) An applicant must have passed the first stage of the examination and be enrolled as an E.I.T. in accordance with WAC 196-12-050 before applying for the second stage or branch examination.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-16-007 APPLICATIONS. The deadline for receipt of a properly completed application accompanied by the required application fee is four months prior to the date of the examination. Response from applicant's references must be in hand three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Late responses from references will also cause the application to be held for consideration for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the examination which they intend to take. ~~((A new application is not required where an applicant has taken the previous examination and failed or has filed and failed to appear for the previous examination. However, a new complete application is required every five years after approval by the board until registration in Washington state is obtained:))~~

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-16-010 EXPERIENCE RECORDS. The first requirement of the law for registration as a professional land surveyor is a minimum of six years of approved professional experience in land surveying. One year of the required experience must be in responsible charge of boundary surveying in the field and one year must be in a supervisory capacity in the office, which includes but is not limited to preparation of legal descriptions and record documents, survey and description research, computations and client/public contact. ~~((The provisions of the law are that:))~~

(1) Graduation in a ~~((recognized))~~ land surveying curriculum of four years or more ((from a college recognized)) approved by the accreditation board for engineering and technology or approved by the board is equivalent to four years of the required experience.

(2) Satisfactory completion of each year of such ((recognized course)) approved curriculum is equivalent to one year of experience.

(3) ~~((Graduation in any curriculum not recognized in (1) or (2) above will be evaluated by the board. It is the responsibility of the applicant to see that the board is furnished an official transcript of his college record when education is claimed as experience.~~

(4) Teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of one year.

(5) ~~Construction staking shall not be applicable toward the required six years of experience.~~

(6) ~~A registered professional engineer who applies to be examined to become registered as a land surveyor must meet the requirements stated within this section:))~~ Satisfactory completion of each year of a nonapproved land surveying curriculum may be granted up to a maximum of one-half of one year of experience. Course work in such a curriculum must be equivalent to that of

an approved curriculum to grant maximum experience credit.

(4) The normal educational sequence experience gained between semesters or quarters will not be considered as professional experience.

(5) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(6) Land surveying teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of one year.

(7) Construction staking shall not be applicable toward the required six years of experience.

(8) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(9) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(10) A registered professional engineer who applies to be examined to become registered as a land surveyor must meet the requirements stated within this section.

AMENDATORY SECTION (Amending Rule IB, filed 8/4/64)

WAC 196-20-020 EXPERIENCE. The law requires the completion of four years of experience prior to taking the engineer-in-training examination. ~~((This requirement may be fulfilled in either of two ways:))~~ The following criteria will be used in evaluating education and/or work experience.

(1) Graduation in an approved engineering curriculum of four years or more from a school or college recognized by the board, is equivalent to the four-year experience requirement.

(2) Four years or more of professional level experience in engineering work, of a character acceptable to the board, is equivalent to the four-year experience requirement.

(3) The criteria established in WAC 196-12-020 will be used to evaluate the applicant's education and/or work experience.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-20-030 EXAMINATIONS. (1) The engineer-in-training examination is given twice each year at times and places as will from time to time be designated by the board. The schedule of future examinations may be obtained from the board office. The examination is of one day's duration and consists of two sessions, one in the morning and one in the afternoon. It

covers mathematics, physical sciences, and other general engineering related subjects.

(2) Persons who may normally expect to graduate ~~((within three months after a))~~ prior to the next regularly scheduled E.I.T. examination may sit for that examination. In cases where college graduation is claimed an applicant who passes the examination will not be enrolled as an E.I.T. until an official college transcript showing completion of the four-year requirement is filed with the board office.

(3) Those who pass this examination will be enrolled as engineers-in-training ~~((and are excused from taking the engineering fundamentals examination. The E.I.T. passing grade will not be weighted in the professional examination but will be qualifying only)).~~ An applicant must be enrolled as an E.I.T. before applying for the second stage or branch examination.

~~((4) All examinations will be given with open book unless otherwise specified by the board.))~~

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-24-050 EXAMINATIONS. (1) The branches in which certificates of registration are presently issued are: Aeronautical, agricultural, ceramic, chemical, civil, electrical, fire protection, industrial, logging, mechanical, metallurgical, mining, naval architecture and marine engineering, and nuclear. The branches of sanitary and structural engineering are considered to be specialized branches. An applicant for any specialized branch is required to hold a current registration in the state of Washington, in one of the regular branches. Applicants shall have not less than two years of professional experience in the additional branch in which the applicant seeks registration, over and above the requirements for professional registration (statutory eight years).

The examination in structural engineering shall be of two days duration. Examination in sanitary engineering shall be of one day duration.

Certificates of registration will also be issued in land surveying.

All examinations are given at times and places as will be designated by the board. The schedule of future examinations may be obtained from the board office.

(2) Applicants for registration by reciprocity from states, territories, districts, or countries who have been issued certificates of registration without examination or in instances where such governmental body does not grant certificates of registration to regularly qualified registrants of the state of Washington will be required to sit for an examination to test the skill, knowledge, and other professional attributes of the applicant.

(a) The examination will be given in the branch chosen by the applicant from the list of regular branches given by this board.

(b) Such examinations are given after the board has approved the applicant's request.

(c) In cases where an applicant is issued a certificate of registration by his governmental body in a branch not included in the list of regular branches (subsection (1) of this section) the board will examine such an applicant in

a regular branch of his choice, presumably the one closest to his specialty.

(3) One designation as professional engineer and/or land surveyor will be issued by reciprocity. Each added designation requires a new application. ~~((All added branches will be authorized by passing a regular examination, except applicants who may be granted registration))~~ Any additional branch designations will be authorized after the applicant has passed a regular examination in the branch, except that applicants may be granted registration in the additional branch without further examination provided they have successfully passed an examination equivalent to that given in the state of Washington, in a state, territory, possession, district, or country, which grants like reciprocity to the state of Washington registrants.

(4) All examinations ~~((are))~~ will be given with open book unless otherwise specified by the board.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-085 INFORMATION REQUIRED OF NONRESIDENTS INTENDING TO PRACTICE THIRTY DAYS OR LESS IN A CALENDAR YEAR. Every nonresident engineer ~~((or land surveyor))~~ who intends to conduct professional practice under the exemption of subsection (2) of RCW 18.43.130, shall furnish the board, prior to the commencement of such work with the following information:

- (1) Name and place of his residence.
- (2) Jurisdiction where currently registered.
- (3) Imprint of professional seal.
- (4) Dates work is to be started and terminated in the state of Washington.
- (5) Name and address of client.

(6) Type, location of job and regulating authority (if applicable). Nonresident land surveyors will not be allowed to practice in Washington unless licensed under the provisions of chapter 18.43 RCW.

NEW SECTION

WAC 196-24-100 MEETINGS AND OFFICERS. The Washington state board of registration for professional engineers and land surveyors shall hold its regular public meeting annually in June. Special public meetings may be held at such times and places as the board may deem necessary. Public notice of all public meetings shall be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.

At the regular annual meeting the board shall elect a chairman and vice-chairman to hold office for one year commencing July 9. The registrar of the board shall serve as secretary. A vacancy in any office shall be filled for the remainder of the term by special election at the next special public meeting.

NEW SECTION

WAC 196-24-105 EXAMINATION REVIEW. The following conditions shall apply to all examinations administered by the board:

First time examinees shall not be allowed to view any examination material prior to taking the examination other than syllabi available to the public or sample examination booklets published by the National Council of Engineering Examiners.

Examinees who achieve a passing score will not be permitted to review their examination.

Failing examinees may review their examination (test booklet, answer sheet or solution pamphlet and answer key) during a period up to ninety days from the date of the examination result letter. This review shall be under the following conditions:

(1) An examinee shall be able to review his/her examination one time only. This review shall be arranged in advance by appointment with office staff.

(2) All examination reviews shall be conducted in the presence of a member of the office staff. No one may accompany the examinee during the examination review.

(3) In regard to any examinations consisting of machine scored answer sheets, the examinee shall be allowed to review a copy of his/her answer sheet.

(4) Note taking shall be limited to examination scoring and general problem subject matter. No detailed notes depicting any portion of an examination question or solution will be permitted.

(5) Board of registration staff shall supply the examinee with writing materials for taking notes.

(6) All notes must be reviewed by board staff prior to the examinee leaving the office.

(7) All examination appeals shall be conducted in conformance with the policies and procedures adopted by the board. Any questions pertaining to an appeal of examination scoring shall be directed to supervisory staff.

NEW SECTION

WAC 196-24-110 LAND SURVEYING STANDARDS. Failure by any registrant to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the Survey standards, chapter 332-130 WAC shall be considered misconduct or malpractice as defined by RCW 18.43.105(11).

The following standards shall also apply:

(1) The monumentation, posting, and/or the marking of a boundary line between two existing corner monuments constitutes the "practice of land surveying" as defined in chapter 18.43 RCW and chapter 196-16 WAC, and consequently requires said work to be performed under the direct supervision of a registered professional land surveyor.

(2) The field survey work performed to accomplish the monumentation, posting, and marking of a boundary line between two existing corner monuments shall meet the minimum standards imposed by chapter 332-130 WAC.

(3) The monumentation, posting, and/or marking of a boundary line between two existing corner monuments involves a determination of the accuracy and validity of the existing monuments by the use of standard survey methods and professional judgment.

(4) The monumentation, posting, and marking of a boundary line between two existing corner monuments shall require the filing of a record of survey according to

chapter 58.09 RCW unless both corners satisfy one or both of the following requirements:

(a) The corner(s) are shown as being established on a properly recorded or filed survey according to chapter 58.09 RCW and are accurately and correctly shown thereon.

(b) The corner(s) are described correctly, accurately, and properly on a land corner record according to chapter 58.09 RCW if their establishment was by a method not requiring the filing of a record of survey.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-24-070 CORRESPONDENCE.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-27-020 FUNDAMENTAL CANONS AND GUIDELINES FOR PROFESSIONAL PRACTICE. (1) Registrants shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.

(a) Registrants shall recognize that the lives, safety, health, and welfare of the general public are dependent upon engineering/land surveying judgments, decisions, and practices incorporated into structures, machines, products, processes, and devices.

(b) Registrants shall approve or seal only those design documents, prepared by them or under their direct supervision, which are determined to be safe for public health and welfare in conformity with accepted standards.

(c) Registrants whose professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered shall inform their clients or employers of the possible consequences.

(d) Registrants who have knowledge or reason to believe that another person or firm may be in violation of any of the provisions of chapter 18.43 RCW or these rules of professional conduct shall present such information to the board in writing and shall cooperate with the board in furnishing such further information or assistance as may be required.

(2) Registrants shall perform services only in areas of their competence.

(a) Registrants shall undertake to perform assignments only when qualified by education or experience in the technical field of engineering or land surveying involved.

(b) Registrants may accept an assignment requiring education or experience outside their own fields of competence, provided their services are restricted to those phases of the project in which they are qualified. All other phases of such project shall be performed by qualified associates, consultants or employees.

(c) Registrants shall not affix their signatures or seals to any plan or document dealing with subject matter in which they lack competence by virtue of education or experience or to any such plan or document not prepared under their supervisory control.

(3) Registrants shall issue public statements only in an objective and truthful manner.

(a) Registrants should endeavor to extend the public knowledge of engineering or land surveying and shall not participate in the dissemination of untrue, unfair, or exaggerated statements regarding said professions.

(b) Registrants shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.

(c) Registrants when serving as expert witness, shall express an engineering or land surveying opinion only when it is founded upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.

(d) Registrants shall issue no statements, criticisms, or arguments on engineering or land surveying matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.

(4) Registrants shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

(a) Registrants shall avoid all known or potential conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interest, or circumstances which could influence their judgment or the quality of their services.

(b) Registrants shall not accept compensation from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed to, by all interested parties.

(c) Registrants shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible.

(d) Registrants in public service as members, advisors, or employees of a governmental body or department shall not participate in considerations or actions with respect to services solicited or provided by them or their organization in private or public engineering/land surveying practice.

(e) Registrants shall advise their employers or clients when, as a result of their studies, they believe a project will not be successful.

(f) Registrants shall not use confidential information coming to them in the course of their assignments as a means of making personal profit if such action is adverse to the interests of their clients, employers or the public.

(g) Registrants shall not accept professional employment outside of their regular work or interest without the knowledge of their employers.

(5) Registrants shall build their professional reputation on the merit of their services and shall not compete unfairly with others.

(a) Registrants shall not give, solicit or receive either directly or indirectly, any commission, political contribution, or a gift or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(b) Registrants should negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

(c) Registrants shall not request, propose or accept professional commissions on a contingent basis under circumstances in which their professional judgments may be compromised.

(d) Registrants shall not falsify or permit misrepresentation of their academic or professional qualifications or experience.

(e) Registrants may advertise professional services in a way that does not contain self-laudatory or misleading language.

(f) Registrants shall not participate in a selection process or be employed in an assignment where said selection was awarded by a process determined to be in violation of chapter 39.80 RCW.

(6) Registrants shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those individuals under their supervision.

(7) Registrants shall respond to any legal request for information by the board and/or appear before the board in the time frame established by the board or their staff designee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-08-085 HEARINGS ON CHARGES TO BE HEARD WITHIN THREE MONTHS.

WSR 87-13-006

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 87-50—Filed June 4, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, 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 prevent injuring hatchery broodstock of chinook salmon while fishing for jack salmon.

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 June 3, 1987.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-57-46000Q SOLEDUCK RIVER. Notwithstanding the provisions of WAC 220-57-460, effective June 5 through June 30, 1987 it is unlawful to fish for foodfish in the waters of the Soleduck River.

WSR 87-13-007
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-51—Filed June 4, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, 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 needed for conservation of halibut and is adopted at the recommendation of the International Pacific Halibut Commission.

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 June 4, 1987.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-24500B HALIBUT—SIZE AND BAG LIMIT. Effective immediately until further notice, the daily bag limit of Pacific halibut is two fish not less than 30 inches in length. The possession limit is the same as the daily bag limit. It is unlawful to possess halibut less than 30 inches in length.

WSR 87-13-008
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed June 8, 1987]

On March 12, 1987, a continuance was filed with the code reviser's office that was published in WSR 87-07-021. This notice is connected to and continues the matter in WSR 87-02-058 filed with the code reviser's office on January 7, 1987.

This letter is to request that the code reviser's office publish a withdrawal notice in the Register regarding chapter 296-155 WAC, safety standards for construction work, published in WSR 87-02-058 and 87-07-021. We are updating this standard and will be taking it to hearing again.

Richard A. Davis
Director

WSR 87-13-009
PROPOSED RULES
WESTERN WASHINGTON UNIVERSITY
[Filed June 8, 1987]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Western Washington University intends to adopt, amend, or repeal rules concerning increased parking fines as a deterrent to illegal parking and allowing a vehicle to be impounded upon display of a forged permit, amending chapter 516-12 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on June 19, 1987.

The authority under which these rules are proposed is RCW 28B.35.120(1) and 28B.10.560.

The specific statute these rules are intended to implement is RCW 28B.10.560.

This notice is connected to and continues the matter in Notice No. WSR 87-08-011 filed with the code reviser's office on March 24, 1987.

Dated: June 4, 1987
By: Donald H. Cole
Vice President for Business Affairs

WSR 87-13-010
PROPOSED RULES
DEPARTMENT OF FISHERIES
[Filed June 8, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 10:00 a.m., Tuesday, July 21, 1987, in the Large Conference Room, General Administration Building, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 28, 1987.

The authority under which these rules are proposed is RCW 75.08.080 and 75.10.120.

The specific statute these rules are intended to implement is RCW 75.08.080 and 75.10.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 21, 1987.

Dated: June 8, 1987

By: Judith Merchant
for Joseph R. Blum
Director

STATEMENT OF PURPOSE

Title: WAC 220-20-018 Subsistence and ceremonial food fish and shellfish; 220-20-050 Display of registration and commercial licenses; and 220-20-055 Commercial license conditions.

Description of Purpose: Modify commercial fishing rules.

Statutory Authority: RCW 75.08.080 and 75.10.120.

Summary of Rule and Reasons Supporting Proposed Action: WAC 220-20-018, prohibit commercialization of food fish and shellfish taken for ceremonial and subsistence purposes. Permits to take food fish for religious and personal use are routinely given to treaty Indian fishermen both prior to and after scheduled commercial fisheries. Sale of fish taken for other than commercial purposes defeats the intent of the permit process and encourages pretext application; WAC 220-20-050, require display of vessel registration, commercial license, and, when required, additional identification. This requirement was deleted from the Fisheries Code, and needs to be reestablished to provide for an orderly fishery; and WAC 220-20-055, establish penalty points and posted security system for multiple convictions. By establishing a requirement that a forfeitable security be posted if a fisherman has two or more convictions within a five year period, it provides an alternative to mandatory denial of fishing privileges, and allows for continued employment.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 586-2429; Implementation: Gene DiDonato, 115 General Administration Building, Olympia, Washington, 753-6716; 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 proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No differential impact is anticipated. If such an impact occurs, the allowance for various forms of security assists small businesses by not requiring corporate surety bonding. The proposals regarding sale of subsistence and ceremonial fish and display of registration have no effect on small businesses.

NEW SECTION

WAC 220-20-018 SUBSISTENCE AND CEREMONIAL FOOD FISH AND SHELLFISH. (1) It is unlawful for persons other than treaty Indian fishermen and persons authorized under RCW 75.08.065 (Wanapum Indians) to fish for or possess food fish or shellfish taken for ceremonial or subsistence purposes.

(2) It is unlawful for any treaty Indian to sell, trade, or barter, or offer to sell, trade, or barter, or for a wholesale fish dealer or wholesale fish dealer's representative to have in possession food fish or shellfish taken in a ceremonial or subsistence fishery. The provisions of this subsection do not apply to on-reservation intratribal sale, barter, or trade of food fish or shellfish for noncommercial purposes.

(3) It is unlawful for any Wanapum Indian authorized under RCW 75.08.065 to sell, trade, barter, or attempt to sell, trade, or barter food fish or shellfish taken in a ceremonial or subsistence food fish fishery authorized by the director. Any such person convicted of violating this subsection will be ineligible to further participate in the Wanapum Indian subsistence fishery unless otherwise determined by the director.

NEW SECTION

WAC 220-20-050 DISPLAY OF REGISTRATION AND COMMERCIAL LICENSE DECALS AND IDENTIFICATION NUMBERS. (1) The vessel registration and commercial year license decals issued to each commercial fishing vessel by the licensing division of the department:

(a) Must be affixed to the registered and licensed vessel in a permanent manner;

(b) Must be affixed in such a manner that they are clearly visible from each side of the vessel.

(2) Additional identification numbers required under this title, including but not limited to, those required on geoduck, mechanical clam harvester, sea cucumber, and sea urchin harvest vessels:

(a) Must be placed in a visible location on each side of the vessel, and on top of the cabin or deck awning of the vessel to be visible from the air. A sign board or banner arranged so that the numbers can be seen at all times from directly overhead may be substituted for the identification number on the cabin or deck awning if the vessel does not have a fixed roof;

(b) Must be black on a white background, and the numbers must be not less than 18 inches high and of proportional width.

NEW SECTION

WAC 220-20-055 COMMERCIAL LICENSE CONDITIONS.

(1) Upon being convicted twice or more for commercial fishing violations within a five year period, a fisherman is required to post a security each year to obtain a license until the fisherman has only one conviction within the immediate five prior years. The amount of the security is based upon an accumulation of points, and the security is subject to forfeiture as a civil penalty in the event the fisherman receives a third or subsequent conviction.

(2) The following points will be assigned for each conviction of the indicated type:

(a) All violations involving gear, area, seasonal restrictions, and size and species restrictions except those specifically provided for in (c) of this subsection - 2 points.

(b) All violations involving failure to obtain a license, failure to make required reports, failure to cooperate with sampling, or falsifying information - 2 points.

(c) All other violations and violations for failure to display boat registration numbers, buoy brand numbers, or herring validation pennant - 1 point.

(3) Upon conviction of the second offense, the fisherman must post a security in the following amount depending on the point total of the convictions within the immediate five prior years:

2nd Conviction	3rd Conviction	4th Conviction
2 points - \$2,000	3 points - \$6,000	4 points - \$12,000
3 points - \$3,000	4 points - \$8,000	5 points - \$15,000
4 points - \$4,000	5 points - \$10,000	6 points - \$18,000
	6 points - \$12,000	7 points - \$21,000
		8 points - \$24,000

(4) Upon subsequent conviction for an offense committed during any time period in which the security is required as provided for in this

section, the security shall be forfeited to the department and a new security must be posted with the department based upon the total number of points accumulated within the five year period prior to receiving a fishing license.

(5) When sufficient time has elapsed such that the convicted fisherman has only one conviction within the last five years, the department shall release the security, except that if criminal charges are pending, the security shall not be released pending resolution of the criminal charges. The security shall only be released upon written notification from the department.

(6) An acceptable security shall be a corporate surety bond executed in favor of the department by a corporation authorized to do business in the state of Washington under chapter 48.28 RCW and approved by the department, a cash deposit, negotiable securities acceptable to the department, or an assignment of a savings account or savings certificate in a bank on an assignment form prescribed by the department.

WSR 87-13-011
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 87-52—Filed June 8, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use and subsistence fishing rules.

I, Joseph R. Blum, 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 for a personal use fishery in the Entiat River and a subsistence use fishery in the Wind 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 June 8, 1987.

By Judith Merchant
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-32-05900M COLUMBIA RIVER TRIBUTARY SUBSISTENCE FISHERY - WIND RIVER. Notwithstanding the provisions of WAC 220-32-059, effective immediately until further notice it is unlawful to fish for food fish for subsistence purposes from the waters of the Wind River except as provided for in this section:

(1) *Treaty Indian fishermen possessing treaty rights under the Yakima Treaty may fish during the following periods:*

*12:00 Noon June 8 to 6:00 p.m. June 13, and
 12:00 Noon June 15 to 6:00 p.m. June 20, and
 12:00 Noon June 22 to 6:00 p.m. June 27, 1987.*

(2) *The open fishing area is defined as those waters extending from thirty feet below Carson National Fish Hatchery Outlet Creek to 2,400 feet below the outlet creek.*

(3) *Lawful gear is restricted to dip net, set bag net, and rod and reel using bait or lures. Snagging is unlawful.*

NEW SECTION

WAC 220-57-24200B ENTIAT RIVER. Effective 12:01 a.m. June 10 through 11:59 p.m. June 30, 1987: Bag Limit A - Downstream from markers two hundred feet below the Entiat Hatchery fishway to the Highway 97 Bridge.

WSR 87-13-012
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed June 9, 1987]

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 minimum qualifications for issuance for a Class P license, amendatory section WAC 314-16-205;

that the agency will at 9:30 a.m., Wednesday, July 22, 1987, in the Offices of the Liquor Control Board, Capital Plaza Building, 5th Floor, 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.

The specific statute these rules are intended to implement is RCW 66.24.550.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 22, 1987.

Dated: June 5, 1987
 By: L. H. Pedersen
 Chairman

STATEMENT OF PURPOSE

Title: WAC 314-16-205 Minimum qualifications for issuance for a Class P license.

Description of Purpose: To implement RCW 66.24.550.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.24.550.

Summary of Rule: Establishes conditions which a florist or gift delivery business must meet to qualify for

and maintain a Class P license. The licensee must maintain certain records and, in the case of a licensed florist, must satisfy the board that their primary business is the sale of flowers and floral arrangements.

Reasons Supporting Proposed Action: To set conditions and requirements for Class P licenses to enable the board to determine which businesses qualify for such licenses.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Lester C. Dalrymple, Supervisor, License Division, Washington State Liquor Control Board, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6259.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: Not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: There will be no negative cost impact for this rule.

AMENDATORY SECTION (Amending Order 139, Resolution No. 148, filed 4/11/84)

WAC 314-16-205 MINIMUM QUALIFICATIONS FOR ISSUANCE FOR A CLASS P LICENSE. The decision as to whether or not a Class P license authorized by RCW 66.24.550 will be issued in a particular case is, pursuant to RCW 66.24.010(2), a matter of board discretion. While the following minimum qualifications must be present before the board will give consideration to the issuance of a Class P license, the fact that an applicant meets the qualifications set forth in subsections (1) (~~and (2))~~ through (6) hereof does not establish a vested right that such license shall issue.

(1) The term "gifts at retail" as used in RCW 66.24.550 shall be interpreted as referring to "goods" and shall not include "services."

(2) The sale and delivery of wine under a Class P license shall be adjunct to and not constitute the only retail gift delivery service business of the licensee.

(3) Businesses engaged in the selling of flowers or floral arrangements must establish to the board's satisfaction that the primary business being conducted is the sale of flowers, floral arrangements or ornamental plants. The board may inspect an applicant's inventory, sales figures and business records to make this determination.

(4) A Class P license holder is required to maintain sales records of all wine sales to include date of sale, name of purchaser, date of delivery and the name and address of the person receiving the delivery of wine.

(5) All deliveries of wine are to be made by employees twenty-one years of age and older who will have the responsibility of verifying that the person receiving the wine gift is at least twenty-one years of age.

(6) The restrictions on license issuance as specified in RCW 66.24-.550, and in subsections (1) (~~and (2))~~ through (5) hereof, shall be construed to be continuing conditions for retaining the Class P license.

WSR 87-13-013
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed June 9, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 314-24-110 Domestic wineries, wine wholesalers,

wine importers—Monthly reports—
Bonds required—Payment of tax.
Amd WAC 314-24-190 Wine wholesale price posting.
Amd WAC 314-24-200 Wine suppliers' price filings, contracts and memoranda;

that the agency will at 9:30 a.m., Wednesday, July 22, 1987, in the Offices of the Liquor Control Board, Capital Plaza Building, 5th Floor, 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.

The specific statute these rules are intended to implement is RCW 66.24.210.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 22, 1987.

Dated: June 9, 1987

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-24-110 Domestic wineries, wine wholesalers, wine importers—Monthly reports—Bonds required—Payment of tax; 314-24-190 Wine wholesale price posting; and 314-24-200 Wine suppliers' price filings, contracts and memoranda.

Description of Purpose: Housekeeping in nature. The changes proposed update the total wine tax (surcharge included) as changed by Second Substitute House Bill 569, chapter 452, Laws of 1987.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.24.210.

Summary of Rule: To update the rule language with current changes initiated by the 1987 legislature.

Reasons Supporting Proposed Action: The board believes it is in the public interest to keep its rules as up-to-date and simple to understand as possible, therefore the board desires to keep its rules current with the statutes it administers.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Jan Britt, Supervisor, Manufacturers/Importers/Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6273; and Jim Hoing, Controller, Financial Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6258.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: These rule changes were made necessary as a result of state law (chapter 452, Laws of 1987) as explained above.

Small Business Economic Impact Statement: There is no economic impact as a result of the rule changes. The rule(s) simply reflect the increase in the wine tax as a result of the passage of Second Substitute House Bill 569.

AMENDATORY SECTION (Amending Order 170, Resolution No. 179, filed 11/27/85)

WAC 314-24-110 DOMESTIC WINERIES, WINE WHOLESALE, WINE IMPORTERS—MONTHLY REPORTS—BONDS REQUIRED—PAYMENT OF TAX. (1) Every domestic winery and every holder of a wine wholesaler's license must at all times when said license is in force, have in effect and on file with the board a bond executed by any surety authorized to do business in the state of Washington, in form and amount acceptable to the board. The said bond shall be payable to the Washington state liquor control board and conditioned that such domestic winery and wine wholesaler will pay to the board the tax of ~~((twenty and one-fourth cents per liter plus a seven percent surcharge, for a total of \$0.2167))~~ \$0.2192 per liter, levied by reason of RCW 66.24.210 and 82.02.030.

(2) Every person, firm or corporation holding a license to manufacture or produce wine within the state of Washington shall, on or before the twentieth day of each month, submit to the board, upon forms furnished by the board, reports showing all required information on transactions in wine manufactured or produced on the winery premises.

(3) At the time of making such monthly reports to the board, the domestic winery shall pay to the board the total wine tax and surcharge of ~~((~~\$0.2167~~))~~ \$0.2192 per liter on wine removed from federal bond for sale at retail on the winery premises, as provided in RCW 66.28.010 and 66.24.170; on wine removed from federal bond for sale to retail licensees as provided in RCW 66.24.170; on wine removed from federal bond for furnishing as samples to authorized licensees for the purpose of negotiating a sale as provided in RCW 66.28.040; and on wine removed from federal bond for furnishing without charge to a not-for-profit group for the purpose of enology or the study of viticulture as provided in RCW 66.28.040: PROVIDED, That such tax shall not apply to or be paid by a domestic winery on sales to Washington wine wholesalers, inter-winery shipments, shipments exported directly to a point outside the state of Washington, or sales to the Washington state liquor control board.

(4) Every person, firm or corporation holding a wine importer's license or a wine wholesaler's license in the state of Washington shall make a report to the board, upon forms furnished by the board, on or before the twentieth day of each month, of all wine that such importer or wholesaler has purchased and received during the preceding calendar month on which the wine tax has not been paid. The total tax and surcharge of ~~((~~\$0.2167~~))~~ \$0.2192 per liter shall be paid by the first wine wholesaler to receive the wine on which such tax has not been previously paid, including wine received as samples from outside the state of Washington and/or wine furnished as samples to authorized licensees for the purpose of negotiating a sale as provided in RCW 66.28.040, and shall be remitted to the board at the time of filing the monthly report required in this subsection. Such tax shall apply to sales by a wine wholesaler to the Washington state liquor control board. The report method of payment of tax shall be exclusive of any other method. Where a wine importer does not also hold a wine wholesaler's license, the wine importer shall pay the wine tax on any wines received and/or furnished as samples.

(5) Failure to make such report, or pay said total tax and surcharge where required, at the time prescribed will be sufficient cause for the board to forthwith suspend or cancel the license privilege of the delinquent domestic winery, wine importer, or wine wholesaler. A two percent penalty per month, or portion of a month, will be assessed on any tax payments postmarked after the twentieth day following the month of purchase. When the twentieth day of any month falls on a Saturday, Sunday, or a legal holiday, the tax may be filed not later than the close of business the next business day. In addition, in case of any such tax delinquency, the board shall immediately give notice to the surety on such domestic winery or wine wholesaler's bond and shall take such action as is thereafter deemed necessary by the board to collect any of said tax which it finds is due.

(6) Wine wholesalers or wine importers who export wine to a point outside the geographical confines of the state of Washington upon which the tax imposed by RCW 66.24.210 and the surcharge as imposed by RCW 82.02.030 have been paid may claim a refund or tax credit of said tax on forms prescribed and furnished by the board. For the purpose of this regulation, wine sold and delivered to interstate commercial common passenger carriers holding licenses pursuant to ~~((chapter 245, Laws of 1975 1st ex. sess.))~~ RCW 66.24.395, or for use within the confines of any military reservation over which the state does not exercise jurisdiction shall be considered exported from the

state. The wine tax shall not be paid on wine being shipped in interstate commerce from one point outside this state directly through the state to another point outside the geographical confines of this state.

(7) The board may make other arrangements for reporting and payment of total tax and surcharge where an in-state licensee purchases wine from within and/or without the state of Washington primarily for export from the state. Such arrangements would be on an individual basis and would be for the purpose of simplifying the reporting and accounting requirements.

AMENDATORY SECTION (Amending Order 173, Resolution No. 182, filed 8/5/86)

WAC 314-24-190 WINE WHOLESALE PRICE POSTING. (1) Every wine wholesaler shall file with the board at its office in Olympia a wine price posting, showing the wholesale prices at which any and all brands of wine offered for sale by such wine wholesaler shall be sold to retailers within the state.

(2) All price postings must be received by the board not later than the tenth day of the month, and if approved will become effective on the first day of the calendar month following the date of such filing. An additional period, not to exceed five days will be allowed for revision of such posting to correct errors, omissions, or to meet competitive prices filed during the current posting period, but a revised posting must be on file at the board office by not later than the fifteenth day of the month in order to become effective on the first day of the next calendar month: PROVIDED, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever the tenth day of any month falls on Saturday, Sunday or a legal holiday, an original price posting may be filed not later than the close of business the next business day.

(4) In the event that a wine wholesaler determines to make no changes in any items or prices listed in the last filed and approved schedule, such prices listed in the schedule previously filed and in effect, shall remain in effect for each succeeding calendar month until a revised or amended schedule is filed and approved, as provided herein.

Provision for filing of temporary price reductions—In the event a wine wholesaler elects to file postings listing selected items on which prices are temporarily reduced for a period of one calendar month only such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the month for which the price reductions will be in effect. At the expiration of the month during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(5) Postings shall be submitted upon forms prescribed and furnished by the board, or a reasonable facsimile thereof, and shall set forth:

(a) All brands, types and sizes of packages or containers of wine offered for sale in this state by such wine wholesaler, which packages or containers shall be limited to the sizes permitted in WAC 314-24-080.

(b) The wholesale prices thereof within the state, which prices shall include the state wine tax plus surcharge of ~~((~~\$0.2167~~))~~ \$0.2192 cents per liter imposed under RCW 66.24.210 and 82.02.030.

(6) No wine wholesaler shall sell or offer for sale any package or container of wine at a price differing from the price of such item as shown in the price posting then in effect.

(7) Quantity discounts are prohibited. No price shall be posted which is below acquisition cost plus ten percent of acquisition cost.

(8) Wholesale prices on a "close-out" item shall be accepted by the board when the item to be discontinued has been listed on the state market for a period of at least six months, and upon the further condition that the wholesaler who posts such a "close-out" price shall not restock the item for a period of one year following the first effective date of such "close-out" price.

(9) If an existing written contract or memorandum of oral agreement between a domestic winery, certificate of approval holder, wine importer, or wine wholesaler and a wine wholesaler, as filed in accordance with WAC 314-24-200, is terminated by either party, and a new written contract or memorandum of oral agreement is made by such a supplier with another wine wholesaler in the affected trade area, the

board, after receiving such new written contract or memorandum of oral agreement, and a corresponding wholesale price posting from the newly designated wine wholesaler, may put such filings into effect immediately: **PROVIDED**, That prices and other conditions of any such filings which are in effect at the time of such termination shall not be changed prior to the next applicable filing period.

(10) When a new wine wholesaler's license is issued for the first time by the board, the holder thereof may file an initial price schedule and request that such posting be placed into effect immediately. The board may grant such approval, providing that such posting is in compliance with all other applicable regulatory requirements, and that contracts and memoranda are on file, in accordance with WAC 314-24-200.

(11) The board may reject any price posting or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any posting the licensee submitting said posting may be heard by the board and shall have the burden of showing that the posting is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said posting is accepted it shall become effective at a time fixed by the board. If said posting or portion thereof is rejected the last effective posting shall remain in effect until such time as an amended posting is filed and approved in accordance with the provisions of this regulation.

(12) Any wine wholesaler or employee authorized by his wholesaler-employer may sell wine at the wholesaler's posted prices to any Class C, F, H, or J licensee upon presentation to such wholesaler or employee at the time of purchase of a special permit issued by the board to such licensee.

(a) Every Class C, F, H, or J licensee, upon purchasing any wine from a wholesaler, shall immediately cause such wine to be delivered to his licensed premises, and he shall not thereafter permit such wine to be disposed of in any manner except as authorized by his license.

(b) Wine sold as provided herein shall be delivered by such wholesaler or his authorized employee either to such retailer's licensed premises or directly to such retailer at the wholesaler's licensed premises: **PROVIDED, HOWEVER**, That a wholesaler's prices to retail licensees shall be the same at both places of delivery.

(13) All price postings filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.

AMENDATORY SECTION (Amending Order 207, Resolution No. 216, filed 12/9/86)

WAC 314-24-200 WINE SUPPLIERS' PRICE FILINGS, CONTRACTS AND MEMORANDA. (1) Every domestic winery shall file with the board at its office in Olympia a copy of every written contract and a memorandum of every oral agreement which such winery may have with any wine wholesaler, which contracts or memoranda shall contain a schedule of the prices charged to wholesalers for all items. Requirements for including or omitting from such prices the wine tax plus surcharge of (~~(\$0.2167)~~) \$0.2192 cents per liter, imposed under RCW 66.24.210 and 82.02.030, are set forth in subsection (8) of this section. Contracts and memoranda required to be filed under this subsection must list all terms of sale, including all regular and special discounts; all advertising, sales and trade allowances; and all commissions, bonuses or gifts and any and all other discounts or allowances. Whenever changed or modified such revised prices, contracts or memoranda shall be filed with the board, as provided in this regulation.

Each price schedule shall be made on a form prepared and furnished by the board, or a reasonable facsimile thereof, and shall set forth all brands, types, packages and containers of wine offered for sale by such licensed domestic winery; all additional information required may be filed as a supplement to said price schedule forms.

(2) Filing date—All written contracts and memoranda of oral agreements must be received by the board not later than the twenty-fifth day of the month, and if approved will become effective on the first day of the second calendar month following the date of such filing. An additional period will be allowed for revision of such filings to correct errors and omissions, or to meet competitive prices, filed during the current posting period, but a revised contract or memorandum of oral agreement must be on file with the board not later than the first day of the month in order to become effective on the first day of the next calendar month: **PROVIDED**, That the board may in individual cases, for good cause shown, extend the date on which the filings required by the rules are to be received by the board.

When any price posting to be filed with the board under the provisions of this rule has been deposited in the United States mail addressed to the board, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to the board establishes that the actual mailing occurred on an earlier date.

(3) Filing date exception—Whenever the twenty-fifth day of any month falls on Saturday, Sunday, or a legal holiday, an original contract or memorandum of oral agreement may be filed not later than the close of business the next business day.

(4) Exceptions for changes in wholesalers and newly licensed wholesalers are set forth in WAC 314-24-190 (9) and (10).

(5) In the event that a domestic winery determines to make no changes in any contracts or memoranda last filed and then in effect, such contracts or memoranda shall remain in effect for each succeeding calendar month until revised or amended contracts or memoranda are filed and placed into effect as provided herein.

Provision for filing of temporary price reductions—In the event a licensed domestic winery elects to file postings listing selected items on which prices are temporarily reduced for a period of one calendar month only such filing shall be made on special forms provided for such purpose and clearly reflect all items, the selling price thereof, and the month for which the price reductions will be in effect. At the expiration of the month during which such reductions were effective the special filing will become void and the last regularly filed and effective price schedule shall again become effective until subsequently amended pursuant to regular filing dates.

(6) Prices filed by a domestic winery shall be uniform prices to all wholesalers on a statewide basis less bona fide allowances for freight differentials. Quantity discounts are prohibited. No price shall be filed which is below acquisition cost plus ten percent of acquisition cost: **PROVIDED**, That acquisition cost plus ten percent of acquisition cost shall not apply to sales of wine between a wine importer who sells wine to a wine wholesaler, or to a wine wholesaler who sells wine to another wine wholesaler.

(7) The provisions set forth in subsections (1), (2), (3), (4), (5) and (6) of this section shall also apply to written contracts and memoranda of oral agreements which must be filed with the board by certificate of approval holders who sell wine to wine importers; wine importers who sell to wine wholesalers; and wine wholesalers who sell to other wine wholesalers: **PROVIDED**, That the provisions of this subsection shall not apply, and filing will not be required, in the instance of wine wholesalers making accommodation sales to other wine wholesalers when such sales are made at a selling price not to exceed the laid-in cost of the wine being sold. Accommodation sales may only be made when the wholesaler purchasing the wine is an authorized purchaser of the brand and product being sold, having been designated as an authorized purchaser by the manufacturer or importer of the product being sold, as demonstrated by an existing contract or memoranda on file and in effect under the provisions of this rule.

(8) The wine tax plus surcharge, imposed under RCW 66.24.210 and 82.02.030, is not to be included in the prices filed as required by subsection (1) of this section by (a) a domestic winery, nor (b) by a certificate of approval holder who is not licensed as a wine wholesaler, nor (c) a wine importer who is not licensed as a wine wholesaler.

Every wine wholesaler who sells wine to another wine wholesaler shall include such tax in the prices posted on such required schedules.

(9) No domestic wineries, certificate of approval holders, wine importers, or wine wholesalers shall sell any wine to any persons whatsoever in this state until copies of such written contracts or memoranda of such oral agreements are on file with the board.

(10) Certificate of approval holders may ship wine into this state when the same has been sold and consigned to the holder of an importer's license at his licensed premises. The bill of lading covering such consignment shall not be changed or the wine diverted unless such diversion is to another importer, and the board so notified immediately.

(11) The board may reject any supplier's price filing, contract or memorandum of oral agreement or portion thereof which it deems to be in violation of this or any other regulation or which would tend to disrupt the orderly sale and distribution of wine. Whenever the board shall reject any such price filing, contract or memorandum of oral agreement the licensee submitting said price filing, contract or memorandum may be heard by the board and shall have the burden of showing that the said price filing, contract or memorandum is not in violation of regulation and/or does not tend to disrupt the orderly sale and distribution of wine. Thereupon if said price filing, contract or

memorandum is accepted it shall become effective at a time fixed by the board. If said price filing, contract or memorandum or portion thereof is rejected the last effective price filing, contract or memorandum shall remain in effect until such time as an amended price filing, contract or memorandum is filed and approved, in accordance with the provisions of this regulation.

(12) All prices, contracts and memoranda filed as required by this regulation shall at all times be open to inspection to all trade buyers within the state of Washington and shall not in any sense be considered confidential.

WSR 87-13-014
PROPOSED RULES
CORRECTIONS STANDARDS BOARD

[Filed June 9, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Corrections Standards Board intends to adopt, amend, or repeal rules concerning maximum capacities, amending WAC 289-15-225;

that the agency will at 9:00 a.m. or later, Wednesday, June 10, 1987, in the Governor House Hotel, 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 70.48.050 (1)(a) and 70.48.070.

The specific statute these rules are intended to implement is RCW 48.050 [70.48.050] (1)(a) and 70.48.070.

This notice is connected to and continues the matter in Notice No. WSR 87-10-061 filed with the code reviser's office on May 6, 1987.

Dated: May 22, 1987

By: Robert W. Cote
 Executive Secretary

WSR 87-13-015
ADOPTED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Banking)

[Order 68—Filed June 9, 1987]

I, Thomas H. Oldfield, director of the Division of Banking, Department of General Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to determination of requested states' possession of reciprocal interstate acquisition laws, amending WAC 50-48-100, Interstate acquisition reciprocity—States possessing.

This action is taken pursuant to Notice No. WSR 87-10-058 filed with the code reviser on May 6, 1987. 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 30.04.232 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 June 9, 1987.

By Thomas H. Oldfield
 Supervisor

AMENDATORY SECTION (Amending Order 67,
 filed 5/5/87)

WAC 50-48-100 INTERSTATE ACQUISITION RECIPROCITY—STATES POSSESSING. The supervisor of banking, having reviewed the laws of the following states as they relate to a domestic (Washington) bank holding company acquiring more than five percent of the shares of the voting stock or all or substantially all of the assets of a bank, trust company, or national banking association the principal operations of which are conducted within such states, has determined, pursuant to RCW 30.04.232, that the laws of such states allow a domestic bank holding company to acquire a bank, trust company, or national banking association, the principal operations of which are conducted within such states, and permit the operation of the acquired bank, trust company, or national banking association within such states on terms and conditions no less favorable than other banks, trust companies, or national banking associations doing a banking business within such states: (1) Alaska, (2) California, (3) Idaho, (4) New York, and ((3)) (5) Oregon.

WSR 87-13-016
ADOPTED RULES
DEPARTMENT OF AGRICULTURE

[Order 1932—Filed June 9, 1987]

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to certification of caneberry and strawberry plants, chapters 16-333, 16-328 and 16-329 WAC.

This action is taken pursuant to Notice No. WSR 87-09-085 filed with the code reviser on April 22, 1987. 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 chapter 15.14 RCW 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 June 8, 1987.

By Michael V. Schwisow
 Deputy Director

AMENDATORY SECTION (Amending Order 1876, filed 11/5/85)

WAC 16-333-020 CERTIFYING AGENCY ISSUANCE OF CERTIFICATE. (1) The issuance of a certified state of Washington plant tag or stamp under this chapter affirms solely that the tagged or stamped caneberry stock has been subjected to certification standards and procedures by the department. The department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

(2) The department is not responsible for disease, genetic disorder, off-type, failure of performance, mislabeling, or otherwise, in connection with this chapter. No grower, nursery dealer, government official, or other person is authorized to give any expressed or implied warranty, or to accept financial responsibility on behalf of the department regarding this chapter.

(3) Participation in the caneberry planting stock certification program shall be voluntary.

AMENDATORY SECTION (Amending Order 1876, filed 11/5/85)

WAC 16-333-040 CANEBERRY CERTIFICATION FEES. (1) ~~Caneberry certification application fee. ((The certification application fee shall be one hundred dollars for one acre or less; ten dollars for each additional acre or fraction thereof.~~

~~(2) Final certification fee. The final certification fee shall be an additional ten dollars for each acre or fraction thereof, due and payable when accepted by the department at the time of completion of last field inspection. Fees shall not be refunded unless notice of withdrawal is received in writing before the first inspection is made. Each separate screenhouse or greenhouse lot and each field plot of one acre or less shall be considered one acre. A separate application shall be made for each cultivar and/or unit entered for certification. Each lot of each cultivar shall be listed separately on the application. Lots under observation by the department shall pay the usual certification fees.))~~ The applicant shall furnish all information requested on the application for inspection and shall allow the department to take plants or plant parts from any planting for inspection and testing purposes. A separate application shall be made for each cultivar and/or unit entered for certification. Each lot of each cultivar shall be listed separately on the application. Lots under observation by the department shall pay the inspection fees. Applications for inspection shall be filed with the seed branch, 2015 South First Street, Yakima, Washington 98903 by May 15 each year accompanied by a one hundred dollar fee.

(2) Inspection fees. The inspection fee shall be eighteen dollars per hour and mileage shall be charged at a rate established by the state office of financial management. Inspection fees shall be payable upon completion

of work done and shall be for the sole purpose of defraying expenses incurred in the inspection and certification of caneberry nursery stock. Billing to the applicant shall be made by the seed branch.

(3) Applications for certification shall reach the department's seed branch, 2015 South First Street, Yakima, WA 98903, by May 15 each year.

(4) A grower desiring to produce certified caneberry plants as herein provided shall establish with the department facts evidencing sufficient experience to produce healthy, high quality stock.

(5) Failure to pay fees when due shall result in removing the applicant from the certification program.

(6) No application from any grower owing the department for previous fees shall be considered.

AMENDATORY SECTION (Amending Order 1876, filed 11/5/85)

WAC 16-333-050 REQUIREMENTS FOR PRODUCTION OF CANEBERRY FOUNDATION AND REGISTERED STOCK. (1) Land requirements:

(a) A field to be eligible for the production of foundation or registered planting stock shall not have grown or have been planted to caneberry plants or solanaceous crops during the previous five years, unless planted with plants of same cultivar and classification. This requirement may be modified upon approval of the certification agency when tarp fumigated with chloropicrin and methyl bromide fumigant. An inspection and approval of the land by the certification agency is required after treatment prior to planting to ensure adequate varietal purity of the caneberry planting:

(b) Acceptable records shall be presented to the department of nematode sampling of the land in question which show that plant parasitic nematodes are not present in harmful quantities; and

(c) Fumigate the land in accordance with approved commercial practices compatible with current recommendations of the Washington State University extension service; and

(d) An insect-proof screenhouse or greenhouse may be used for production of foundation or registered planting stock: PROVIDED, That all other land requirements are met.

(2) Isolation requirements:

(a) Plantings entered for certification shall be grown in areas sufficiently isolated from sources of caneberry viruses by distance or natural barriers to minimize current infection.

(b) Cultivars within the plantings entered for certification shall be separated by not less than fourteen feet. The space between cultivars shall be kept deeply cultivated to prevent intermingling roots.

(3) Plant requirements:

(a) Only nuclear planting stock which has been indexed and regularly reindexed for virus diseases by qualified Washington State University or United States Department of Agriculture personnel or personnel acceptable to the director may be entered for the production of foundation stock.

(b) Only foundation or nuclear planting stock may be entered for the production of registered stock.

(i) One percent, not to exceed twelve plants, of each foundation lot shall be maintained by the grower to allow some fruiting in order to permit evaluation for trueness to name and fruit character; or

(ii) Ten percent, not to exceed three plants, of each nuclear lot shall be maintained by Washington State University, or the United States Department of Agriculture, or department personnel to allow some fruiting to permit evaluation for trueness to name and fruit character; and

(iii) Plant harvest from a foundation or registered lot shall be limited to two growing seasons.

(c) Foundation stock shall not be maintained longer than three years.

(4) Miscellaneous requirements:

(a) At the time of the first field inspection, department inspectors shall clearly mark all plants that are off-type, crown and cane-gall infected, virus-infected or exhibiting virus-like symptoms.

(b) Growers shall dig or otherwise destroy all plants and their roots which are marked by a department inspector within one week from the date of the first field inspection.

(c) At the time of the second field inspection, department inspectors shall clearly mark all plants that are off-type, crown and cane-gall infected, virus-infected or exhibiting virus-like symptoms.

(d) Growers shall dig or otherwise destroy all off-type plants and their roots which are marked by a department inspector, as well as all plants and their roots in a rectangular area that is not less than ten feet in each direction in the row from the off-type plant and not less than forty inches in each direction across the row from the off-type plant within two weeks from the date of the second field inspection.

(e) Growers shall dig or otherwise destroy all plants and their roots which are marked by a department inspector as being crown and cane-gall infected, virus-infected or showing virus-like symptoms.

(f) Insect pests, diseases and vectors of diseases shall be effectively controlled by dusting, spraying, or any other approved method.

(g) All plant beds shall be relatively free from weeds.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-008 DEFINITIONS. (1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department of agriculture or his duly appointed representative. (Inspector)

(3) "Virus infected (affected)" means presence of a virus(es) or mycoplasma like organism(s) in a plant or plant part.

(4) "Virus-like" means a disorder of genetic or non-transmissible origin.

(5) "Off-type" means not true-to-name.

(6) "Indicator plant" means any herbaceous or woody plant used to index or determine virus infection.

(7) "Index or indexing" means to determine virus infection by means of inoculation from the plant to be tested to an indicator plant; or by any other method.

(8) "Similar varietal characteristics" means that the plants have the same general character of growth.

(9) "Fairly fresh" means that the roots and petioles are not excessively wilted or otherwise damaged.

(10) "Firm" means that the crowns are not soft or spongy, although they may yield to slight pressure.

(11) "Moist" means that the plants are reasonably turgid and not dried to a degree than would affect normal growth.

(12) "Fairly clean" means that the roots are not matted or caked with dirt.

(13) "Fairly well trimmed runners and petioles" means that the runners and petioles shall be fairly well trimmed when the length of each does not exceed three inches.

(14) Free from damage by:

(a) "Sunburn" means that the roots shall not be damaged by sunburn or scald, but slight discoloration may be permitted.

(b) "Mold" means that the plants must be free from excessive mold or decay. Plants slightly affected by mold may be allowed.

(c) "Freezing injury" means that the roots shall be of a normal color and only moderately affected by discolored roots which affect the normal growth of the plant. Black roots caused by disease shall not be permitted.

(d) "Broken or split crowns, mechanical injury" means the breaking or severance of the crown from the root section or splitting of the crown or other mechanical injury that would affect the normal growth of the plant.

(15) "Free from detectable pests or diseases" means that administratively determined tolerance levels shall be established and administered for destructive pests such as cyclamen mite, crown borer, aphids, the red stele fungus, and nematodes. The evaluations for the pests shall be conducted by methods approved by the director.

NEW SECTION

WAC 16-328-009 STRAWBERRY PLANT CERTIFICATION STANDARDS. The following specific rules constitute the requirements and standards for strawberry plant certification.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-010 STRAWBERRY PLANT CERTIFICATION FEES. ~~((+) Application fee. Forty dollars for one acre or less, five dollars for each additional acre or fraction thereof.~~

~~(2) Final fee. The final fee shall be an additional five dollars for each acre or fraction thereof, due and payable when accepted by the department at the time of completion of last field inspection. Fees will not be refunded unless notice of withdrawal is received in writing before the first inspection is made. Each separate screenhouse or greenhouse lot and each field plot of one acre or less will be considered one acre. A separate application must be made for each lot of each variety~~

and/or unit entered for certification. Lots under observation by the department of agriculture shall pay the usual certification fees.

(3) Applications must reach the department of agriculture, Olympia, by June 30.) Strawberry plant certification fees are as follows:

(1) Certification application fee. The applicant shall furnish all information requested on the application for inspection and shall allow the department to take plants or plant parts from any planting for inspection or testing purposes. A separate application shall be made for each cultivar and/or unit entered for certification. Each lot of each cultivar shall be listed separately on the application. Lots under observation by the department shall pay the inspection fees. Applications for inspection shall be filed with the Seed Branch, 2015 South First Street, Yakima, Washington 98903 by June 30 each year accompanied by a one hundred dollar fee.

(2) Inspection fees. The inspection fee shall be eighteen dollars per hour and mileage shall be charged at a rate established by the state office of financial management. Inspection fees shall be payable upon completion of work done and shall be for the sole purpose of defraying expenses incurred in the inspection and certification of strawberry nursery stock. Billing to the applicant shall be made by the seed branch.

~~((4))~~ (3) A grower desiring to produce certified strawberry plants as herein provided shall establish with the department facts evidencing sufficient experience to produce healthy, high quality stock.

~~((5))~~ (4) Failure to pay fees when due shall result in removing the applicant from this program.

~~((6))~~ (5) No application for any grower owing the Washington state department of agriculture for previous fees ~~((with))~~ shall be considered.

NEW SECTION

WAC 16-328-015 CERTIFYING AGENCY ISSUANCE OF CERTIFICATE. (1) The issuance of a state of Washington certified plant tag or stamp under this chapter affirms solely that the tagged or stamped strawberry rootstock has been subjected to certification standards and procedures by the department. The department disclaims all express or implied warranties, including without limitation, implied warranties of merchantability and fitness for particular purpose, regarding all plants, plant parts, and plant materials under this chapter.

(2) The department is not responsible for disease, genetic disorder, off-type, failure of performance, mislabeling, or otherwise, in connection with this chapter. No grower, nursery dealer, government official, or other person is authorized to give any expressed or implied warranty, or to accept financial responsibility on behalf of the department regarding this chapter.

(3) Participation in the strawberry plant certification program shall be voluntary.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-025 STRAWBERRY PLANT CERTIFICATION—ISOLATION REQUIREMENTS. (1) Foundation stock. These ~~((must))~~ shall be produced in specially constructed houses to ~~((insure))~~ ensure protection from virus vectors or produced in a tissue culture laboratory.

(2) Registered stock. These ~~((must))~~ shall be produced in specially constructed houses or grown in areas ~~((sufficiently))~~ isolated ~~((from sources of strawberry viruses by distance or natural barriers, to minimize current))~~ by one-half mile or more from noncertified strawberry stock in order to minimize danger of virus infection.

(3) Certified stock. Same as registered stock.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-030 STRAWBERRY PLANT CERTIFICATION—REQUIREMENTS FOR PRODUCTION OF FOUNDATION AND REGISTERED STOCK. (1) Land requirements. Plants shall be grown on land acceptable to the department. A field to be eligible for the production of registered stock ~~((must))~~ shall not have grown or been planted to strawberries during the previous year, unless planted with plants of the same variety and classification. The field shall have been found free of red stele when examined by the department the previous year or have been fumigated to control red stele according to methods approved by the department.

(2) Plant requirements.

(a) Only nuclear or foundation planting stock which has been indexed and regularly reindexed at least once every other year by qualified Washington State University or USDA personnel or personnel acceptable to the director of agriculture may be entered for the production of foundation stock. A grower may maintain and increase foundation stock indefinitely in a greenhouse that is approved by the department: PROVIDED, That no mother plant may remain at the foundation stock plant level more than two propagation seasons after it has been indexed free from viruses by methods approved by the department.

(b) Only strawberry plants which have been certified as foundation planting stock may be entered for the production of registered stock.

(3) Miscellaneous requirements.

(a) Each varietal selection ~~((must))~~ shall be separated by a strip of land at least twelve feet wide.

(b) In roguing, growers ~~((must))~~ shall dig and destroy all low yielding, unhealthy appearing, off-type, diseased or otherwise abnormal plants.

(c) Insect pests and diseases are to be effectively controlled by dusting, spraying, fumigation, or any other approved method by the department.

(d) All plant beds ~~((must))~~ shall be kept relatively free from weeds.

(4) Field inspection. Field inspections ~~((with))~~ shall be made by the department during the growing season and

again in the fall at a time when red stele is readily seen or as many times as deemed necessary.

(5) Evidence of use of a chemical in this certification program that reduces or eliminates red stele symptoms without eradication of the causal fungus, *Phytophthora fragariae* Hickman, shall constitute grounds for elimination of plants thus treated from the Washington certified strawberry plant program.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-035 STRAWBERRY PLANT CERTIFICATION—REQUIREMENTS FOR THE PRODUCTION OF CERTIFIED STOCK. (1) Land requirements. Plants shall be grown on land acceptable to the department (see requirements for isolation and fumigation).

(2) Plant requirements.

(a) Only first year plantings from foundation planting stock or registered planting stock may be entered for the production of certified stock.

(b) ((Exceptions may be made for desirable planting stock produced the previous year and having met the requirements enacted by the department for the production of certified planting stock)) Under exceptional cases of need, certified stock may be recycled and used to produce more certified stock for one additional year, as specifically approved by the director.

(3) Miscellaneous requirements.

(a) Each varietal selection ((must)) shall be separated by a strip of land at least twelve feet wide.

(b) In roguing, growers ((must)) shall dig and immediately destroy all low yielding, unhealthy appearing, off-type, diseased or otherwise abnormal plants. The spots where those plants were growing shall be flagged to facilitate future close inspections.

(c) ((Insect)) Pests and diseases are to be effectively controlled by dusting, spraying, fumigation, or any other approved method by the department. Aphids and cyclamen mites shall be controlled. Populations of those pests are to be determined by sampling methods approved by the director.

(d) Growers shall provide evidence that the plants do not exceed the tolerances shown in the table in WAC 16-328-060. This shall be determined by sampling methods approved by the director.

(e) All plant beds ((must)) shall be kept relatively free from weeds.

(4) Field inspection. Field inspections ((with)) shall be made by the department during the growing season and again in the fall at a time when red stele is readily seen or as many times as deemed necessary.

(5) Evidence of use of a chemical in this certification program that reduces or eliminates red stele symptoms without eradication of the causal fungus, *Phytophthora fragariae* Hickman, shall constitute grounds for elimination of plants thus treated from the Washington certified strawberry plant program.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-060 STRAWBERRY PLANT CERTIFICATION—FIELD STANDARDS. (1) The entire field or unit shall meet certification requirements except when soilborne pests are found in excess of tolerance in a portion of the field or unit, and the infestation can be safely delimited in the opinion of the department; or when plants in the infested portion are treated to eradicate or to control the pest to comply with the tolerance under the supervision of the department.

(2) Specific requirements:

((TOLERANCE

Factors	Foundation Registered		Certified	
	Percent	Percent	Percent	Percent
	(all inspections)		(Field)	(Field)
			1st and 2nd	3rd
Virus Diseases*	0	0	1	0.5
Red Stele*	0	0	0	0
Nematode*	0	0	0	0
Variety Mixture	0	0	0.1	0
All other Diseases (including Lethal decline)	0	0.5	2	1

*Visible)

TOLERANCES (%)

Factors	Foundation	Registered	Certified Field	
	field	field	1st & 2nd	3rd
	(all inspections)		inspections	inspection
Virus Diseases	0 ^a	0	1 ^b	0.5 ^b
Red Stele ^c	0	0	0	0
Nematode ^c	0	0	0	0
Variety Mixture	0	0	0.1	0
All other Diseases (including lethal decline)	0	0.5	2	1

^a All foundation stock mother plants must be indexed for virus content no more than two years previously in order to qualify at this level.

^b Visible.

^c It is strongly recommended that preplant application of an approved nematicide be made to fields to be used in this program. The department reserves the right to require soil tests for plant parasitic nematodes to be made by methods and at times approved by the department and the data furnished to the department for any field in this certification program.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-065 STRAWBERRY PLANT CERTIFICATION—DESIGNATION OF PLANTS.

(1) Foundation planting stock ((with)) shall be identified by the state of Washington official certified strawberry plant tag or stamp, and in addition ((with)) shall be marked "foundation planting stock."

(2) Registered planting stock ((with)) shall be identified by the state of Washington official certified strawberry plant tag or stamp, and in addition ((with)) shall be marked "registered planting stock."

(3) No. 1 certified planting stock ((with)) shall be identified by the state of Washington official certified strawberry plant tag or stamp.

(4) No. 2 certified planting stock (~~with~~) shall be identified by the state of Washington official certified strawberry plant tag or stamp.

AMENDATORY SECTION (Amending Order 1216, filed 10/18/71, effective 11/18/71)

WAC 16-328-080 STRAWBERRY PLANT CERTIFICATION—TAGGING OR STAMPING AND PLANT INSPECTION. (1) "Certified" stock (~~with~~) shall be identified with the state of Washington official certified strawberry plant tag or stamp under the supervision of the department after plants have passed inspection.

(2) Crown division plants, if sold, shall be segregated and packed separately and identified with the state of Washington official certified strawberry plant tag or stamp, and also stamped "crown divisions."

(3) Only plants meeting Washington standards for strawberry plants shall be tagged or stamped, except those marked foundation, registered or crown division planting stock.

(4) All containers shall be marked with the name and address of the grower, grade or class of stock, and variety.

(5) The grower is referred to chapter 15.14 RCW, planting stock, for additional information.

NEW SECTION

WAC 16-328-083 STRAWBERRY PLANT GRADES AND STANDARDS—WASHINGTON NO. 1. Washington No. 1 shall consist of strawberry plants of one variety or plants of similar varietal characteristics which are:

- (1) Fairly fresh.
- (2) Firm.
- (3) Moist.
- (4) Fairly clean.
- (5) Fairly well trimmed runners and petioles.
- (6) Free from damage caused by:
 - (a) Sunburn.
 - (b) Mold.
 - (c) Freezing injury, black roots.
 - (d) Broken or split crown, mechanical injury.
- (7) Free from detectable dangerous pests or diseases, including plant parasitic nematodes.

Strawberry plants in this grade shall have not less than ten main roots, the length of which shall be not less than two and one-half inches, with a minimum crown diameter of one-fourth inch measured at the base of the crown.

NEW SECTION

WAC 16-328-085 STRAWBERRY PLANT GRADES AND STANDARDS—WASHINGTON NO. 2. Washington No. 2 shall consist of strawberry plants of one variety or plants of similar varietal characteristics which meet all of the requirements of Washington No. 1 except strawberry plants in this grade shall have not less than six main roots, the length of which shall be not less than two and one-half inches.

NEW SECTION

WAC 16-328-088 STRAWBERRY PLANT GRADES AND STANDARDS—TOLERANCES. (1) Application of tolerances. The tolerances for the standards are on a container basis. However, individual packages in any lot may vary from the specified tolerances as stated below, provided the averages for the entire lot, based on sample inspection, are within the tolerance specified.

(2) Tolerances. In order to allow for variations incident to proper grading and packing, not more than a combined total of ten percent, by count, of the plants in any lot may fail to meet the requirements of the above grade.

(3) Packing. Strawberry plants are to be packed in such manner that they shall retain a fresh condition.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-328-001 PROMULGATION.
WAC 16-328-003 PROMULGATION.
WAC 16-328-090 EFFECTIVE DATE.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 16-329-001 PROMULGATION.
WAC 16-329-010 WASHINGTON NO. 1.
WAC 16-329-015 WASHINGTON NO. 2.
WAC 16-329-020 TOLERANCES.
WAC 16-329-025 DEFINITIONS.
WAC 16-329-030 EFFECTIVE DATE.

WSR 87-13-017

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Order 1933—Filed June 9, 1987]

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to certified seed potato limited generation program, chapter 16-324 WAC.

I, C. Alan Pettibone, 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 limited generation certified seed potato program is one that has been developed over the past few years and adopted by other states. Because of Washington growers becoming involved in this program, it is necessary to immediately adopt standards until a hearing can be scheduled.

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

This rule is promulgated pursuant to chapter 15.14 RCW 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 June 9, 1987.

By Michael V. Schwisow
Deputy Director

AMENDATORY SECTION (Amending Order 1199, filed 5/5/71, effective 6/7/71)

WAC 16-324-360 DEFINITIONS. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(1) "Department" means the department of agriculture of the state of Washington.

(2) "Director" means the director of the department of agriculture or his duly appointed representative. (Inspector)

(3) "Potatoes" mean Irish potatoes that have been produced outside of or within the state of Washington and are being handled for seed purposes, propagation, or reproduction within the state of Washington.

(4) "Disease treated" means tested for potato viruses, PVA, PVM, PVS, PVX, PVY, leafroll, spindle tuber viroid, *Erwina carotovora carotovora*, *Erwina carotovora atroseptica* and *Corynebacterium sepedonicum*.

(5) "Root knot nematode" means a disease (infestation) of plant parasitic nematodes of potatoes including but not limited to *Ditylenchus*, *Pratylenchus*, and *Meloidogyne* genera.

(6) "Micropropagated" means potato stock propagated using aseptic laboratory techniques and culture media to promote plant tissue growth.

(7) "In vitro" means in an artificial environment outside the living organism.

(8) "Prenuclear" means micropropagated plants in vitro or tubers in vitro. Also included are micropropagated plants or microtubers produced in a greenhouse.

(9) "Nuclear stock" means plantlets, microtubers, minitubers, or seed potatoes produced from pre-nuclear stock.

(10) "Microtubers" means tubers produced in vitro by a micropropagated plant or plantlet.

(11) "Minitubers" means tubers produced under controlled greenhouse conditions.

(12) "Tuber unit" means a method of planting whereby cut seed pieces from one tuber are dropped consecutively in a row.

(13) "Hill unit" means a method of planting whereby all tubers from one plant are dropped consecutively in a row.

(14) "Family unit" means a method of planting whereby pre-nuclear stock made up of various family lines are mass planted in recognizably separate plots limited to the size and number of plants per plot.

NEW SECTION

WAC 16-324-600 LIMITED GENERATION (L.G.) CERTIFIED SEED POTATO PRODUCTION. The limited generation (L.G.) program is offered as an alternative to the current program for certification of seed potatoes. This L.G. program is not intended to supersede or replace existing rules and standards for certified seed potato production. Limited generation certified seed potato production shall comply with current standards, where applicable, in addition to the following rules. The purpose of the program is to provide certification for additional kinds of propagative stock now being produced by tissue culture and/or stem cutting techniques.

NEW SECTION

WAC 16-324-610 LIMITED GENERATION CERTIFIED SEED POTATO—LAND REQUIREMENTS. Land requirements in the L.G. certified seed potato program are as follows:

(1) Well water shall be the source of irrigation.

(2) Class Produced Years out of Potatoes
(Unless prior crop was a higher class—same variety)

Prenuclear Approved laboratory
(greenhouse)

Nuclear Six years (new ground preferred, fumigation required)

Generation I Four years

Generation II Three years

Foundation Two years

Certified Two years.

NEW SECTION

WAC 16-324-620 LIMITED GENERATION CERTIFIED SEED POTATO—ISOLATION REQUIREMENTS. Isolation required for limited generation seed potato are as follows:

(1) Prenuclear – approved laboratory (greenhouse).

(2) Nuclear – Generation I: Location of field approved by the department.

(3) Generation II – three hundred feet from potatoes not classified as virus tested.

(4) Foundation and certified – six feet minimum space between lots of a different class and variety.

(5) Each lot shall remain distinctly separated in the field and in storage.

(6) Fields shall be staked or marked so that varieties, lots, unit plantings, single drop plantings, and different seed sources can be identified.

(7) Access to fields shall be severely restricted. Entrance shall only be allowed in the presence of the grower.

(8) Nuclear and Generation I stocks are to be planted by a unit method. Cut seed and single drop seed shall be sorted and planted separately within the unit plot, with single drop seed identified.

(9) Nuclear units shall be planted with a one row skip between every two rows. If a ground rig is used for spraying, a wide enough spray row shall be allowed so tires will not touch plants during the growing season.

NEW SECTION

WAC 16-324-630 LIMITED GENERATION CERTIFIED SEED POTATO—FIELD INSPECTION TOLERANCES.

FIELD INSPECTION TOLERANCES: PERCENT DISEASES

Factor	NUCLEAR		GEN. I		GEN. II		FOUND.		CERT.	
	1st	2nd	1st	2nd	1st	2nd	1st	2nd	1st	2nd
Varietal mixture	0.00	0.00	0.00	0.00	0.00	0.00	0.05	0.01	0.08	0.05
Pvy mosaic	0.00	0.00	0.00	0.00	0.01	TR	0.50	0.25	0.50	0.25
Leafroll	0.00	0.00	0.00	0.00	0.01	TR	0.03	.010	.080	0.05
Blackleg	0.00	0.00	0.10	0.10	0.50	0.50	1.00	1.00	2.00	2.00
Ring rot	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Nematode	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
PVX	0.00		0.50		1.00		3.00		4.00	
% PVX tested	25%		10%		1%		.5%			

NEW SECTION

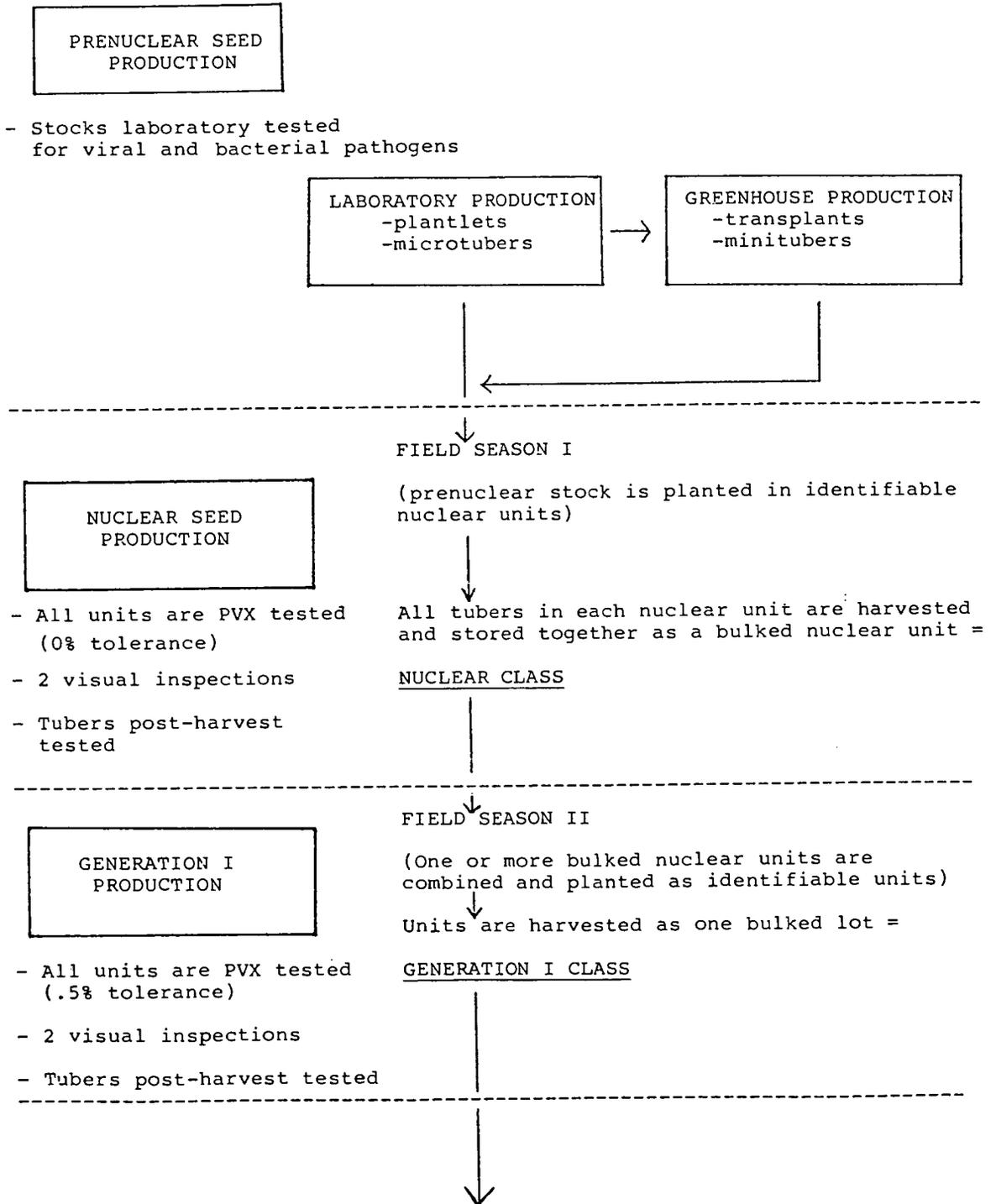
WAC 16-324-640 LIMITED GENERATION CERTIFIED SEED POTATO—WINTER GREENHOUSE TEST TOLERANCE.

WINTER GREENHOUSE TEST TOLERANCE (PERCENT)

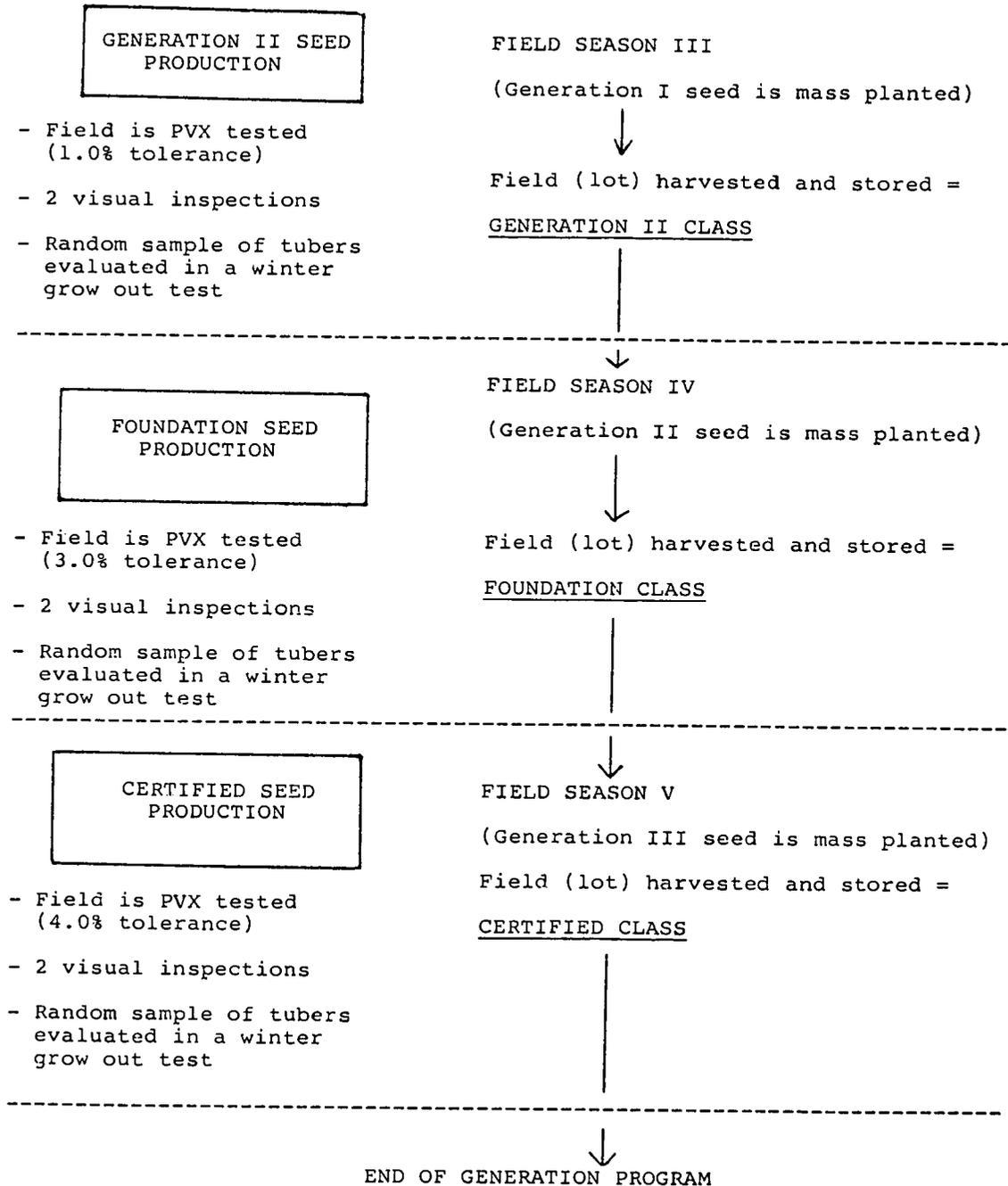
Factor	NUCLEAR	GEN. I	GEN. II	FOUND.	CERT.
Leafroll	0	0.25	0.3	0.75	1
Mosaic	0	0.25	0.5	1	2
Spindle Tuber	0	0	0	0	0
Other virus	0	0.25	0.75	2	2
Total virus	0	0.50	0.75	2	2

NEW SECTION

WAC 16-324-650 LIMITED GENERATION CERTIFIED SEED POTATO—PRODUCTION PHASES. (1)
Prenuclear seed production phases:



(2) Generation II seed production phases:



NEW SECTION

WAC 16-324-660 LIMITED GENERATION CERTIFIED SEED POTATO—SANITATION. Requirements for sanitation in the limited generation certified seed program are as follows:

(1) Chemicals used in the sanitation of equipment shall be those recommended by the "Pacific Northwest Plant Disease Control Handbook." Vector control shall be maintained throughout the growing season as prescribed by the "Pacific Northwest Plant Disease Control Handbook."

(2) Seed stocks in a limited generation program shall be planted and harvested prior to handling any other seed stock. The highest generation shall be handled prior to lower classes within the program. All equipment used in the cutting, planting, digging, storage, and sorting process shall be sanitized between lots and varieties. When cutting nuclear stock, gloves and knives shall be sanitized between each tuber cut.

(3) Precautions shall be taken when roguing, irrigating, or cultivating to prevent the spread of potato pathogens. Only sanitized footwear shall be allowed in the field.

(4) To produce nuclear, Generation I and Generation II stock, a grower shall have successfully produced certified seed potatoes the previous two years with no bacterial ring rot disease during this period. Exceptions to this subsection are possible on approval by the department.

(5) Only department approved containers shall be used during the digging, storage, and packing process. Approved containers shall be new sacks or bags. Wood containers shall be painted with no bare wood exposed.

(6) Appropriate procedures for sanitizing shall include a pressure washer to eliminate all dirt and dry matter, followed by steam cleaning, followed by application of a recommended chemical to kill bacteria.

WSR 87-13-018**ADOPTED RULES****DEPARTMENT OF ECOLOGY**

[Order DE 87-07—Filed June 9, 1987]

I, Phillip C. Johnson, deputy director of programs for the Department of Ecology, do promulgate and adopt at Lacey, Washington, the annexed rules relating to Whatcom County, amending WAC 173-19-450.

This action is taken pursuant to Notice No. WSR 87-08-059 filed with the code reviser on April 1, 1987. 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 90.58.120 and [90.58].200 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 June 9, 1987.

By Phillip C. Johnson
Deputy Director of Programs

AMENDATORY SECTION (Amending Order 84-46, filed 2/1/85)

WAC 173-19-450 WHATCOM COUNTY. Whatcom County master program approved August 27, 1976. Revision approved April 11, 1977. Revision approved August 11, 1978. Revision approved December 22, 1981. Revision approved January 5, 1982. Revision approved March 4, 1982. Revision approved December 15, 1982. Revision approved March 1, 1984. Revision approved January 31, 1985. Revision approved June 9, 1987.

WSR 87-13-019**NOTICE OF PUBLIC MEETINGS****WHATCOM COMMUNITY COLLEGE**

[Memorandum—June 2, 1987]

The regular June 9, 1987, board of trustees meeting has been rescheduled to June 23, 1987, at 8:00 a.m. The place remains unchanged.

WSR 87-13-020**NOTICE OF PUBLIC MEETINGS****DEPARTMENT OF NATURAL RESOURCES****(Board of Natural Resources)**

[Memorandum—June 8, 1987]

There will be a special meeting of the Board of Natural Resources, Department of Natural Resources, on Friday, June 12, 1987, in the Peat Marwick Main Conference Room on the 26th Floor of the Rainier Bank Tower Building, Seattle, Washington, at 8:00 a.m. The purpose of the meeting is to discuss the trust accounting study.

WSR 87-13-021**RULES OF COURT****STATE SUPREME COURT**

[June 4, 1987]

IN THE MATTER OF THE ADOPTION OF
THE AMENDMENT TO ARTICLE VI NO. 25700-A-396
OF THE ARTICLES OF INCORPORATION
FOR THE LEGAL FOUNDATION OF ORDER
WASHINGTON

The Board of Trustees of the Legal Foundation of Washington having recommended the adoption of the Amendment to Article VI of the Articles of Incorporation for The Legal Foundation of Washington and the

Court having determined that the Amendment will aid The Legal Foundation of Washington in fulfilling its duties;

Now, therefore, it is hereby

ORDERED:

That the Amendment to Article VI of the Articles of Incorporation of The Legal Foundation of Washington as attached hereto is approved.

DATED at Olympia, Washington this 4th day of June, 1987.

Vernon R. Pearson
CHIEF JUSTICE

Articles of Incorporation
Legal Foundation of Washington
ARTICLE VI

(4) Trustee Terms. Trustees selected in the future shall serve a two-year term of office. All trustees shall be eligible to serve a second full term of two years.

WSR 87-13-022
RULES OF COURT
STATE SUPREME COURT
[June 4, 1987]

IN THE MATTER OF THE ADOPTION OF RALJ 6.3A, 9.2A, and JAR 9 and AMENDMENTS TO RALJ 2.2(c), 2.4(c), 2.6(a), 2.7, 4.2(a), 5.2(b), 6.2 7.2, Title 9, 9.2, 9.3(c), 9.3(f) and 10.2(a); and AMENDMENTS TO JuCR 1.3, 1.4, 2.1, 2.2, 2.3, 3.3, 3.4, 3.7, 3.9, 3.11, 4.3, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 6.4, 6.5, 6.6, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.11, 7.12, 7.14, 9.1, 9.2, 10.1, 10.3, 10.4, 10.5 through 10.9, and 11.2; and AMENDMENTS TO RLD 9.1(a) and RAP 7.2(j)

NO. 25700-A-397
ORDER

The Board of Governors of the Washington State Bar Association having recommended the adoption of RALJ 6.3A, 9.2A and JAR 9; Amendments to RALJ 2.2(c), 2.4(c), 2.6(a), 2.7, 4.2(a), 5.2(b), 6.2, 7.2, Title 9, 9.2, 9.3(c) 9.3(f) and 10.2(a); and Amendment to RLD 9.1(a); and the Superior Court Judges' Association having recommended Amendments to JuCR 1.3, 1.4, 2.1, 2.2, 2.3, 3.3, 3.4, 3.7, 3.9, 3.11, 4.3, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 6.4, 6.5, 6.6, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.11, 7.12, 7.14, 9.1, 9.2, 10.1, 10.3, 10.4, 10.5 through 10.9, 11.2 and RAP 7.2(j), and the Court having considered the proposed Rules, Amendments and comments submitted thereto, and having determined that the proposed Rules and Amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the Rules and Amendments as attached hereto are adopted.

(b) That the Rule and Amendments will be published in the special Rules edition of the Washington Reports

in July, 1987, and will become effective September 1, 1987.

DATED at Olympia, Washington this 4th day of June, 1987.

Pearson, C. J.
Andersen, J.
Brachtenbach, J.
Dolliver, J.
Dore, J.
Callow, J.
Goodloe, J.
Durham, J.

Reviser's note: The material contained in this filing will appear in the 87-14 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 87-13-023
RULES OF COURT
STATE SUPREME COURT
[June 4, 1987]

IN THE MATTER OF THE RESCISSION OF THE JUSTICE COURT CRIMINAL RULES (JCrR) and the ADOPTION OF THE CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION ORDER (CrRLJ) NO. 25700-A-398

The Board of Governors of the Washington State Bar Association having recommended the rescission of the Justice Court Criminal Rules and the adoption of the Criminal Rules for Courts of Limited Jurisdiction and the Criminal Rules for Courts of Limited Jurisdiction having been published for comment in 107 Wn.2d 1xiii, dated January 7, 1987, and having considered the Rules and the comments submitted thereto, and having determined that the proposed Rules will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the Justice Court Criminal Rules are rescinded.

(b) That the Criminal Rules for Courts of Limited Jurisdiction as attached hereto, are adopted.

(c) That Part V of General Rules I is amended by the deletion of the Justice Court Criminal Rules (JCrR), and the insertion of the Criminal Rules for Courts of Limited Jurisdiction (CrRLJ).

(d) This Court's other rules referring generally to the Justice Court Criminal Rules shall henceforth, where appropriate, be considered to refer to the Criminal Rules for Courts of Limited Jurisdiction.

(b) That these Rules will be published in the special Rules edition of the Washington Reports in July, 1987, and will become effective September 1, 1987.

DATED at Olympia, Washington this 4th day of June, 1987.

	Pearson, C. J.
	Andersen, J.
Brachtenbach, J.	Callow, J.
Dolliver, J.	Goodloe, J.
Dore, J.	Durham, J.

Reviser's note: The material contained in this filing will appear in the 87-14 issue of the Register as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 87-13-024
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 87-53—Filed June 10, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, 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 hatchery escapement needs have been met and 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 June 10, 1987.

By Judith Merchant
 for Joseph R. Blum
 Director

NEW SECTION

WAC 220-57-38500L QUILLAYUTE RIVER. Notwithstanding the provisions of WAC 220-57-385, effective June 13 through June 30, 1987: Bag Limit A downstream from the confluence of the Soleduck and Bogachiel Rivers, including Olympic National Park waters.

NEW SECTION

WAC 220-57-46000R SOLEDUCK RIVER. Notwithstanding the provisions of WAC 220-57-460, effective June 13 through June 30, 1987: Bag Limit A downstream from the concrete pump station at the Soleduck Hatchery.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-46000Q SOLEDUCK RIVER. (87-50)

WSR 87-13-025
EMERGENCY RULES
PUBLIC WORKS BOARD
 [Order 87-06—Filed June 10, 1987]

Be it resolved by the Public Works Board, acting at the Mark 205 Motor Inn, 221 N.E. Chkalov Drive, Vancouver, WA, that it does adopt the annexed rules relating to deliberations of the Public Works Board as they relate to evaluation and ranking of loan applications.

We, the Public Works 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 the limited time available between adoption of the loan application form and release of the form to the public.

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 Public Works Board as authorized in RCW 43.155.040.

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 April 21, 1987.

By Robert C. Anderson
 Chair

AMENDATORY SECTION (Amending Resolution No. 86-12, filed 8/21/86)

WAC 399-30-040 APPLICATION EVALUATION PROCEDURE AND BOARD DELIBERATIONS. (1) The board will consider and prioritize, or disapprove, all applications for loans or financing guarantees at regular or special meetings of the board. The applicant will be notified of meetings at which its application will be considered.

(2) Applications will be evaluated and prioritized in accordance with the following procedures:

(a) Staff will log in all applications as received.

(b) Staff will review all applications for compliance with the minimum qualification requirements of WAC 399-30-030(2) (~~in application Form A~~). Jurisdictions whose applications do not meet the minimum qualification requirements will be notified in writing of the disqualification.

(c) Staff will perform a preliminary evaluation of all applications which meet the requirements of WAC 399-30-030(2). Applications will be scored according to the number of points awarded for responses provided in the statements of local effort and project need.

(i) Up to ~~((two hundred fifty))~~ thirty-eight points may be awarded in the evaluation of each application's demonstration of need for the proposed project ~~((A))~~. Responses to questions ~~((10))~~ 12 through ~~((21))~~ 19 will be evaluated to determine this score.

~~((B))~~ Up to ~~two hundred and forty-five~~ points may be awarded in the evaluation of the extent and severity of public works problems provided in applicant responses to questions 10 through 13 and 16 through 21. Extent and severity referred to include health and safety, emergency needs, high maintenance and operation costs and community and regional benefit.

~~((C))~~ (ii) Up to ~~((five))~~ two points may be awarded in the evaluation of coordinated projects provided in applicant responses to question ~~((14))~~ 20.

~~((D))~~ (iii) Up to ~~((two hundred))~~ sixty points may be awarded in the evaluation of the applicant jurisdiction's demonstration that it is making a reasonable effort to meet its public works needs ~~((A))~~. Responses to questions ~~((22))~~ 21 through ~~((38))~~ 53 will be evaluated to determine this score.

~~((B))~~ In the case of nonrate-based projects, up to one hundred and fifty points may be awarded in the evaluation of the management initiatives undertaken by applicant jurisdictions provided in applicant responses to questions 22 through 26.

~~((C))~~ In the case of nonrate-based projects, up to fifty points may be awarded in the evaluation of local option tax measures charged by applicant jurisdictions provided in applicant responses to questions 27, 28, 29, 30 and 31.

~~((D))~~ In the case of rate-based projects, up to one hundred points may be awarded in the evaluation of the management initiatives undertaken by applicant jurisdictions provided in applicant responses to questions 22 through 26.

~~((E))~~ In the case of rate-based projects, up to one hundred points may be awarded in the evaluation of user rates charged by applicant jurisdictions provided in applicant responses to questions 27, 28, and 32 through 38.)

(d) Staff will provide the board with preliminary evaluation and scoring of the applications ~~((including a summary of each proposal))~~. All application materials will be available to the board for their deliberations. The board will develop a ranked list of projects based on the information provided to them by the staff and the applications.

(e) The board will then adjust the ranked list in consideration of the following factors:

(i) Geographical balance;

(ii) Economic distress;

(iii) Type of projects;

(iv) Type of jurisdiction;

(v) Other criteria that the board considers advisable.

(f) Staff will verify critical information on each project as required by the board.

(g) The board will not accept oral testimony from any applicant while deliberating loan priorities, other than information requests initiated by the board as provided in (h) of this subsection.

(h) The board may consult ((on any issue it wishes to address,)) with officials of jurisdictions having projects on the list recommended for funding on any issue it wishes to address.

(3) Applicants will be notified in writing of board decisions.

WSR 87-13-026

ADOPTED RULES

SOUTH PUGET SOUND COMMUNITY COLLEGE

[Order 87-3—Filed June 11, 1987]

Be it resolved by the board of trustees of South Puget Sound Community College, Community College District 12, acting at 2011 Mottman Road S.W., Olympia, WA 98502, that it does adopt the annexed rules relating to student rights and responsibilities, code procedures, and summary suspension rules.

This action is taken pursuant to Notice No. WSR 87-08-017 filed with the code reviser on March 24, 1987. 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 South Puget Sound Community College, Community College District 12, as authorized in RCW 28B.50.140.

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 May 14, 1987.

By Case Doelman
Chairman

**Chapter 132L-10 WAC
SOUTH PUGET SOUND
STUDENT RIGHTS AND RESPONSIBILITIES**

WAC

- 132L-10-010 Preamble.
- 132L-10-020 Jurisdiction.
- 132L-10-030 Right to demand identification.
- 132L-10-040 Freedom of association and organization.
- 132L-10-050 Student records.
- 132L-10-100 Student publications.
- 132L-10-110 Use of college facilities.
- 132L-10-120 Student complaints.

132L-10-130 Violations.

NEW SECTION

WAC 132L-10-010 PREAMBLE. Unless otherwise limited by this chapter, students have the same fundamental rights as all citizens. These rules shall be liberally construed to eliminate procedural impediments to discipline.

NEW SECTION

WAC 132L-10-020 JURISDICTION. These rules apply to students engaged in or present at any on-campus or off-campus college-related activity. A student's off-campus conduct may be considered in determining discipline.

NEW SECTION

WAC 132L-10-030 RIGHT TO DEMAND IDENTIFICATION. College personnel may demand that any person on college facilities produce evidence of student enrollment.

NEW SECTION

WAC 132L-10-040 FREEDOM OF ASSOCIATION AND ORGANIZATION. Students are free to organize and join associations to promote any legal purpose. Student organizations must be granted a charter by the Associated Students of South Puget Sound Community College senate before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the Associated Students of South Puget Sound Community College senate a statement of purpose, criteria for membership, a statement of operating rules or procedure, and the names of college personnel who have agreed to serve as an advisor. All chartered student organizations must also submit to the Associated Students of South Puget Sound Community College senate a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, sex, creed, or national origin. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met.

NEW SECTION

WAC 132L-10-050 STUDENT RECORDS. In compliance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and its implementing regulations, 45 C.F.R. § 99, this policy has been created to insure confidentiality of student records at the college and govern the release of personally identifiable information contained within.

(1) Education records. Education records are defined as those records, files, and documents containing information directly pertaining to a student. At South Puget Sound Community College these are:

(a) Records pertaining to admission, advisement, registration, grading and progress to a degree that are maintained by the registrar.

(b) Testing information used for advisement purposes by the counseling center.

(c) Information concerning payment of fees as maintained by the treasurer.

(d) Financial aid information as collected by the financial aid office.

(e) Information regarding students participating in student government or athletics that is maintained by the student programs office.

(2) Access to education records. Students who are or have attended the college have the right to examine or review their personal records, as defined above, by submitting to the registrar a written request indicating education records to which access is desired.

Note: Charges for reproduced copies of education records are found in the current catalog.

(3) Directory information. The following information is considered "directory information" and thus may be disclosed without consent of the student, unless otherwise directed by the student, at any time, to the registrar in writing: The student's name, address, telephone number, date and place of birth, major field of study, eligibility for and participation in officially recognized activities, organizations, and sports, weight and height of members of athletic teams, dates of attendance, honor roll, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(4) Disclosure from education records. In addition to directory information the college will, at its discretion, make disclosures from education records of students with the student's prior written consent or to the following listed parties:

(a) College officials including college administrative and clerical staff, faculty, and students where officially elected or appointed to the ASSPSCC senate or employed by the college. Access or release of records to the above is permissible only when the information is required for the advisement, counseling, recordkeeping, reporting, or other legitimate educational interest consonant with their specific duties and responsibilities.

(b) To officials of another school in which the student seeks or intends to enroll.

(c) To authorized federal, state, or local officials as required by law.

(d) In connection with financial aid for which the student has applied or received.

(e) To accrediting organizations, or organizations conducting studies for or on behalf of the institution.

(f) To appropriate parties in a health or safety emergency.

(g) To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954, upon receipt of a written affidavit stating that the student is a dependent for income tax purposes. This, however, will not affect the other rights of the student.

In cases where consent of the student is required for release of education records, the student shall in writing, signed and dated by the student, specify: The records to be disclosed, the purpose or purposes of the disclosure,

and the name of the party or parties to whom the disclosure can be made.

When personally identifiable information is released without prior consent of the student, other than directory information and information released to college officials or the student, the college official in charge of these records will record the names of the parties who have requested information from educational records and the nature of the interest in that information.

Education records released to third parties shall be accompanied by a statement indicating that the information cannot be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student. The college is not precluded from permitting third party disclosures to other parties listed in (a) through (g) of this subsection.

(5) Challenge of education records. Students who believe that information contained in their education records is inaccurate, misleading or violates the privacy of other rights of the student may request in writing to the appropriate college official that the college amend their record(s). The college official(s) will make every effort to settle disputes through informal meetings and discussion with the student.

In instances where disputes regarding contents of education records cannot be resolved by the parties concerned, the college official involved shall advise the student of the right to a hearing by the academic standards committee through a written request to the registrar. Should the academic standards committee deem that the education records in question are inaccurate or misleading, the committee can ask that the records be amended by the appropriate college official. If the education records are held to be accurate, the student shall be granted the opportunity to place within those records a personal statement commenting upon the information contained within.

Each eligible student is afforded the right to file a complaint concerning alleged failures by the college to comply with the requirements of the act. The address of the office designated to investigate, process, and review violations and complaints which are filed is:

The Family Educational Rights and
Privacy Act Office (FERPA)
Department of Health, Education
and Welfare
330 Independence Avenue S.W.
Washington, D.C. 20201

Copies of the Federal Register pertaining to the Family Education Rights and Privacy Act may be obtained from:

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402

NEW SECTION

WAC 132L-10-100 STUDENT PUBLICATIONS. The college will establish a student publications policy relating to officially sponsored publications and

create a student publications board charged with the enforcement of the policy. The publications board shall be composed of an administrator appointed by the college president, two faculty, and three students appointed by the associated student body president.

The student publications policy shall protect the students' freedom to deal with any ideas and to express any opinions in the student publications without fear of their censorship. Editors and managers of student publications are protected from arbitrary suspension and removal. Only for proper and stated causes, as outlined in the statement of purpose or philosophy adopted for each student publication, should editors and managers be subject to removal and then by orderly and prescribed procedures.

At the same time, the student publications policy shall charge the student editors and managers with corollary responsibilities to be governed by the canons of responsible journalism.

NEW SECTION

WAC 132L-10-110 USE OF COLLEGE FACILITIES. Any recognized Associated Students of South Puget Sound Community College organization may request use of available college facilities for authorized activities. Facilities will be provided free of charge to the organization except when such use necessitates staffing and services beyond regular college requirements. Standard college fees will be charged in these cases.

Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

NEW SECTION

WAC 132L-10-120 STUDENT COMPLAINTS. The purpose of these procedures is to establish a process where a student may express and resolve misunderstandings, complaints or grievances with any college employee in a fair and equitable manner. This procedure emphasizes an informal resolution.

A complaint is any expression of dissatisfaction with the performance of a college employee or procedure. The students who have a complaint about an action of a college employee should use the following procedure:

(1) Initiating a nonacademic complaint:

(a) The student and the college employee should make a good faith effort to resolve the grievance on a one to one basis within fifteen instructional days from the date of the complaint. In the event of absence from campus by the employee, the student shall contact the organizational unit administrator for advice on how to proceed with the complaint. If the student feels that he/she cannot meet face to face with the employee he/she may directly contact the organizational unit administrator.

(b) If the student determines that a complaint cannot be resolved appropriately with the employee concerned, the student may contact the organizational unit administrator of the employee to facilitate a solution to the grievance.

(c) If a complaint filed with the appropriate organizational unit administrator has not been resolved, the student may proceed with a formal complaint.

(2) Proceeding with a formal complaint:

(a) Office to address: Complaints regarding an instructional employee or policy shall be addressed to the dean of instruction or designee. Complaints regarding an administrative services employee or policy shall be addressed to the dean of administrative services or designee. Complaints regarding student services employees or other college personnel shall be addressed to the dean of students or designee.

(b) The dean/designee shall discuss with the student the concerns with the student and options available to resolve the concern. If the student should elect to proceed with the formal complaint the student must outline in writing the complaint, identifying dates and persons involved as accurately as possible.

(c) The dean shall also inform the student that the student may ask the dean of students or another person the student chooses to act as an advocate in assisting the student in the completion of the complaint process.

(d) The student's written complaint shall be forwarded to the employee concerned who shall provide a written response within ten instructional days.

(e) If the written response does not resolve the complaint to the satisfaction of the student, the dean shall convene a conference of all the involved parties within ten instructional days to (i) attempt to resolve to the satisfaction of all parties the complaint and/or (ii) hear the issue(s) and take appropriate action(s) to resolve the complaint.

(f) Action taken by the dean, if any, may be appealed to the president.

NEW SECTION

WAC 132L-10-130 VIOLATIONS. Any student shall be subject to disciplinary action who, either as a principal actor or aider or abettor commits any of the following which are hereby prohibited:

(1) Abusive conduct: Physical and/or verbal abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions.

(2) Destroying or damaging property: Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

(3) Dishonesty: All forms of dishonesty including: Cheating; plagiarism; knowingly furnishing false information to the college; intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency, on college premises or at any college-sponsored activity; forgery; alteration or use of college documents or instruments of identification with intent to defraud.

(4) Disorderly conduct: Materially and substantially interferes with the personal rights or privileges of others or the educational process of the college.

(5) Drugs: Using, possessing, furnishing, or selling any narcotic or dangerous drug as those terms are used in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist.

(6) Inciting others: Intentionally inciting others to engage in any prohibited conduct as defined herein, which incitement directly leads to such conduct. Inciting is the advocacy which prepares the group or individual addressed for immediate action and compels that individual or group to engage in the prohibited conduct.

(7) Insubordination: Failure to comply with lawful directions of college personnel acting in performance of their lawful duties.

(8) Liquor: Possessing, consuming, or furnishing of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions where prohibited by law.

(9) Theft: Theft or conversion of college property or private property.

(10) Trespass/unauthorized presence: Entering or remaining unlawfully, as defined by state law, or using college premises, facilities, or property, without authority.

(11) Weapons, firearms, explosives, and equipment: Possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instrumentalities on the college campus, except for authorized college purposes; unless prior written approval has been obtained from the dean of students, or any other person designated by the president.

(12) Other violations: Students may be accountable to both civil authorities and to the college for acts which constitute violations of federal, state, or local law as well as college rules and policy. The college may refer any such violation to civilian authorities for disposition.

Chapter 132L-21 WAC
SOUTH PUGET SOUND
CODE PROCEDURES

WAC	
132L-21-010	Initial proceedings.
132L-21-020	Appeals.
132L-21-030	Disciplinary sanctions.
132L-21-040	Readmission after suspension.

NEW SECTION

WAC 132L-21-010 INITIAL PROCEEDINGS.

(1) Initiation of disciplinary action. Anyone may report, orally or in writing, violations to the dean of students, or designee, who may initiate disciplinary action.

(2) Notice requirements. Any student charged with a violation shall receive written notice delivered to the student personally or by registered or certified mail to the student's last known address no later than two weeks after a reported violation. The notice shall not be ineffective if presented later due to student's absence. Such notice shall:

(a) Inform the student that a report has been filed alleging that the student violated specific provisions of college policy and the date of the violation; and

(b) Set forth those provisions allegedly violated; and
 (c) Specify the exact time and date the student is required to meet with the dean of students; and

(d) Specify the exact time, date, and location of the formal hearing with the student judicial board, if one is required; and

(e) Inform the student that he/she may question witnesses, that he/she may have anyone appear in his/her behalf to defend him/her, that he/she may have a maximum of three character witnesses appear in his/her behalf; and

(f) Inform the student that failure to appear at either of the appointed times at the dean of student's office or at the hearing may subject the student to suspension from the institution for a stated or indefinite period of time.

(3) Meeting with the dean of students.

(a) At the meeting with the dean of students the student shall be informed of the provision of the code of student rights and responsibilities that are involved, that the student may appeal any sanction imposed by the dean of students and that if a hearing with the student judicial board is required the student may have that hearing open to the public.

(b) After considering the evidence in the case and interviewing the student or students involved, the dean of students may take any of the following actions:

(i) Terminate the proceedings exonerating the student or students; or

(ii) Impose disciplinary sanctions as provided for in WAC 132L-21-030; or

(iii) Refer the matter to the student judicial board for appropriate action.

(c) A student accused of violating any provision of college policy shall be given immediate notification of any disciplinary action taken by the dean of students.

(d) No disciplinary action taken by the dean of students is final unless the student fails to exercise the right of appeal as provided for in these rules.

(4) Student judicial board.

(a) Composition. The college shall have a standing student judicial board composed of nine members, who shall be chosen and appointed to serve as a standing committee until their successors are appointed. The membership of the board shall consist of three members of the administration, excepting the dean of students, appointed by the president; three faculty members appointed by the faculty organization; and three students appointed by the Associated Students of South Puget Sound Community College senate. Any student entitled to a hearing before the student judicial board shall choose, in writing, five members of the board to hear and decide the appeal or disciplinary case, provided, the student must choose at least one student, one faculty member and one member of the administration from the nine member board. In the event that unforeseen circumstances prevent a previously selected board member from attending the hearing, the student must choose a replacement from among the balance of the standing committee.

(b) Hearing procedures.

(i) The five members of the student judicial board will hear, de novo, all disciplinary cases appealed to the committee by the student or referred to it by the dean of students.

(ii) The five members of the student judicial board shall elect from among themselves a chairperson for the purpose of presiding at the disciplinary hearing.

(iii) The student shall be given written notice of the time, date, and location of the hearing; the specific charges against him/her; and shall be accorded reasonable access to the case file, which will be retained by the dean of students.

(iv) Hearings will be closed to the public except for the dean of students and/or designee, immediate members of the student's family, and the student's representative. An open hearing may be held, in the discretion of the chairperson, if requested by the student. All parties, the witnesses, and the public shall be excluded during the student judicial board's deliberations.

(v) The chairperson shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the student, who disrupts a hearing or who fails to adhere to the rulings of the chairperson or committee advisor may be excluded from the proceedings and may be subject to disciplinary action as set forth in this policy.

(vi) The student may question witnesses, bring an advocate to defend him/her, and have a maximum of three character witnesses appear on his/her behalf.

(vii) The burden of proof shall be on the dean of students who must establish the guilt of the student by a preponderance of the evidence.

(viii) Formal rules of evidence and procedure shall not be applicable in disciplinary proceedings conducted pursuant to this code. The chairperson shall admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

(ix) The dean of students may appoint a special presiding officer to the student judicial board in complex cases or in any case in which the respondent is represented by legal counsel. Special presiding officers may participate in committee deliberations but shall not vote.

(x) In order that a complete record of the proceeding, including all evidence presented, can be made, hearings may be tape-recorded or transcribed. If a recording or a transcription is not made, the decision of the student judicial board must include a summary of the testimony and shall be sufficiently detailed to permit appellate review.

(xi) After considering the evidence in the case and interviewing the student or students involved, the student judicial board shall decide by majority vote whether to:

(A) Terminate the proceedings exonerating the student(s); or

(B) Impose disciplinary sanctions as provided in WAC 132L-21-030.

(xii) Final decisions of the student judicial board, including findings of fact or reasons for the decision, shall be delivered to the student personally or by registered or

certified mail to the student's last known address and a copy filed with the office of the dean of students.

NEW SECTION

WAC 132L-21-020 APPEALS. (1) Appeals of disciplinary action(s) shall be taken in the following order:

(a) Disciplinary action taken by or at the recommendation of the dean of students or designated representative may be appealed to the student judicial board.

(b) Disciplinary decisions and action taken by the student judicial board may be appealed by the student to the president.

(2) All appeals by a student must be made in writing to the dean of students within ten calendar days after the student has been notified of the action from which he/she has a right of appeal to the student judicial board or the president.

NEW SECTION

WAC 132L-21-030 DISCIPLINARY SANCTIONS. (1) Warning. Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) Reprimand. Formal action censuring a student for violation of the college rules or regulations or has otherwise failed to meet the college's standards of conduct. Reprimands shall be made in writing to the student as appropriate by the dean of students or the student judicial board with copies filed in the office of the dean of students. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(3) Fines. The dean of students and/or the student judicial board may assess monetary fines up to a maximum of one hundred dollars per violation against individual students for violation of college rules and regulations or for the failure to meet the college's standards of conduct. Failure to pay such fines within thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) of this section, provided that a student may be reinstated upon payment of the fine.

(4) Restitution. An individual student may be required to make restitution for damage or loss to college or other property and for injury to persons. Failure to make restitution within thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) of this section, provided that a student may be reinstated upon payment.

(5) Disciplinary probation. Formal action placing conditions upon the student's continued attendance for violations of college rules or regulations or other failure to meet the college standards of conduct. Written notice of disciplinary probation will specify the period of probation and any condition, such as limiting the student's

participation in extracurricular activities or access to specific areas of the college's facilities. Copies of the notice shall be kept on file in the office of the dean of students and in the student's official educational records. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.

(6) Suspension/dismissal. Temporary, indefinite, or permanent dismissal from the college of a student for violation of college rules and regulations. The notification suspending a student will indicate, in writing, the term of the suspension and any special conditions which must be met before readmission. Copies of the notification shall be kept on file in the office of the dean of students and in the student's official education record.

Refund of fees for the quarter in which disciplinary action is taken shall be in accord with the college's refund policy.

Students who are suspended from the college may be denied access to all or any part of the campus or other facility during the duration of the period of suspension.

NEW SECTION

WAC 132L-21-040 READMISSION AFTER SUSPENSION. If the student has been suspended for an indefinite period, or feels that circumstances warrant reconsideration of the temporary suspension prior to its expiration, the student may be readmitted following approval of a written petition submitted to the dean of students. Such petitions must state reasons which support a reconsideration of the matter.

Chapter 132L-23 WAC SOUTH PUGET SOUND SUMMARY SUSPENSION RULES

WAC

132L-23-010	Summary suspension procedures.
132L-23-020	Permission to enter or remain on campus.
132L-23-030	Notice of summary suspension proceedings.
132L-23-040	Emergency procedures.

NEW SECTION

WAC 132L-23-010 SUMMARY SUSPENSION PROCEDURES. The dean of students, or designee, may suspend any student of the college for not more than ten academic calendar days pending investigation, action or prosecution on charges of alleged violation or violations of college policy, if the dean of students has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of other college community members, or the safety and well-being of the college property requires such suspension.

NEW SECTION

WAC 132L-23-020 PERMISSION TO ENTER OR REMAIN ON CAMPUS. During the period of summary suspension, the suspended student shall not

enter the campus of the college or any facility under the operation of the college other than to meet with the dean of students or to attend the hearing. However, the dean of students may grant the student special permission to enter a campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

NEW SECTION

WAC 132L-23-030 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS. (1) If the dean of students or designee finds it necessary to exercise the authority to summarily suspend a student, he/she shall give the student notice, orally or in writing, stating: The time, date, place, and nature of the alleged misconduct; the evidence in support of the charge(s); the corrective action or punishment which may be imposed against the student; that anything the student says to the dean may be used against the student; and that the student may either accept the disciplinary action or, within forty-eight hours or two work days following receipt of this notification, file at the office of the dean of students, a written request for a hearing by the student judicial board. If the request is not filed within the prescribed time, it will be deemed as waived.

(2) **APPEAL AND HEARING:** If oral notice is given, it shall be followed by written notice within forty-eight hours or two working days. The hearing shall be accomplished according to the procedures set forth in WAC 132L-21-010. Failure by the student to appear at the hearing with the student judicial board shall result in the dean of students or designee suspending the student from the college.

(3) Nothing herein shall prevent faculty members from taking reasonable summary action as may be reasonably necessary to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student, or the safety and protection of other students or of college property or where the student's conduct materially and substantially disrupts the educational process.

(a) Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two scheduled classroom days.

(b) Any summary action may be appealed to the dean of students for an informal hearing.

NEW SECTION

WAC 132L-23-040 EMERGENCY PROCEDURES. In the event of activities which interfere with the orderly operation of the college, the dean of students or the president, or their designees shall determine the course of action which appears to offer the best possibility for resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

(1) Inform those involved in such activities that they are in violation of college and/or civil regulations.

(2) Inform them that they should cease and desist. Indicate an area on campus where they are able to conduct their activities without interfering with the operation of the college, if such an area is available.

(3) If they do not respond within a reasonable time, call the civil authorities.

WSR 87-13-027
NOTICE OF PUBLIC MEETINGS
PUGET SOUND
WATER QUALITY AUTHORITY
[Memorandum—June 8, 1987]

In addition to the regularly scheduled monthly meeting of the Puget Sound Water Quality Authority to be held on June 17 in Port Angeles, there will also be a special meeting scheduled for June 23 in Seattle. This meeting will be a work session and it will be held in the Fourth Floor Conference Room at the Puget Sound Council of Governments, 216 First Avenue South, Seattle, from 9:30 a.m. to 3:30 p.m.

WSR 87-13-028
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-54—Filed June 11, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, 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 management period for sac-roe herring has ended, and no harvestable surplus remains.

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 June 11, 1987.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-49-02000W SEASONS—HERRING ROE. Notwithstanding the provisions of WAC 220-49-020, effective June 13, 1987 until further notice it is unlawful to fish for or possess herring taken for commercial purposes other than for fishing bait from Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, or 21B.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-49-02000V SEASONS—HERRING ROE. (87-39)

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 June 10, 1987.

By Mary Faulk
Director

**WSR 87-13-029
PROPOSED RULES
THE EVERGREEN STATE COLLEGE**
[Filed June 11, 1987]

**Chapter 50-52 WAC
WASHINGTON LAND BANK**

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that The Evergreen State College intends to adopt, amend, or repeal rules concerning parking regulations, amending WAC 174-116-010 through 174-116-127;

that the institution will at 1:45 p.m., Monday, June 22, 1987, in the Board of Trustees Room, Library 3112, TESC Campus, Olympia, 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 28B.40.120.1 subsection 11 [28B.40.120(11)].

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before June 17, 1987.

This notice is connected to and continues the matter in Notice No. WSR 87-10-054 filed with the code reviser's office on May 6, 1987.

Dated: June 10, 1987
By: Joseph D. Olander
President

**WSR 87-13-030
ADOPTED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Banking)**
[Order 87-1—Filed June 11, 1987]

- WAC
- 50-52-010 Purpose.
- 50-52-020 Establishment.
- 50-52-030 Definitions.

ORGANIZATION AND POWERS

- 50-52-040 Incorporators.
- 50-52-050 Notice of intention to organize.
- 50-52-060 Articles of incorporation.
- 50-52-070 Organization meeting of directors.
- 50-52-080 Amendment to articles of incorporation.
- 50-52-090 Stock/voting stock.
- 50-52-100 Issuance of shares.
- 50-52-110 Par value—Determination of price—
Payment for shares.
- 50-52-120 Bylaws.
- 50-52-130 Bylaws and other powers in
emergency.
- 50-52-140 Meetings of shareholders.
- 50-52-150 Notice of shareholder meetings.
- 50-52-160 Record of shareholders entitled to
vote.
- 50-52-170 Quorum of shareholders.
- 50-52-180 Voting of shares.
- 50-52-190 Board of directors.
- 50-52-200 Duties of directors.
- 50-52-210 Number and election of directors.
- 50-52-220 Classification of directors.
- 50-52-230 Vacancies.
- 50-52-240 Removal of directors.
- 50-52-250 Quorum of directors.
- 50-52-260 Dissent by directors.
- 50-52-270 Executive and other committees.
- 50-52-280 Place and notice of directors' or design-
ated committee meetings—
Presence.
- 50-52-290 Loans to directors—Guarantees of ob-
ligations of directors.
- 50-52-300 Officers.
- 50-52-310 Removal of officers.
- 50-52-320 Books, records and minutes.
- LENDING**
- 50-52-330 Eligibility.
- 50-52-340 Combined operations.
- 50-52-350 Assumption of loans.
- 50-52-360 Long-term real estate mortgages.
- 50-52-370 Nondiscrimination in lending and oth-
er services.
- 50-52-380 Nondiscriminatory advertising.

I, Mary Faulk, director of the Department of General Administration, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the establishment, operation and regulation of the Washington land bank, implementing the provisions of chapter 31.30 RCW.

This action is taken pursuant to Notice No. WSR 87-10-046 filed with the code reviser on May 5, 1987. 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 31.30.010 which directs that the director of the Department of General Administration has authority to implement the provisions of chapter 31.30 RCW.

50-52-390	Deferral of payments.
50-52-400	Basis of loan.
50-52-410	Borrower liability.
50-52-420	Loan terms and conditions.
50-52-430	Security requirements.
50-52-440	Appraisals.
50-52-450	Additional security.
50-52-460	Interest rates and charges policy.
50-52-470	Interest rates.
50-52-480	Interest on past due loans.
50-52-490	Other charges and fees.
50-52-500	Interest rate programs.
50-52-510	Participations.
50-52-520	Lending limits.
50-52-530	Computation of obligation for lending limit determination.
50-52-540	Notice of action on loan application.
50-52-550	Applicant's right to appeal.
50-52-560	Records.
50-52-570	Special lending programs.

BORROWING/SECURITIES/INVESTMENTS

50-52-580	Borrowings from commercial banks.
50-52-590	Borrowings from financial institutions other than commercial banks.
50-52-600	Resolution required.
50-52-610	Debt policy.
50-52-620	Securities issuance—Registration and disclosure.
50-52-630	Investments.
50-52-640	Debt to capital ratios requirements.

NEW SECTION

WAC 50-52-010 PURPOSE. The purpose of this chapter shall be to provide regulations for the implementation of chapter 31.30 RCW which was adopted as amended on March 5, 1986. This chapter shall establish requirements and guidelines necessary to comply with statutory provisions in establishing, incorporating, operating, and regulating the borrower-owned corporate entity to be known as the Washington land bank.

NEW SECTION

WAC 50-52-020 ESTABLISHMENT. The Washington land bank shall be patterned after the federal land banks organized under the Farm Credit Act of 1971, as amended, within state constitutional limits. The Washington land bank shall be an institution organized by eligible borrowers to provide long-term credit to farmers, ranchers, and producers of privately cultured aquatic products, and their close family members and affiliated legal entities as provided herein.

NEW SECTION

WAC 50-52-030 DEFINITIONS. (1) Person – A "person" means (a) an individual who is a citizen of the United States or who has been lawfully admitted into the United States for permanent residence and is so domiciled and is a bona fide resident of the state of Washington; or (b) a legal entity in which essentially all of the outstanding stock or equity and voting control is

directly or indirectly owned by, or held for the benefit of, a person or persons.

(2) Legal entity – A "legal entity" means any partnership, corporation, estate, trust, or other entity which is established pursuant to the laws of the United States, or any state thereof, including the Commonwealth of Puerto Rico or the District of Columbia, and which is legally vested with the authority to conduct a business.

(3) Affiliated legal entity – A legal entity in which essentially all of the voting stock or equity and voting control is directly or indirectly owned by, or held for the benefit of, a person.

(4) Bona fide farmer, rancher, or producer of privately cultured aquatic products – A person who owns and/or operates agricultural or aquacultural property, and is engaged, directly or through a close family member or an affiliated legal entity, in the production of agricultural products, including privately cultured aquatic products under controlled conditions.

(5) Close family member – Means a spouse, sibling, child, grandchild, parent, grandparent, fathers-in-law or mothers-in-law, and sons-in-law or daughters-in-law.

(6) "Supervisor" shall mean the supervisor of banking of the state of Washington.

(7) "Aquaculture" shall have the meaning set forth in RCW 15.85.020.

(8) "Aquatic farmer" shall have the meaning set forth in RCW 15.85.020.

(9) "Privately cultured aquatic product" shall have the meaning set forth in RCW 15.85.020.

ORGANIZATION AND POWERS**NEW SECTION**

WAC 50-52-040 INCORPORATORS. When authorized by the supervisor, as herein provided, the Washington land bank may be organized, in the manner herein prescribed, by any group of three or more persons eligible to borrow money from the bank. The bank shall not incorporate for a lesser amount nor commence business unless it has a paid-in capital stock, surplus and undivided profits in the amount as may be determined by the supervisor after consideration of the proposed location, management, the size and economic characteristics of the market area, the proposed activities and operation of the bank, and other factors deemed pertinent by the supervisor. The proposed bank shall, before commencing business, have subscribed and paid into it in the same manner as is required for capital stock, an additional amount equal to at least ten percent of the capital stock above required, which shall be carried in the undivided profit account and may be used to defray organization and operating expenses of the company. Any sum not so used shall be transferred to the capital stock of the bank before any dividend shall be declared to the stockholders.

NEW SECTION

WAC 50-52-050 NOTICE OF INTENTION TO ORGANIZE. Eligible persons desiring to incorporate the Washington land bank shall file with the supervisor a

notice of their intention to organize the bank containing the following information, which shall be organized and submitted under the following basic general headings or factors with appropriate supporting schedules, statements, and data:

(1) Financial history and condition.

(a) Pro forma statement of condition – beginning of business.

(b) Premises to be occupied by proposed bank. Detailed description of form of ownership, costs, from whom purchased or leased, insurance coverage, and estimated annual depreciation.

(c) Details as to proposed investment in and rental of furniture, fixtures, and equipment.

(d) Relationships and associations with proposed bank of any of the sellers or lessors of land, buildings, or equipment, either directly or indirectly.

(e) Organization expenses: A complete and detailed accounting is required for all income and expenses related to organization, including a detailed account of actual legal accounting and consulting expenses, together with any additional costs anticipated prior to opening or costs incurred or work performed during the organization period for which disbursement has been deferred beyond the opening date.

(2) Adequacy of the capital structure.

(a) Source of capital funds and proposed allocations within total capital structure.

(i) Amount of paid-in capital stock (No. shares x par value.)

(ii) Amount of paid-in surplus.

(iii) Amount of paid-in undivided profits.

(iv) Amount of other segregations, including the organization or expense fund, if planned.

(b) The adequacy of the proposed capital structure shall be discussed in the notice, and will be evaluated, in part, in relation to:

(i) The size and economic characteristics of the market to be served.

(ii) Ratio the projected net total capital structure will bear to the estimated volume of debt at the end of each of the first six years of operations.

(3) Future earnings prospects. A detailed projection of earnings and expenses is to be submitted showing the breakdown of income and expenses for each of the first six years of operations. Provision should be made for loan losses and a bad debt reserve based upon a realistic evaluation of anticipated losses to be sustained in each of the major types of loan demands the proposed bank expects to serve and total loans expected by the end of each of the first six years of operations.

(4) General character of management.

(a) A financial report and a biographical report of each proposed officer and director is required together with a report by each officer and director stating the proposed compensation of such officer, director, and any other financial interest such officer or director shall have or expect to have in the bank.

(b) The subscribers (proposed shareholders) for each class of stock are to be listed alphabetically with name and address, occupation and number of shares being

purchased indicated by number of shares being purchased indicated by number of shares and total subscription price. The list should indicate "D" for the directors designee, "O" for officers.

(c) For any subscribers for five percent or more of any class of the proposed capital stock, the same financial information shall be provided as is required for directors and officers.

(d) The membership of the committees of the directorate if any, are to be designated and duties outlined, including:

(i) Loan and/or executive committee.

(ii) Investment committee.

(iii) Audit committee.

(e) The notice shall state the amount of anticipated surety bond coverage and the basis upon which it was determined that this amount is sufficient and conforms with generally accepted banking practices.

(f) Any changes contemplated in the proposed directorate or active management during the first year are to be reported, or, if none, so state.

(5) Convenience and needs of the community to be served.

(a) Applicants have the responsibility of developing as fully as possible the proposed business plan, together with economic support and justification for the proposed bank, including the trade or market area which the proposed bank will serve (which will be the state of Washington), including the manner in which various regions, markets, and producers of particular agricultural products are to be served. This shall identify the location of branch offices or other direct sources of providing services to borrowers, such as agent banks or other agency or loan production offices.

(b) The notice shall state the total indebtedness anticipated, and the nature and term thereof anticipated during the early period of operations together with totals expected by the end of each of the first six years. To the extent relevant, the notice shall state the economic characteristics of the trade territory specified above for the most recent five-year period, including manufacturing, agricultural, and other industrial data, construction activity, retail and wholesale sales, housing starts, school population, census figures and projections.

(c) The notice shall provide information relevant to the economic characteristics of the agricultural community for the most recent five-year period, together with projections for the ensuing six-year period indicating support for and viability of the proposed bank. In the event an economic survey or feasibility study has been prepared it may provide much of the needed information.

(6) Articles and bylaws. The proposed articles of incorporation and bylaws for the bank shall be submitted as part of the notice.

Investigation. When the notice of intention to organize and propose articles of incorporation complying with the foregoing requirements have been received by the supervisor, together with the fees required by law, he shall ascertain from the best source of information at his command and by such investigation as he may deem necessary, whether the character, responsibility, and

general fitness of the persons named in such articles are such as to command confidence and warrant belief that the business of the proposed bank will be honestly and efficiently conducted in accordance with the intent and purpose of this chapter; whether the resources of the market to be served afford a reasonable promise of adequate support for the proposed bank; whether the operation of the bank in the manner proposed offers a reasonable promise of viability and continued financial safety and soundness of the proposed bank; and whether the proposed bank is being formed for other than the legitimate objects covered by this chapter.

Notice to file articles—Articles approved or refused—Hearing. After the supervisor shall have satisfied himself of the above facts, and, within three months of the date the notice of intention to organize has been received in his office, he shall notify the incorporators to file executed and acknowledged articles of incorporation with him in triplicate. Unless the supervisor otherwise consents in writing, such articles shall be in the same form and shall contain the same information as the proposed articles and shall be filed with him within ten days of such notice. Within ten days after the receipt of such articles of incorporation, he shall endorse upon each of the triplicates thereof, over his official signature, the word "approved," or the word "refused," with the date of such endorsement. In case of refusal he shall forthwith return one of the triplicates, so endorsed, together with a statement explaining the reason for refusal to the person from whom the articles were received, which refusal shall be conclusive, unless the incorporators, within ten days of the issuance of such notice of refusal, shall request a hearing pursuant to the Administrative Procedure Act, chapter 34.04 RCW, as now or hereafter amended.

Approved articles to be filed and recorded—Organization complete. In case of approval the supervisor shall forthwith give notice thereof to the proposed incorporators and file one of the triplicate articles of incorporation in his own office, and shall transmit another triplicate to the secretary of state, and the last to the incorporators. Upon receipt from the proposed incorporators of the same fees as are required for filing and recording other articles of incorporation the secretary of state shall file such articles and record the same. Upon the filing of articles of incorporation, approved as aforesaid by the supervisor, with the secretary of state, all persons named therein and their successors shall become and be a corporation, which shall have the powers and be subject to the duties and obligations prescribed by chapter 31.30 RCW and this chapter, and whose existence shall continue from the date of the filing of such articles for the term mentioned in its articles of incorporation unless sooner terminated pursuant to law; but such corporation shall not transact any business except as is necessarily preliminary to its organization until it has received a certificate of authority as provided herein.

Certificate of authority—Issuance—Contents. Before the Washington land bank shall be authorized to do business, and within ninety days after approval of the articles of incorporation, it shall furnish proof satisfactory to the supervisor that such corporation has a paid-

in capital in the amount fixed by its articles of incorporation, that any requisite surplus or reserve fund has been accumulated or paid in cash, and that it has in good faith complied with all the requirements of law and fulfilled all the conditions precedent to commencing business imposed by this title. If so satisfied, and within ten days after receipt of such proof, the supervisor shall issue under his hand and official seal, in triplicate, a certificate of authority for such corporation. The certificate shall state that the corporation therein named has complied with the requirements of law, that it is authorized to transact at the place designated in its articles of incorporation the business of the Washington land bank. One of the triplicate certificates shall be transmitted by the supervisor to the corporation and the other two shall be filed by the supervisor in the same offices where the articles of incorporation are filed and shall be attached to said articles of incorporation, and the one filed with the secretary of state shall be recorded.

Failure to commence business—Effect—Extension of time. In the event the Washington land bank shall have failed to organize and commence business within six months after the certificate of authority to commence business has been issued by the supervisor, it shall forfeit its rights and privileges as such corporation, which fact the supervisor shall certify to the secretary of state, and such certificate of forfeiture shall be filed and recorded in the office of the secretary of state in the same manner as the certificate of authority; however, the supervisor may, upon showing of cause satisfactory to him, issue an order under his hand and seal extending for not more than three months the time within which such organization may be effected and business commenced, such order to be transmitted to the office of the secretary of state and filed and recorded therein.

NEW SECTION

WAC 50-52-060 ARTICLES OF INCORPORATION. (1) The articles of incorporation shall set forth:

(a) The name of the corporation, which shall be "The Washington Land Bank."

(b) The period of duration, which may be perpetual or for a stated term of years.

(c) That the purposes for which the corporation is organized shall be to engage in the lending and borrowing of money and any or all lawful business which may be allowed to it under chapter 31.30 RCW, or subsequent amendments thereto.

(d) That the voting stock of the Washington land bank shall be held only by borrowers who are farmers or ranchers, which stock shall not be transferred, pledged, or hypothecated except to other eligible borrowers.

(e) The aggregate number of shares which the corporation shall have the authority to issue and if such shares are to be divided into classes, the number of shares of each class.

(f) If the shares are to be divided into classes, the designation of each class and a statement of the preferences, limitations, and relative rights in respect of the shares of each class.

(g) If the corporation is to issue the shares of any preferred or special class in series, then the designation

of each series and a statement of the variations in the relative rights and preferences as between series insofar as the same are to be fixed in the articles of incorporation, and a statement of any authority to be vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series.

(h) Any provision limiting or denying to shareholders the preemptive right to acquire additional shares of the corporation.

(i) The address of its initial registered office and the name of its initial registered agent at such address.

(j) The number of directors constituting the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting of shareholders or until their successors have been elected and qualified. Not less than a majority of such directors shall be persons eligible to borrow from the Washington land bank.

(k) The name and address of each incorporator.

(2) The articles shall be accompanied by a statement signed by each of the organizers of Washington land bank establishing his eligibility to borrow from the Washington land bank.

(3) In addition to the provisions required under this section, the articles of incorporation may also contain provisions not inconsistent with law regarding:

(a) The direction of the management of the business and the regulation of the affairs of the corporation;

(b) The definition, limitation, and regulation of the powers of the corporation, the directors, and the shareholders, or any class of the shareholders, including restrictions on the transfer of shares;

(c) The par value of any authorized shares or class of shares; and

(d) Any provision which under this title is required or permitted to be set forth in the bylaws.

NEW SECTION

WAC 50-52-070 ORGANIZATION MEETING OF DIRECTORS. After the issuance of the certificate of incorporation an organization meeting of the board of directors named in the articles of incorporation shall be held, either within or without this state, at the call of a majority of the directors named in the articles of incorporation, for the purpose of adopting bylaws, electing officers, and the transaction of such other business as may come before the meeting. The directors calling the meeting shall give at least three days' notice thereof by mail to each director so named, unless such notice is waived in writing, which notice shall state the time and place of the meeting. Any action permitted to be taken at the organization meeting of the directors may be taken without a meeting if each director signs an instrument which states the action so taken.

NEW SECTION

WAC 50-52-080 AMENDMENT TO ARTICLES OF INCORPORATION. With the approval of the supervisor, the Washington land bank may amend its articles of incorporation, from time to time, in any and as

many respects as may be desired, so long as its articles of incorporation as amended contain only such provisions as might be lawfully contained in original articles of incorporation at the time of making such amendment. Not less than ten days before the proposed adoption of any such amendments a written notice setting forth the proposed amendment shall be given to the supervisor for approval.

NEW SECTION

WAC 50-52-090 STOCK/VOTING STOCK. The Washington land bank shall have power to create and issue the number of shares stated in its articles of incorporation. Such shares may be divided into one or more classes with such designations, preferences, limitations, and relative rights as shall be stated in the articles of incorporation. Voting stocks shall be issued to and held only by borrowers who are farmers or ranchers or producers of privately cultured aquatic products, which stock shall not be transferred, pledged, or hypothecated except to other eligible borrowers.

NEW SECTION

WAC 50-52-100 ISSUANCE OF SHARES. Subject to any restrictions in the articles of incorporation:

(1) Shares may be issued for such consideration as shall be authorized by the board of directors.

(2) Upon authorization by the board of directors, the Washington land bank may issue its own shares in exchange for or in conversion of its outstanding shares, or distribute its own shares, pro rata to its shareholders or the shareholders of one or more classes or series, to effectuate stock dividends or splits, and any such transaction shall not require consideration. However, such issuance of shares of any class or series shall not be made to the holders of shares of any other class or series unless it is either expressly provided for in the articles of incorporation, or is authorized by an affirmative vote or the written consent of the holders of at least a majority of the outstanding shares of the class or series in which the distribution is to be made.

(3) The board of directors shall from time to time authorize the issuance of additional capital stock so that borrowers purchasing stock or participation certificates therein may be eligible for loans from the bank.

NEW SECTION

WAC 50-52-110 PAR VALUE—DETERMINATION OF PRICE—PAYMENT FOR SHARES. (1) The voting stock of Washington land bank shall be divided into shares of par value of not less than five dollars each.

(2) The capital stock of Washington land bank may be of such classes as its board of directors may determine.

(3) Consideration for shares may consist of cash, promissory notes, services performed, contracts for services to be performed, or any other tangible or intangible property. If shares are issued for other than cash, the board of directors shall determine the value of the consideration. Shares issued when the Washington land

bank received the consideration determined by the board are validly issued, fully paid, and nonassessable. A good faith judgment of the board of directors as to the value of the consideration received for shares is conclusive. Washington land bank may place shares issued for a contract for future services or a promissory note in escrow, or make other arrangements to restrict the transfer of the shares, and may credit distributions in respect of the shares against their purchase price, until the services are performed or the note is paid. If the services are not performed or the note is not paid, the shares escrowed or restricted and the distributions credited may be cancelled in whole or in part.

NEW SECTION

WAC 50-52-120 BYLAWS. The initial bylaws of Washington land bank shall be adopted by its board of directors. The power to alter, amend, or repeal the bylaws or adopt new bylaws, subject to repeal or change by action of the shareholders, shall be vested in the board of directors unless reserved to the shareholders by the articles of incorporation except that the power to amend any bylaw relating to compensation of officers or directors shall be reserved to shareholders. The bylaws may contain any provisions for the regulation and management of the affairs of Washington land bank not inconsistent with law or the articles of incorporation.

NEW SECTION

WAC 50-52-130 BYLAWS AND OTHER POWERS IN EMERGENCY. The board of directors of Washington land bank may adopt emergency bylaws, subject to repeal or change by action of the shareholders, operative during any emergency in the conduct of the business of Washington land bank resulting from an attack on the United States or any nuclear or atomic disaster. The emergency bylaws may make any provision that may be practical and necessary for the circumstances of the emergency.

NEW SECTION

WAC 50-52-140 MEETINGS OF SHAREHOLDERS. Meetings of shareholders may be held at such place within this state as may be stated in or fixed in accordance with the bylaws. If no place is stated or so fixed, meetings shall be held at the principal place of business of Washington land bank.

An annual meeting of the shareholders shall be held at such time as may be stated in or fixed in accordance with the bylaws. If the annual meeting is not held within any thirteen-month period the superior court may, on the application of any shareholder for a writ of mandamus, summarily order a meeting to be held.

Special meetings of the shareholders may be called by the board of directors, the holders of not less than one-tenth of all the shares entitled to vote at the meeting, or such other persons as may be authorized in the articles of incorporation or the bylaws.

NEW SECTION

WAC 50-52-150 NOTICE OF SHAREHOLDER MEETINGS. Written notice stating the place, day, and hour of the meeting and, in case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten or more than fifty days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail addressed to the shareholder at his address as it appears on the stock transfer books of Washington land bank with postage thereon prepaid.

NEW SECTION

WAC 50-52-160 RECORD OF SHAREHOLDERS ENTITLED TO VOTE. The officer or agent having charge of the stock transfer books for shares of Washington land bank shall make, at least ten days before each meeting of shareholders, a complete record of the shareholders entitled to vote at such meeting or any adjournment thereof, arranged in alphabetical order, with the address of and the number of shares held by each, which record, for a period of ten days prior to such meeting, shall be kept on file at the registered office of Washington land bank. Such record shall be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting for the purposes thereof.

Failure to comply with the requirements of this section shall not affect the validity of any action taken at such meeting.

An officer or agent having charge of the stock transfer books who shall fail to prepare the record of shareholders, or keep it on file for a period of ten days, or produce and keep it open for inspection at the meeting, as provided in this section, shall be liable to any shareholder suffering damage on account of such failure to the extent of such damage.

NEW SECTION

WAC 50-52-170 QUORUM OF SHAREHOLDERS. (1) A quorum at a meeting of shareholders is constituted by the representation in person or by proxy of:

(a) The percentage of shares entitled to vote set forth in the articles of incorporation, except that no such percentage shall be less than ten percent; or

(b) In the absence of any provision in the articles of incorporation, a majority of shares entitled to vote.

(2) If a quorum is present, the affirmative vote of the majority of the shares represented at the meeting and entitled to vote on the subject matter shall be the act of the shareholders, unless the vote of a greater number or voting by classes is required by this title or the articles of incorporation or bylaws.

NEW SECTION

WAC 50-52-180 VOTING OF SHARES. A shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney-in-fact. No proxy shall be valid after eleven months from the date of its execution, unless otherwise provided in the proxy. Unless the articles of incorporation otherwise provide, at each election for directors every shareholder entitled to vote at such election shall have the right, in person or by proxy, to cast one vote for as many persons as there are directors to be elected and for whose election he has a right to vote, or to cumulate his votes by giving one candidate as many votes as the number of such directors shall equal, or by distributing such votes on the same principle among any number of such candidates.

Shares standing in the name of a corporation, domestic or foreign, may be voted by such officer, agent, or proxy as the bylaws of such corporation may prescribe, or, in the absence of such provision, as the board of directors of such corporation may determine.

Shares held by an administrator, executor, guardian or conservator may be voted by him, either in person or by proxy without a transfer of such shares into his name. Shares standing in the name of a trustee may be voted by him, either in person or by proxy, but no trustee shall be entitled to vote shares held by him without a transfer of such shares into his name.

Shares standing in the name of a receiver may be voted by such receiver, and shares held by or under the control of a receiver may be voted by such receiver without the transfer thereof into his name if authority so to do be contained in an appropriate order of the court by which such receiver was appointed.

A shareholder whose shares are pledged shall be entitled to vote such shares until the shares have been transferred into the name of the pledgee, and thereafter the pledgee shall be entitled to vote the shares so transferred.

NEW SECTION

WAC 50-52-190 BOARD OF DIRECTORS. All corporate powers shall be exercised by or under authority of, and the business and affairs of Washington land bank shall be managed under the direction of, a board of directors. Directors shall be residents of this state and not less than a majority of the directors shall be persons eligible to borrow from the Washington land bank. The articles of incorporation or bylaws may prescribe other qualifications for directors. The shareholders shall have authority to fix the compensation of directors, which shall be set forth in the bylaws.

NEW SECTION

WAC 50-52-200 DUTIES OF DIRECTORS. A director shall perform the duties of a director, including the duties as a member of any committee of the board upon which the director may serve, in good faith, in a manner such director believes to be in the best interests of Washington land bank, and with such care, including

reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

In performing the duties of a director, a director shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by:

(1) One or more officers or employees of Washington land bank whom the director believes to be reliable and competent in the matter presented;

(2) Counsel, public accountants, or other persons as to matters which the director believes to be within such person's professional or expert competence; or

(3) A committee of the board upon which the director does not serve, duly designated in accordance with a provision in the articles of incorporation or bylaws, as to matters within its designated authority, which committee the director believes to merit confidence; so long as, in any such case, the director acts in good faith, after reasonable inquiry when the need therefor is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

NEW SECTION

WAC 50-52-210 NUMBER AND ELECTION OF DIRECTORS. The board of directors of Washington land bank shall consist of five or more members. The number of directors shall be fixed by the articles of incorporation. The number of directors may be increased or decreased from time to time by amendment to or in the manner provided in the articles of incorporation, but no decrease shall have the effect of shortening the term of any incumbent director nor shall the number of directors be reduced to less than five. The names and addresses of the members of the first board of directors shall be stated in the articles of incorporation. Such personnel shall hold office until the first annual meeting of shareholders, and until their successors shall have been elected and qualified. At the first annual meeting of shareholders and at each annual meeting thereafter the shareholders shall elect directors to hold office until the next succeeding annual meeting, except in case of the classification of directors as permitted by this title. Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified.

NEW SECTION

WAC 50-52-220 CLASSIFICATION OF DIRECTORS. In lieu of electing the whole number of directors annually, the articles of incorporation may provide that the directors be divided into either two or three classes, each class to be as nearly equal in number as possible, the term of office of directors of the first class to expire at the first annual meeting of shareholders after their election, that of the second class to expire at the second annual meeting after their election, and that of the third class, if any, to expire at the third annual meeting after their election. At each annual meeting after such classification the number of directors equal to the number of the class whose term expires at the time of such meeting shall be elected to hold office until the

second succeeding annual meeting, if there be two classes, or until the third succeeding annual meeting, if there be three classes. No classification of directors shall be effective prior to the first annual meeting of shareholders.

NEW SECTION

WAC 50-52-230 VACANCIES. Any vacancy occurring in the board of directors may be filled by the affirmative vote of a majority of the remaining directors though less than a quorum of the board of directors. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office. Any directorship to be filled by reason of an increase in the number of directors may be filled by the board of directors for a term of office continuing only until the next election of directors by the shareholders.

NEW SECTION

WAC 50-52-240 REMOVAL OF DIRECTORS. At a meeting of shareholders called expressly for that purpose, directors may be removed in the manner provided in this section. Any director of the entire board of directors may be removed, with or without cause, by a vote of the holders of a majority of the shares then entitled to vote at an election of directors.

If less than the entire board is to be removed, no one of the directors may be removed if the votes cast against his removal would be sufficient to elect such director if then cumulatively voted at an election of the entire board of directors, or, if there be classes of directors, at an election of the class of directors of which such director is a part.

Whenever the holders of the shares of any class are entitled to elect one or more directors by the provisions of the articles of incorporation, the provisions of this section shall apply, in respect to the removal of a director or directors so elected, to the vote of the holders of the outstanding shares of that class and not to the vote of the outstanding shares as a whole.

NEW SECTION

WAC 50-52-250 QUORUM OF DIRECTORS.

(1) Except as provided in subsection (2) of this section:

(a) A majority of the number of directors fixed by the articles of incorporation shall constitute a quorum for the transaction of business.

(b) The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors, unless the act of a greater number is required by the articles of incorporation or the bylaws.

(2) A transaction with Washington land bank in which a director or an officer has a direct or indirect interest shall be authorized, approved, or ratified only in the manner prescribed for approval of a loan to such director in chapter 50-52 WAC, and only directors with no direct or indirect interest in the transaction shall be eligible to vote thereon.

NEW SECTION

WAC 50-52-260 DISSENT BY DIRECTORS. A director of Washington land bank who is present at a meeting of its board of directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his dissent shall be entered in the minutes of the meeting or unless he shall file this written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the secretary of the Washington land bank immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such action.

NEW SECTION

WAC 50-52-270 EXECUTIVE AND OTHER COMMITTEES. If the articles of incorporation or the bylaws so provide, the board of directors, by resolution adopted by a majority of the full board of directors, may designate from among its members an executive committee and one or more other committees each of which, to the extent provided in such resolution or in the articles of incorporation or the bylaws of the corporation, shall have and may exercise all the authority of the board of directors, except that no such committee shall have the authority to: (1) Authorize distributions, except at a rate or in periodic amount determined by the board of directors, (2) approve or recommend to shareholders actions or proposals required by this title to be approved by shareholders, (3) fill vacancies on the board of directors or any committee thereof, (4) amend the bylaws, or (5) appoint other committees of the board of directors or the members thereof.

NEW SECTION

WAC 50-52-280 PLACE AND NOTICE OF DIRECTORS' OR DESIGNATED COMMITTEE MEETINGS—PRESENCE. Meetings of the board of directors, regular or special, shall be held within the state of Washington.

Regular meetings of the board of directors or of any committee designated by the board of directors may be held with or without notice as prescribed in the bylaws. Special meetings of the board of directors or any committee designated by the board of directors shall be held upon such notice as is prescribed in the bylaws. Attendance of a director or a committee member at a meeting shall constitute a waiver of notice of such meeting, except where a director or a committee member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors or any committee designated by the board of directors need be specified in the notice or waiver of notice of such meeting unless required by the bylaws.

LENDING

Except as may be otherwise restricted by the articles of incorporation or bylaws, members of the board of directors or any committee designated by the board of directors may participate in a meeting of such board or committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at a meeting.

NEW SECTION

WAC 50-52-290 LOANS TO DIRECTORS—GUARANTEES OF OBLIGATIONS OF DIRECTORS. (1) The Washington land bank may not lend money to, or lend money upon the guaranty of, or guarantee the obligation of, a director of the bank unless the particular loan or guarantee is approved by the affirmative vote of at least a majority of the directors of the Washington land bank. Neither the benefited director nor any other director having a direct or indirect interest in the transaction may vote for approving such a loan.

(2) The fact that a loan is made to or guaranteed by a director in violation of this section does not affect the borrower's or guarantor's liability on the loan.

NEW SECTION

WAC 50-52-300 OFFICERS. The officers of Washington land bank 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.

NEW SECTION

WAC 50-52-310 REMOVAL OF OFFICERS. Any officer or agent may be removed by the board of directors whenever in its judgment the best interests of Washington land bank will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of an officer or agent and shall not of itself create contract rights.

NEW SECTION

WAC 50-52-320 BOOKS, RECORDS AND MINUTES. Washington land bank shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its shareholders and board of directors, and shall keep at its registered office or principal place of business, or at the office of its transfer agent or registrar, a record of its shareholders, giving the names and addresses of all shareholders and the number and class of the share held by each. Any books, records, and minutes may be in written form or any other form capable of being converted into written form within a reasonable time.

NEW SECTION

WAC 50-52-330 ELIGIBILITY. (1) To be eligible to borrow, a person must be a bona fide farmer, rancher, or producer of privately cultured aquatic products, as defined in WAC 50-52-030(4), which status shall be established as a part of the application for credit.

(2) When the borrower does not own the real estate pledged as collateral, the loan shall be made on the following basis:

(a) The borrower must be a bona fide farmer or rancher.

(b) The loan shall be secured by the agricultural land on which the borrower is farming.

(c) The land shall be leased to the borrower on a long term basis.

(d) The owner of the land shall sign a hypothecation agreement for the purpose of securing the bank's interest in the collateral for the loan.

(3) A legal entity shall meet the requirements in subsection (1) of this section and the following qualifications to be eligible to borrow:

(a) A majority of the shares of its outstanding voting stock or equity must be owned by the individuals conducting the farming, livestock, or aquatic operation.

(b) It shall own assets primarily related to the production of agricultural products or production of privately cultured aquatic products.

(c) A majority of its income must originate from its production of agricultural products or production of privately cultured aquatic products.

(4) A legal entity engaged in agriculture or production of privately cultured aquatic products for the primary purpose of conducting its operation at a loss to absorb taxable income from nonagricultural or nonaquatic sources shall not be eligible. The legal entity shall demonstrate compliance with this subsection.

NEW SECTION

WAC 50-52-340 COMBINED OPERATIONS. Where applications include a combination of farming or producing privately cultured aquatic products, the determination of eligibility can be made on the basis of the criteria set out for either or any combination of these operations.

NEW SECTION

WAC 50-52-350 ASSUMPTION OF LOANS. Loans made by the Washington land bank may be assumed by a person eligible to borrow from the Washington land bank. Loans may not be assumed without the prior approval of the Washington land bank. A person proposing to assume a loan shall submit an application in the form designated by the board of directors. In approving or denying approval of such assumption, the Washington land bank shall apply the same standards applied by the Washington land bank to comparable loans then being made by Washington land bank.

NEW SECTION

WAC 50-52-360 LONG-TERM REAL ESTATE MORTGAGES. Washington land bank may make, or participate with other lenders in, only long-term loans to eligible farmers, ranchers, or producers of privately cultured aquatic products, as defined in WAC 50-52-030(4), for a term of not less than five years nor more than forty years, which loans must be secured by a first lien in real property located in the state of Washington, conveyed to Washington land bank by mortgage executed by all parties necessary, in the opinion of Washington land bank counsel, for the proper conveyance thereof. Subject to limitations applicable to making long-term real estate mortgage loans, Washington land bank may make continuing commitments to make such loans under specified circumstances. Policies established by the bank's board shall be followed in making loans and in making commitments for loans. Borrowers shall be permitted to make advance payments on their loans or, under agreement with Washington land bank, to make advance conditional payments for the purpose of establishing reserves to pay off the loan upon maturity or to make these funds available to the borrowers as needed. Washington land bank may pay interest on advance conditional payments at a rate not to exceed the rate charged on related loans.

NEW SECTION

WAC 50-52-370 NONDISCRIMINATION IN LENDING AND OTHER SERVICES. Washington land bank shall not, because of the race, color, religion, national origin, sex or marital status, or age (provided the applicant has the capacity to contract) of an eligible person, deny a loan, or refuse to allow, receive, or consider any application, request, or inquiry with respect to a loan, or refuse to perform any other service it customarily makes available to borrowers, applicants, and members, or discriminate in fixing the amount, interest rate, duration, application procedures, collection or enforcement procedures, or other terms or conditions of a loan or other service on any such basis.

NEW SECTION

WAC 50-52-380 NONDISCRIMINATORY ADVERTISING. Washington land bank advertising shall not use words, phrases, symbols, directions, forms, or models in such advertising which imply or suggest a policy of discrimination or exclusion in violation of the provisions of Title VIII of the Civil Rights Act of 1968.

NEW SECTION

WAC 50-52-390 DEFERRAL OF PAYMENTS. With the approval of the Washington land bank, during the first five years after the loan is originated, the borrower may elect to defer payment of all or any portion of the principal or interest due from the borrower if the following conditions are met:

(1) If approved, deferral of such payment shall be made on the date such payment is due during the first five years after the loan is originated.

(2) The deferral of such payment shall not cause or allow the principal and accrued interest on the outstanding loan, including interest accruing during the period of deferral, to exceed sixty-five percent of the original appraised value or the current appraised value of the collateral, whichever is less. Values of the collateral shall be determined according to the appraisal standards set forth in WAC 50-52-440.

(3) The borrower shall notify Washington land bank of its intention to defer payments not more than ninety nor less than thirty days prior to making such election, and shall have received approval of such deferral in writing. If the outstanding principal and accrued interest exceeds, or would during the deferral period exceed, sixty-five percent of the appraised value, the borrower shall make partial payments until such principal, accrued interest, and interest which will accrue during the deferral period are reduced to comply with subsection (2) of this section. Application of such payments shall be first made against accrued interest and any other charges or fees and then to reduction of outstanding principal.

(4) The repayment of the principal amount and all interest accrued and to accrue, including any and all interest charges or fees earned during the period of deferral and thereafter, shall be recomputed and amortized over a term equal to the original term of the loan. Interest rate or rates may vary from time to time during the repayment period of the loan, in accordance with the interest rates and charges policy set forth in WAC 50-52-460.

(5) In connection with a request to defer repayment, the borrower shall provide to Washington land bank such current financial statements, budgets and projections, current land appraisal and other loan documentation as Washington land bank may require.

NEW SECTION

WAC 50-52-400 BASIS OF LOAN. Loans made by the Washington land bank shall be made on the basis of long-term profitability rather than short-term cash flow. For this purpose, the term "long-term profitability" shall mean the ability of the borrower to repay the money borrowed and all accrued interest and the charges during the term of the loan as written including deferral periods as allowed herein, from the borrower's existing resources and from reasonably anticipated future income and resources based upon the borrower's demonstrated abilities, as disclosed by the loan application and supporting documentation. The board of directors shall establish written lending policies, which shall set forth the criteria which shall be applied in granting or extending credit, and the relative weight to be accorded to each factor. The factors shall include, in addition to collateral value, the ability and willingness of the borrower to meet the repayment terms, the borrower's financial condition, the borrower's reputation, and the borrower's earning projections from farming operations and other sources. Lending policies shall include provisions for adequate collateral and loan documentation.

NEW SECTION

WAC 50-52-410 **BORROWER LIABILITY.** All primary borrowers shall be fully liable for loans obtained from Washington land bank. Where personal guaranty is required, each guarantor shall be fully liable unless the primary borrower or other guarantors provide adequate financial strength to result in a sound loan even though the personal liability of an individual guarantor may be limited.

NEW SECTION

WAC 50-52-420 **LOAN TERMS AND CONDITIONS.** (1) Loans may be made for not less than five years nor more than forty years. The written loan approval prepared by Washington land bank shall set out the terms and conditions under which a loan is approved. To assure proper understanding, provide needed controls, and protect the lender, a formal written loan agreement shall be entered into between the borrower and the bank. The Washington land bank may participate in loans with other lenders, provided that such loans would be lawful loans if made directly by Washington land bank.

(2) The outstanding loan balance, including all accrued and unpaid interest, costs, and fees, on any loan shall not at any time during the life of the loan exceed sixty-five percent of the appraised value established by the appraisal of the primary real estate security made at the time the loan was originated or at the time of any subsequent deferral of payment, whichever is less. This shall not, however, prohibit the Washington land bank from advancing taxes, advancing insurance premiums with respect to the real estate, capitalizing past due interest, rescheduling loan payments, or granting partial releases of security interests in the real estate when, (a) there is adequate collateral to support the total amount of the outstanding debt without exceeding the sixty-five percent loan to value ratio, and such action will increase the ability of the debtor to repay the debt, or, (b) if there is not adequate collateral to support the debt, litigation is in process for the collection of the debt, the actions are in connection with such litigation, and the actions are considered by Washington land bank to be necessary to protect the financial interest of Washington land bank in the collateral.

NEW SECTION

WAC 50-52-430 **SECURITY REQUIREMENTS.** The primary security for a Washington land bank loan shall consist of a first lien on interests in real estate located in the state of Washington comprising agricultural property, or real estate used as an integral part of an eligible aquatic operation. The real estate interest must be mortgageable under deeds or leases which would allow the bank to have first lien security interest in the property and all parties who are necessary, in the opinion of Washington land bank counsel, for the proper conveyance of a first mortgage on said property shall join in the execution of all necessary instruments. Fixtures which are an integral part of, and normally sold with, the real estate may be included in the appraised value of property upon which the loan is based, provided that

Washington land bank shall receive a first lien in such fixtures. The board of directors shall develop policies to assure that the appraised value of nonagricultural assets such as mineral deposits, commercial buildings, and improvements are properly identified in the report.

NEW SECTION

WAC 50-52-440 **APPRAISALS.** Appraised value shall be the basis for valuing all collateral. The board of directors shall establish written appraisal standards for the Washington land bank, which shall be utilized in determining the present value of the property. Value shall be determined by a qualified appraiser, as established by the board of directors, utilizing methods and procedures generally recognized in the industry for determining the fair market value of real estate. All appraisal reports or values shall be rendered in writing, setting forth the appraiser's opinion as to value and the basis, including all relevant facts and assumptions, upon which such value is determined.

NEW SECTION

WAC 50-52-450 **ADDITIONAL SECURITY.** When necessary to protect the interest of the Washington land bank after a loan has been made, or to prevent default in the repayment or allow reasonable forbearance in collection of a delinquent loan, additional security may be required to supplement primary real estate security. Such additional security shall be considered only for additional collateral protection, and may not be included as part of the value of the security upon which the loan or any deferral is based. Recovery value shall be the basis for measuring the collateral worth of such additional security. Recovery value is defined as the anticipated sale price expected to be received in a liquidation sale of such collateral, less any selling or maintenance costs and any prior liens and encumbrances.

NEW SECTION

WAC 50-52-460 **INTEREST RATES AND CHARGES POLICY.** In setting rates and charges, it shall be the objective to provide the types of credit needed by eligible borrowers at the lowest reasonable cost on a sound business basis, taking into account the cost of money, necessary reserves and expenses, capital requirements, and services provided to borrowers and members.

NEW SECTION

WAC 50-52-470 **INTEREST RATES.** Loans made by Washington land bank shall bear interest at a rate or rates as may be determined by the board of directors. The board shall set interest rates or establish in writing the basis for the setting of rates by management. Any interest rate plan shall set loan-pricing policies and objectives, provide guidance regarding the circumstances under which management may adjust rates, and provide the upper and lower limits on management authority. The board of directors may not delegate its ultimate responsibilities for setting interest rates, and any interest

rate plan adopted shall be reviewed on at least a quarterly basis by the bank's board, as well as in conjunction with its review and approval of the bank's annual fiscal plan and long-range financial plan.

NEW SECTION

WAC 50-52-480 INTEREST ON PAST DUE LOANS. Provisions may be made in the approved interest rate program for the collection of interest at a higher rate after maturity of a loan or installment if provision is made in the note or loan document.

NEW SECTION

WAC 50-52-490 OTHER CHARGES AND FEES. Washington land bank may impose reasonable charges or fees in connection with loans, deferral of payments, and other services rendered.

NEW SECTION

WAC 50-52-500 INTEREST RATE PROGRAMS. (1) The following types of interest rate programs may be employed:

(a) Fixed rates. The rate of interest specified in the note or loan document shall be the rate chargeable to the borrower during the period of the loan.

(b) Variable rates. The interest rate(s) on outstanding loan balances may be changed from time to time during the period of the loan, if appropriate provisions are made in the note or loan document.

(c) Fixed interest spread. Interest rates shall be expressed in terms of a percentage to be added to the cost of money to the Washington land bank.

(2) Differential rates. Differential interest rates may be established for loans based on type, purpose, amount, quality, funding, or operating costs, any combination of these factors, or such other factors as may be approved by the board of directors.

NEW SECTION

WAC 50-52-510 PARTICIPATIONS. Washington land bank may enter into loan participation agreements with one or more other lenders, including Federal Land Banks existing under the Farm Credit Act of 1971, as amended, provided the loan participation results in significantly beneficial or improved loan terms or conditions or services to the borrower which could not be obtained as a result of a direct loan. Such benefits to the borrower shall be documented in the loan file. All participations must be in loans which, in all respects, would be lawful for Washington land bank to make.

NEW SECTION

WAC 50-52-520 LENDING LIMITS. The total amount of loans, advances, commitments, financial assistance, or other extension of credit, including the purchase of loan participation(s) and the retained portion of any participations sold without recourse, which Washington land bank may have outstanding to any one borrower shall not exceed twenty percent of the capital and surplus of the bank.

NEW SECTION

WAC 50-52-530 COMPUTATION OF OBLIGATION FOR LENDING LIMIT DETERMINATION. The obligation of an individual or legal entity shall be the total unpaid principal amount of loans or extensions of credit by Washington land bank which the individual or entity is liable to repay, including any direct or indirect advance of funds to a person made on a basis of any obligation of that person to repay the funds, or repayable from specific property pledged by or on behalf of a person. The term "loans or extension of credit" includes a renewal, modification, or extension of the maturity date of a loan or extension of credit but shall include only that portion of any participation loans held by the Washington land bank.

NEW SECTION

WAC 50-52-540 NOTICE OF ACTION ON LOAN APPLICATION. Every applicant for a loan from Washington land bank is entitled to a prompt notice of action on his application and, if the loan is denied or reduced, the reason for such action.

NEW SECTION

WAC 50-52-550 APPLICANT'S RIGHT TO APPEAL. An applicant who has reason to believe he was denied credit or was offered credit in a reduced amount because Washington land bank failed to take into account facts pertinent to his application, or misinterpreted or failed to properly apply the rules and regulations governing his application, shall be entitled to an informal hearing. That informal hearing shall be in person before the loan committee, or officer, or employee of Washington land bank authorized to act on that application. The applicant must make the request for such a hearing in writing within thirty days of notice of the original action. Promptly after such a hearing he shall be notified of the decision reached and the reasons therefor.

NEW SECTION

WAC 50-52-560 RECORDS. Washington land bank shall maintain a complete file of all such written requests for hearing, along with all other written inquiries from applicants or borrowers concerning credit denials.

NEW SECTION

WAC 50-52-570 SPECIAL LENDING PROGRAMS. To provide the best possible credit service to farmers, ranchers, and producers of cultured aquatic products, the board may adopt policies permitting Washington land bank to enter into agreements with other entities, including cooperative associations, to facilitate the making of loans to eligible farmers, ranchers, and producers of privately cultured aquatic products. Entities who are the originating lenders shall be responsible for the servicing of the loans they make. However, loan participation agreements may designate specific

loan servicing efforts to be accomplished by a participating institution. The board of directors shall direct Washington land bank to adopt loan servicing policies and procedures to assure that loans will be serviced fairly and equitably for the borrower while minimizing the risk for Washington land bank. Procedures shall include specific plans which help preserve the quality of loans and which help resolve credit deficiencies as they develop.

BORROWING/SECURITIES/INVESTMENTS

NEW SECTION

WAC 50-52-580 BORROWINGS FROM COMMERCIAL BANKS. The board of directors by resolution, shall authorize all commercial bank borrowings.

NEW SECTION

WAC 50-52-590 BORROWINGS FROM FINANCIAL INSTITUTIONS OTHER THAN COMMERCIAL BANKS. The Washington land bank may borrow from other financial institutions, such as insurance companies, thrift institutions or other public or private sources upon such terms and in such amounts as may be determined by the board of directors.

NEW SECTION

WAC 50-52-600 RESOLUTION REQUIRED. The board of directors shall by resolution authorize the issuance of notes, bonds, debentures, and similar obligations in such amounts as may be required to meet the Washington land bank's needs. Such resolution shall specify the maximum amount of obligations which shall be outstanding at any one time, as well as the amount, maturities, and rates of interest in each issue, and shall authorize the president of the bank, the executive committee or appropriate officers to do all things necessary and proper to issue such obligations.

NEW SECTION

WAC 50-52-610 DEBT POLICY. The board of directors shall adopt a written policy regarding the management of its debt, and the sources of funding for the repayment of such debt.

NEW SECTION

WAC 50-52-620 SECURITIES ISSUANCE—REGISTRATION AND DISCLOSURE. In connection with the offering or sale of any "security," as defined by RCW 21.20.005(12) or any federal securities law, the Washington land bank shall comply with the provisions of the Securities Act of Washington, chapter 21.20 RCW, and any other applicable federal or state securities law.

NEW SECTION

WAC 50-52-630 INVESTMENTS. Washington land bank is authorized to hold investment portfolios for the purposes of maintaining sufficient liquidity, investing short-term surplus funds, and managing short-term

debt. The bank is not authorized to maintain investment portfolios primarily as a means of generating additional income.

The board of directors shall adopt a policy regarding the management of its investments. Within this policy, the following items shall be addressed:

- (1) The purpose of the bank's investments.
- (2) The portfolio objectives.
- (3) The bank's liquidity needs.
- (4) The portfolio size and quality.
- (5) Maturity guidelines.
- (6) Authorization to manage investment activities.
- (7) Reporting and monitoring requirements.

Additional areas may be addressed in the policy as deemed appropriate.

NEW SECTION

WAC 50-52-640 DEBT TO CAPITAL RATIOS REQUIREMENTS. Washington land bank shall not incur aggregate liabilities exceeding twelve times its capital and surplus.

The term "capital and surplus" as used in this section, represents total net worth including undistributed earnings or losses but excluding valuation reserves and liability reserves. The term "aggregate liabilities" as used in this section, represents all amounts owed to others.

WSR 87-13-031

RULES OF COURT

STATE SUPREME COURT

[June 10, 1987]

IN THE MATTER OF THE ADOPTION OF GR 12 NO. 25700-A-399 ORDER

The Board of Governors of the Washington State Bar Association having proposed GR 12 and having determined that the Rule will aid in the prompt and orderly administration of justice and having further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

- (a) That the Rule as attached hereto is adopted.
- (b) That pursuant to the emergency provisions of GR 9(i), the Rule will be published expeditiously in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 10th day of June, 1987.

Keith M. Callow

Robert F. Utter

James A. Andersen

Robert F. Brachtenbach

Fred H. Dore

Wm. C. Goodloe

James M. Dolliver

Durham, J.

PROPOSED NEW RULE

GENERAL RULES (GR)

RULE 12

WASHINGTON STATE BAR ASSOCIATION:
PURPOSES

(a) Purposes; In General. The Purposes of the Washington State Bar Association (referred to in this rule as the Bar Association) shall be to promote and aid in the effective administration of justice; to assist in the admission and discipline of members of the Bar Association; to foster and maintain high standards of competence, professionalism and ethics among its members; to promote the availability of legal services to all in need; to advise the public and its officials in matters relevant to these purposes and the professional interests of the Bar Association; to promote respect and understanding for our legal system; to promote the creation of voluntary associations of lawyers concerned with their members' professional interests; to carry on programs of legal research and education; to provide a forum for the discussion of subjects pertaining to jurisprudence and the practice of law; to foster camaraderie among members of the Bar Association and good will between the Bar Association and the public; to promote the independence of the Bar Association and the judiciary of which it is a part; and to promote the interests of the legal profession.

(b) Specific Activities Authorized. Among the specific Bar Association activities authorized by this rule and these stated Purposes are:

(1) The regulation of those persons who seek admission to practice law, including the administration of examinations and the review of applicants' fitness and character to practice law;

(2) The regulation and administration of lawyer discipline;

(3) Providing a forum for the discussion of subjects pertaining to the practice of law, law reform and jurisprudence;

(4) Sponsoring, conducting and participating with qualified organizations in programs of continuing legal education;

(5) Carrying on research in fields of substantive law, practice and procedure, and making reports and recommendations thereon;

(6) Conducting audits of lawyer trust accounts;

(7) Maintaining, in its discretion, a program to indemnify clients in whole or in part against losses caused by dishonesty of active members of the Bar Association, or by failure of such member to account properly for funds entrusted to such member;

(8) Maintaining, in its discretion, a program for the aid and rehabilitation of impaired lawyers;

(9) Sponsoring and maintaining committees, sections and divisions whose activities relate to the Purposes stated herein;

(10) Providing communications of interest and utility to lawyers and the public and disseminating information about Bar Association activities, interests and positions;

(11) Monitoring, reporting on and reporting to public officials about matters of interest to the Bar Association;

(12) Maintaining a legislative liaison who shall keep the Bar Association informed about new and proposed legislation and who shall, from time to time, inform public officials about positions and concerns of the Bar Association;

(13) Maintaining and fostering programs of public information and education about the law;

(14) Maintaining and fostering programs to promote good will among the members of the Bar Association and between the Bar Association and the public;

(15) Allocating and disbursing funds, in its discretion, so that these Purposes may be effectively and efficiently discharged.

(c) Activities Not Authorized. Among the specific actions which this rule and these Purposes do not authorize are:

(1) Taking positions on issues concerning the politics or social positions of foreign nations;

(2) Taking positions on political or social issues which do not relate to or affect the practice of law or the administration of justice;

(3) Supporting or opposing, in an election, candidates for public office.

WSR 87-13-032

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Order 1934—Filed June 12, 1987]

I, C. Alan Pettibone, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to schedule of laboratory fees, WAC 16-32-010.

I, C. Alan Pettibone, 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 laboratory has been obtaining their reagents for the Bluetongue test from National Veterinary Services Laboratory at no cost ever since the test was introduced. Effective this May, they have discontinued supplying these items, as a private source is now available. Since these items now cost approximately \$1.10 per test, we are requesting a revision in our fee schedule to adjust this cost.

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

This rule is promulgated pursuant to RCW 16.38.060 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 June 12, 1987.

By Michael V. Schwisow
Deputy Director

AMENDATORY SECTION (Amending Order 1928, filed 5/8/87)

WAC 16-32-010 SCHEDULE OF LABORATORY FEES. (1) The following fees shall be charged for services performed by the diagnostic laboratory of the livestock services division, state department of agriculture, for Washington residents:

Bacteriology:

Aerobic culture (1-3 tissues).....	\$ 7.00
each additional culture.....	2.00
Antibiotic sensitivity tests.....	3.00
Anaerobic culture.....	10.00
Paratuberculosis (Johne's disease).....	10.00
each additional sample in herd.....	3.00
Milk culture.....	7.00
each additional sample in herd.....	2.00
Mycology.....	10.00
Trichomoniasis and Campylobacteriosis.....	5.00

Serology:

Charges include paired sera (acute and convalescent) from each animal for diagnostic purposes. The fee for single samples for regulatory purposes is one-half that of the paired sera.

Food animal:

Single virus or bacteria

1st animal.....	5.00
each additional animal in herd.....	(1.00)
	<u>2.00</u>

Combination tests:

Abortion screen, <u>diagnostic only</u> (Leptospirosis, Campylobacteriosis, Bluetongue, Anaplasmosis)	
1st animal.....	15.00
each additional animal in herd.....	(1.00)
	<u>2.00</u>

Companion animals:

Viral - 1st animal (EIA).....	10.00
each additional animal, same case.....	1.00
Bacterial (Brucella canis, Leptospirosis)	
1st animal.....	15.00
each additional animal, same case.....	1.00

(2) The following fees shall be charged for services performed by the diagnostic laboratory of the livestock services division, state department of agriculture, for persons residing outside of the state of Washington:

Bacteriology:

Aerobic culture (1-3 tissues).....	\$ 10.00
each additional culture.....	3.00
Antibiotic sensitivity tests.....	4.00
Anaerobic culture.....	15.00
Paratuberculosis (Johne's disease).....	15.00
each additional sample in herd.....	4.00
Milk culture.....	10.00
each additional sample in herd.....	3.00

Mycology.....	15.00
Trichomoniasis and Campylobacteriosis.....	(2.00)
	<u>7.00</u>

Serology:

Charges include paired sera (acute and convalescent) from each animal for diagnostic purposes. The fee for single samples for regulatory purposes is one-half that of the paired sera.

Food animal:

Single virus or bacteria

1st animal.....	8.00
each additional animal in herd.....	2.00

Combination tests:

Abortion screen, <u>diagnostic only</u> (Leptospirosis, Campylobacteriosis, Bluetongue, Anaplasmosis)	
1st animal.....	30.00
each additional animal in herd.....	3.00
Viral - 1st animal (EIA).....	15.00
each additional animal, same case.....	3.00
Bacterial (Brucella canis, Leptospirosis)	
1st animal.....	23.00
each additional animal, same case.....	3.00

WSR 87-13-033

**NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF COMMUNITY DEVELOPMENT
(Emergency Response Commission)
[Memorandum—June 12, 1987]**

An Emergency Response Commission meeting will be held at 9:00 a.m. on June 16, 1987, at the Division of Emergency Management, 4220 East Martin Way, in Olympia.

WSR 87-13-034

**PROPOSED RULES
STATE PATROL
(Commission on Equipment)
[Filed June 12, 1987]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Patrol intends to adopt, amend, or repeal rules concerning the definition of the rule-making authority currently known as the Commission on Equipment.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 27, 1987.

The authority under which these rules are proposed is RCW 46.37.005.

The specific statute these rules are intended to implement is chapter 46.37 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 27, 1987.

Dated: June 12, 1987

By: Lieutenant LaVere E. Klewin
Secretary, Commission on Equipment

STATEMENT OF PURPOSE

Title: WAC 204-08-010 Definition.

Definition of Purpose: To amend the definition of "commission" to reflect legislative intent contained in ESHB 454.

Statutory Authority: RCW 46.37.005.

Specific Statute Rule is Intended to Implement: Chapter 46.37 RCW.

Summary of Rule: Changes name of enabling authority from commission, Commission on Equipment or State Commission on Equipment to the chief of the Washington State Patrol.

Reasons Supporting Proposed Action: Implementation of legislation.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Sergeant [Lieutenant] LaVere E. Klewin, phone 753-6569.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Washington State Patrol, governmental.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: This amendment will have little, if any, impact on the public or other governmental agencies. The primary fiscal impact will be minimal and involve stationery and form changes.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: N/A.

AMENDATORY SECTION (Amending Order 7760, filed 7/27/78)

WAC 204-08-010 DEFINITION. (~~"Commission" wherever used herein shall mean the state commission on equipment as established in RCW 46.37.005.~~) Whenever used in this title "commission," "commission on equipment," and "state commission on equipment" means the chief of the Washington state patrol.

WSR 87-13-035

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 87-55—Filed June 12, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, 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 chinook 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 June 12, 1987.

By Judith Merchant
for Joseph R. Blum
Director

NEW SECTION

WAC 220-36-02500A CHEHALIS RIVER—TRIBAL FISHERY. Notwithstanding the provisions of WAC 220-36-025, effective immediately until further notice, it is unlawful for any person, including treaty Indian fishermen, to fish for or possess foodfish taken for any purpose from the waters of the Chehalis River upstream from the Porter Bridge except that fishermen possessing tribal fishing rights from the Chehalis Tribe may fish for salmon with one net less than six and one-half inch mesh during the following 1987 period:

8:00 P.M. June 14 to 8:00 a.m. to June 15, 1987

Any unattended fishing gear must be identified to the fishermen. Fishermen must have tribal fishing identification cards in possession. Failure to comply with the provisions of this section is a violation of the Fisheries Code.

WSR 87-13-036

ADOPTED RULES

OFFICE OF ADMINISTRATIVE HEARINGS

[Order 5—Filed June 15, 1987]

I, David R. LaRose, director of the Office of Administrative Hearings, do promulgate and adopt at Olympia, Washington, the annexed rules relating to teleconference hearing section of uniform procedural rules for the conduct of contested cases, amending WAC 10-08-180.

This action is taken pursuant to Notice No. WSR 87-09-038 filed with the code reviser on April 14, 1987. 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 34.12.080, 34.04.020 and 34.04.022 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 June 15, 1987.

By D. R. LaRose
Chief Administrative Law Judge

AMENDATORY SECTION (Amending Order 3, filed 11/1/82)

WAC 10-08-180 TELECONFERENCE HEARINGS. (1) The presiding officer, with the concurrence of the agency, may conduct all or part of the hearing by telephone, television, or other electronic means, if each participant in the hearing has an opportunity to participate in, to hear, and, if technically feasible, to see the entire proceeding while it is taking place(,), provided the following conditions are met:

(a) A hearing held for the Department of Social and Health Services in the Aid to Families with Dependent Children program under title IV-A and the adult categories under titles I, X, XIV or XVI of the Social Security Act or in the food stamp disqualification program under 7 CFR 273.16 may be scheduled as a teleconference hearing only if the notice of hearing informs the applicant/recipient of his or her right to convert the hearing to an in-person hearing by notifying the presiding officer at least one week prior to the hearing that he or she chooses to have the hearing conducted in person. Such notification to the presiding officer may be given by telephone or mail directed to the presiding officer or given to the local community services office of the Department of Social and Health Services for transmittal to the presiding officer. The applicant/recipient is not required to show good cause for choosing an in-person hearing.

(b) In proceedings other than those described in subsection (a) ((T)) the presiding officer shall grant the motion of any party showing good cause for having the hearing conducted in person at a rescheduled time.

(2) Documentary evidence shall be submitted in advance as provided in WAC 10-08-140(2).

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 87-13-037
EMERGENCY RULES
OFFICE OF MINORITY AND
WOMEN'S BUSINESS ENTERPRISES
 [Order 87-1—Filed June 15, 1987]

I, Ralph C. Ruff, director of the Office of Minority and Women's Business Enterprises, do promulgate and adopt at 406 South Water, Olympia, WA, the annexed rules relating to goals for 1987-88, WAC 326-30-039.

I, Ralph C. Ruff, 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 goals for 1987-88 must be adopted by June 15, 1987, and distributed to state agencies and educational institutions prior to June 30, 1987, in accord with WAC 326-30-030.

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

This rule is promulgated pursuant to chapter 39.19 RCW 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 June 15, 1987.

By Ralph C. Ruff
 Director

NEW SECTION

WAC 326-30-039 GOALS FOR 1987-88. The annual overall goals for each state agency and educational institution for each of the following classes of contracts for the period July 1, 1987 through June 30, 1988, shall be:

Construction/Public Works	10% MBE	6% WBE
Architect/Engineering	10% MBE	6% WBE
Purchased Goods and Services	8% MBE	4% WBE
Other Consultants	10% MBE	4% WBE

These MWBE participation goals are based on the state agency's or educational institution's total contracts subject to this chapter within each of the above noted classes of contracts, less excluded contracts.

WSR 87-13-038
PROPOSED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)
 [Filed June 15, 1987]

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 356-42-020	Determination of bargaining unit.
New	WAC 356-42-042	Election provisions—General.
Amd	WAC 356-42-043	Union shop requirements.
Amd	WAC 356-42-045	Union shop elections.
New	WAC 356-42-049	Disclaimer of interest petition—Decertification of exclusive representative.
Amd	WAC 356-42-055	Arbitration—Grievance—Procedure.
Amd	WAC 356-42-082	Filing unfair labor practice charge.
Amd	WAC 356-42-084	Answer to complaint—Unfair labor practice.
New	WAC 356-42-105	Requests for mediation and arbitration.
Amd*	WAC 356-42-020	Determination of bargaining unit.
Amd*	WAC 356-42-082	Filing unfair labor practice charge.
Amd*	WAC 356-42-084	Answer to complaint—Unfair labor practice;

that the agency will at 10:00 a.m., Thursday, July 9, 1987, in the Board Hearings Room, Department of Personnel, 600 South Franklin, 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 41.06.040.

The specific statute these rules are intended to implement is RCW 41.06.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 7, 1987.

This notice is connected to and continues the matter in Notice Nos. WSR 87-10-036 and *87-11-034 filed with the code reviser's office on May 1, 1987, and *May 18, 1987.

Dated: June 12, 1987

By: Leonard Nord
Secretary

WSR 87-13-039
ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 277—Filed June 15, 1987—Eff. August 1, 1987]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA 98504, that it does adopt the annexed rules relating to Accrued vacation leave disposition—Computation—How made, amending WAC 356-18-100.

This action is taken pursuant to Notice No. WSR 87-11-035 filed with the code reviser on May 18, 1987. These rules shall take effect at a later date, such date being August 1, 1987.

This rule is promulgated pursuant to RCW 41.06.150 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 June 11, 1987.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 231, filed 9/18/85)

WAC 356-18-100 ACCRUED VACATION LEAVE DISPOSITION—COMPUTATION—HOW MADE. (1) When an employee separates from service by reason of resignation with adequate notice, layoff, dismissal, retirement or death, he or she is entitled to a lump sum payment of unused vacation leave. The compensation shall be computed by using the formula published by the office of financial management. No contributions are to be made to the department of retirement systems (DRS) for lump sum payment of excess vacation leave accumulated under the provisions of WAC 356-18-095(2), nor shall such payment be reported to the DRS as compensation.

(2) Employees may defer the payment of their accumulated vacation leave for which otherwise entitled for a period of 30 working days if the separation resulted from

a reduction in force and there is a reasonable probability of reemployment, or if the separation resulted from employees returning to classified positions from exempt positions under the provision of RCW 41.06.070(22), 41.06.100, or WAC 356-06-055. Seasonal career employees, as defined in WAC 356-05-380, may defer payment of their accumulated vacation leave during the period between consecutive employment cycles.

(3) If employees are paid for the accumulated vacation leave and are reemployed within the period of time represented by the number of days for which vacation pay was received, employees must return the payment for the remaining vacation days. Employees will be credited with the number of vacation days represented by the returned payments at the rate of their last salary.

(4) The separation cited in subsection (2) of this section will not be regarded as a break in service for purposes of computing the rates of crediting vacation leave prescribed in WAC 356-18-090, provided the employees return to employment other than by certification from the open competitive register.

WSR 87-13-040
ADOPTED RULES
DEPARTMENT OF PERSONNEL
(Personnel Board)

[Order 278—Filed June 15, 1987—Eff. August 1, 1987]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to requirements for applicants, examinees, and eligibles, amending WAC 356-34-090.

This action is taken pursuant to Notice No. WSR 87-10-035 filed with the code reviser on May 1, 1987. These rules shall take effect at a later date, such date being August 1, 1987.

This rule is promulgated pursuant to RCW 41.06.150 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 June 11, 1987.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 271, filed 2/24/87)

WAC 356-34-090 PROTESTS—REQUIREMENTS FOR APPLICANTS, EXAMINEES, AND ELIGIBLES. (1) An applicant whose application has been rejected; an examinee who feels that the ((score or)) examination is unfair, ((-in error;)) or not applied ((-or arrived at)) uniformly, or that the score is in error or not uniformly derived; an eligible whose name has been removed from the register; or an applicant who is

not appointed following a background inquiry and review conducted pursuant to WAC 356-26-140 may request a review by the director of personnel or designee. The request must be in writing and ~~((fited))~~ received at the director of personnel's office within ~~((fifteen))~~ twenty calendar days following the postmarked date of the notification of the application rejection, examination score, removal from the register, or the appointing authority's decision.

(2) The director of personnel or designee shall notify the party requesting a review of the date and place of the review at least ten calendar days prior to the review. The review shall be informal and conducted by the director of personnel or designee. The director of personnel or designee may limit attendance of other interested parties if good order, justice, and fairness will be promoted. Within ten calendar days following the review and the receipt of any additional necessary information, the director of personnel or designee shall issue a written determination and send a copy to each of the participating parties.

(3) An adversely affected party may request a hearing of the personnel board to review the determination of the director of personnel or designee. The request for a personnel board hearing must be in writing and ~~((fited))~~ received at the director of personnel's office within ~~((fifteen))~~ twenty calendar days following the postmarked date of the notification of the director's or designee's determination. A hearing before the personnel board shall be scheduled and each party shall be afforded not less than ten calendar days' notice. The personnel board will issue a written decision which will be final.

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 87-13-041
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed June 15, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning reasonable handling fee for dishonored checks in payment of vehicle licenses, etc., new section WAC 308-04-020;

that the agency will at 9:00 a.m., Tuesday, July 28, 1987, in the Second Floor Conference Room, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 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 46.01.230(3) (section 2, chapter 302, Laws of 1987).

The specific statute these rules are intended to implement is RCW 46.01.230(3) (section 2, chapter 302, Laws of 1987).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 28, 1987.

Dated: June 15, 1987
 By: Sandra Brooks
 Administrator

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To set a reasonable handling fee pursuant to RCW 46.01.230(3) (section 2, chapter 302, Laws of 1987) not to exceed ten dollars for dishonored checks in payment of vehicle licenses, etc.

Statutory Authority: RCW 46.01.230(3) (section 2, chapter 302, Laws of 1987).

Summary of the Rules: New section WAC 308-04-020, Reasonable handling fee for dishonored checks in payment of vehicle licenses, etc.

Reason Proposed: To implement RCW 46.01.230(3) (section 2, chapter 302, Laws of 1987).

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing and enforcing these rules: David T. Kirk, Assistant Director, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, (206) 753-6914 comm, 234-6914 scan; and Sandra Brooks, Administrator, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, (206) 753-6920 comm, 234-6920 scan.

Proponents: State of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

NEW SECTION

WAC 308-04-020 REASONABLE HANDLING FEE FOR DISHONORED CHECKS IN PAYMENT OF VEHICLE LICENSES, ETC. Whenever registrations, licenses, or permits relating to the licensing of vehicles or vessels have been paid for by checks that have been dishonored by nonacceptance or nonpayment, a handling fee, in an amount not to exceed ten dollars may be assessed for each such instrument. County auditors, agents, and subagents, appointed or approved by the director pursuant to RCW 46.01.140, may collect restitution, and where they have collected restitution may retain the reasonable handling fee.

WSR 87-13-042
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed June 15, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning examination appeal procedures, new section WAC 308-26-025;

that the agency will at 10:00 a.m., Friday, July 24, 1987, in the 1st Floor Exam Room, 1300 Quince Street Building, 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 43.24.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 24, 1987.

Dated: June 10, 1987

By: Robert VanSchoorl
Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To prescribe procedures for appealing for review of failed portions of the dispensing optician examination.

Statutory Authority: RCW 43.24.060.

Summary of the Rules: WAC 308-26-025 Examination appeal procedures.

Reason Proposed: To better enable the Department of Licensing to serve the public interest and to safeguard public health, safety and welfare.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing and enforcing these rules: Bob VanSchoorl, Assistant Director, Business and Professions Administration, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 753-2241 comm, 234-2241 scan; Delores Spice, Program Manager, Business and Professions Administration, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 753-1761 comm or 321-1761 scan; and Bob Nicoloff, Examination Unit, Business and Professions Administration, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 586-1979 comm or 321-1979 scan.

Proponents: State of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

NEW SECTION

WAC 308-26-025 EXAMINATION APPEAL PROCEDURES.
(1) Any candidate who takes the state examination for licensure and does not pass may request informal review by the dispensing optician examining committee of his or her examination results. This request must be in writing and must be received by the department within thirty (30) days of the postmark of notification of the examination results. The committee will not set aside its prior determination unless the candidate shows conclusive evidence of error in examination content or procedure, or bias, prejudice, or discrimination in the examination process. The committee will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(2) The procedure for filing an informal review is as follows:

(a) Contact the Department of Licensing office in Olympia for an appointment to appear personally to review incorrect answers on the written portion of failed examination, and score sheets on the failed practical portion of the examination.

(b) The candidate will be provided a form to complete in the Department of Licensing office in Olympia in defense of examination answers.

(c) The candidate must specifically identify the challenged portion(s) of the examination and must state the specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the examining committee.

(e) The candidate may not bring in notes or texts for use while completing the informal review form.

(f) The candidate will not be allowed to take any notes or materials from the office upon leaving.

(g) The examining committee will schedule a closed session meeting to review the examinations, score sheets and forms completed by the candidate for the purpose of informal review.

(h) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before the dispensing optician examining committee pursuant to the administrative procedures act. Such written request for hearing must be received by the Department of Licensing within twenty (20) days of the postmark of the result of the committee's informal review of the examination results. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate feels the results of the examination should be changed. The examining committee will not set aside its prior determination unless the candidate shows conclusive evidence of error in examination content or procedure, or bias, prejudice, or discrimination in the examination process. The committee will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(4) Before the hearing is scheduled either party may request a prehearing conference before an administrative law judge to consider the following:

(a) The simplification of issues;

(b) Amendments to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate feels the results of the examination should be changed;

(c) The possibility of obtaining stipulations, admission of facts and documents;

(d) The limitation of the number of expert witnesses;

(e) A schedule for completion of all discovery; and,

(f) Such other matters as may aid in the disposition of the proceeding.

(5) In the event there is a prehearing conference, the administrative law judge shall enter an order which sets forth the actions taken at the conference, the amendments allowed to the pleading and the agreements made by the parties of their qualified representatives as to any of the matters considered, including the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least twenty (20) days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the bases for his or her challenge of the examination results unless amended by a prehearing order. The issues raised by the applicant at the formal hearing shall be limited to those issues raised by the applicant for consideration at the informal review unless amended by a prehearing order.

WSR 87-13-043
PROPOSED RULES
PUBLIC WORKS BOARD
 [Filed June 16, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Public Works Board intends to adopt, amend, or repeal rules concerning application evaluation procedure and board deliberations as found currently in WAC 399-30-040;

that the agency will at 8:30 a.m., Tuesday, August 4, 1987, in the Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, 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 43.155.040(4).

The specific statute these rules are intended to implement is RCW 43.155.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before 5:00 p.m., Monday, August 3, 1987.

Dated: June 15, 1987

By: Robert C. Anderson
 Chair

STATEMENT OF PURPOSE

Title: WAC 399-30-040 Application evaluation procedure and board deliberations.

Statutory Authority and Specific Statute the Rule is Intended to Implement: RCW 43.155.040(4) to implement RCW 43.155.070.

Summary of the Rule and Statement of the Reasons Supporting the Proposed Action: To revise the procedures by which applications for loans from the public works assistance account will be considered, evaluated and prioritized.

Person Responsible for Drafting, Implementation and Enforcement of the Rules: Robert C. Anderson, Chair, Public Works Board, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, phone (206) 586-0490.

Name of the Organization Proposing the Rule: Public Works Board.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: These rules are necessary to carry out the intent of chapter 43.155 RCW, which creates the Public Works Board and authorizes it to make low-interest or interest-free loans for public works projects that meet the legislation's criteria and standards.

Whether the Rule is Necessary as the Result of Federal Law or Federal or State Court Action: No.

Small Business Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Resolution No. 86-12, filed 8/21/86)

WAC 399-30-040 APPLICATION EVALUATION PROCEDURE AND BOARD DELIBERATIONS. (1) The board will consider and prioritize, or disapprove, all applications for loans or financing guarantees at regular or special meetings of the board. The applicant will be notified of meetings at which its application will be considered.

(2) Applications will be evaluated and prioritized in accordance with the following procedures:

(a) Staff will log in all applications as received.

(b) Staff will review all applications for compliance with the minimum qualification requirements of WAC 399-30-030(2) (~~(in application Form A)~~). Jurisdictions whose applications do not meet the minimum qualification requirements will be notified in writing of the disqualification.

(c) Staff will perform a preliminary evaluation of all applications which meet the requirements of WAC 399-30-030(2). Applications will be scored according to the number of points awarded for responses provided in the statements of local effort and project need.

(i) Up to (~~(two hundred fifty)~~) thirty-eight points may be awarded in the evaluation of each application's demonstration of need for the proposed project(~~(-A)~~). Responses to questions (~~(+0)~~) 12 through (~~(+2)~~) 19 will be evaluated to determine this score.

(~~(+B)~~) Up to two hundred and forty-five points may be awarded in the evaluation of the extent and severity of public works problems provided in applicant responses to questions 10 through 13 and 16 through 21. Extent and severity referred to include health and safety, emergency needs, high maintenance and operation costs and community and regional benefit.

(~~(+C)~~) (ii) Up to (~~(five)~~) two points may be awarded in the evaluation of coordinated projects provided in applicant responses to question (~~(+4)~~) 20.

(~~(+D)~~) (iii) Up to (~~(two hundred)~~) sixty points may be awarded in the evaluation of the applicant jurisdiction's demonstration that it is making a reasonable effort to meet its public works needs(~~(-A)~~). Responses to questions (~~(+2)~~) 21 through (~~(+3)~~) 53 will be evaluated to determine this score.

(~~(+E)~~) In the case of nonrate-based projects, up to one hundred and fifty points may be awarded in the evaluation of the management initiatives undertaken by applicant jurisdictions provided in applicant responses to questions 22 through 26.

(~~(+F)~~) In the case of nonrate-based projects, up to fifty points may be awarded in the evaluation of local option tax measures charged by applicant jurisdictions provided in applicant responses to questions 27, 28, 29, 30 and 31.

(~~(+G)~~) In the case of rate-based projects, up to one hundred points may be awarded in the evaluation of the management initiatives undertaken by applicant jurisdictions provided in applicant responses to questions 22 through 26.

(~~(+H)~~) In the case of rate-based projects, up to one hundred points may be awarded in the evaluation of user rates charged by applicant jurisdictions provided in applicant responses to questions 27, 28, and 32 through 38.)

(d) Staff will provide the board with preliminary evaluation and scoring of the applications(~~(-including a summary of each proposal)~~). All application materials will be available to the board for their deliberations. The board will develop a ranked list of projects based on the information provided to them by the staff and the applications.

(e) The board will then adjust the ranked list in consideration of the following factors:

(i) Geographical balance;

(ii) Economic distress;

(iii) Type of projects;

(iv) Type of jurisdiction;

(v) Other criteria that the board considers advisable.

(f) Staff will verify critical information on each project as required by the board.

(g) The board will not accept oral testimony from any applicant while deliberating loan priorities, other than information requests initiated by the board as provided in (h) of this subsection.

(h) The board may consult ((on any issue it wishes to address,)) with officials of jurisdictions having projects on the list recommended for funding on any issue it wishes to address.

(3) Applicants will be notified in writing of board decisions.

WSR 87-13-044
ADOPTED RULES
STATE BOARD OF EDUCATION
 [Order 13-87—Filed June 16, 1987]

Be it resolved by the State Board of Education, acting at the Kelso High School, Kelso, Washington, that it does adopt the annexed rules relating to Professional certification—Preparation requirements, chapter 180-79 WAC.

This action is taken pursuant to Notice No. WSR 87-09-093 filed with the code reviser on April 22, 1987. 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 28A.70.005 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 May 29, 1987.

By Monica Schmidt
 Secretary

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-065 CERTIFICATE LAPSE, RENEWAL, AND REINSTATEMENT. (1) Initial certificate.

(a) The initial certificate may be renewed once for a three-year period on application and verification that the individual has completed all course work requirements for continuing certification or has completed at least fifteen quarter hours (ten semester hours) of course work since the initial certificate.

(b) The initial certificate may be reinstated for two three-year periods on application and verification that the individual has completed all course work requirements for continuing certification or has completed at least fifteen quarter hours (ten semester hours) of course work since the issuance, renewal, or reinstatement, whichever is later, of the affected certificate.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987 and who applied for such certificates prior to July 1, 1988 or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and who complete such requirement and apply for such certificate prior to August 31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if

the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC.

(3) Recency of training. If an applicant for an initial certificate has not previously held a Washington or other state professional certificate and has not completed fifteen quarter (ten semester) hours of course work within the seven years immediately preceding application for such initial certificate, he/she will be required to complete fifteen quarter (ten semester) hours of course work prior to receipt of an initial certificate.

AMENDATORY SECTION (Amending Order 4-87, filed 4/3/87)

WAC 180-79-075 CERTIFICATE ENDORSEMENT. Professional education certificates shall be endorsed as follows:

(1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s): PROVIDED, That notwithstanding provisions of this chapter to the contrary, applicants who have completed all requirements for continuing teaching certificates pursuant to WAC 180-79-060 prior to August 31, 1987, and whose certificates are applied for prior to July 1, 1988, and applicants who have completed all requirements except one of the three-year experience requirement for continuing teaching certificates pursuant to WAC 180-79-060 and who complete such requirement and apply for such certificates prior to August 31, 1988, and applicants who complete the requirements for standard certificates or continuing certificates pursuant to WAC 180-80-705 shall receive no endorsements.

(2) Educational staff associate certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates shall identify the field of specialization (principal, program administrator, superintendent) by endorsement.

Principals' certificates shall be endorsed for grades preschool-9, 4-12, or preschool-12.

(4) In order to change or add an endorsement to any certificate, the candidate must complete an application, pay the certification fee, and submit verification of completion of the necessary requirements.

WSR 87-13-045
ADOPTED RULES
GAMBLING COMMISSION
 [Order 168—Filed June 16, 1987]

Be it resolved by the Washington State Gambling Commission, acting at Colville, Washington, that it does adopt the annexed rules relating to amendatory section WAC 230-20-064.

This action is taken pursuant to Notice No. WSR 87-09-041 filed with the code reviser on April 14, 1987. 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 chapter 9.46 RCW 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 June 12, 1987.

By Ronald O. Bailey
Director

AMENDATORY SECTION (Amending Order 151, filed 6/14/85)

WAC 230-20-064 MAXIMUM RECEIPTS, PRIZES, AND EXPENSES FOR BINGO GAMES—NET INCOME REQUIRED. Bingo is to be conducted as a social pastime and for the raising of funds to support the purpose(s) of the organization only. Bona fide charitable or nonprofit organizations licensed to operate bingo must comply with the following limitations:

(1) Gross receipts from the sale of bingo cards shall not exceed the limits by class of license for the license year as set out in WAC 230-04-201 and Table 1. below. Any organization not currently licensed to conduct bingo at any class and applying for a Class "F" or above license shall submit with its license application a pro forma plan of operation including a market study with: Planned attendance; prices; prize payout schedules; and net income predictions; and any other information requested by the commission.

(2) To prevent the payment of prizes in such amounts that would significantly reduce net income, prize payouts as percentages of gross receipts shall not exceed the percentages listed in Table 1. by class of license. Any licensee who exceeds the maximum calendar quarter prize

payout limit for its class of license by more than two percentage points (2.0%) in any month and/or exceeds its calendar quarter limits during any quarter must report to the commission, no later than 15 days following the end of the month or quarter.

(3) To insure that licensees meet the intent of RCW 9.46.010 and to prevent the payment of excessive expenses, adjusted net income as a percentage of gross receipts shall not be less than the percentage listed in Table 1. by class of license for any calendar year. Any licensee who reports net income more than two percentage points (2.0%) below the minimum calendar year requirement for its class during any quarter must report to the commission additional information as required.

(4) All administrative procedures, policies, and definitions required to administer this section shall be approved by the commission, and furnished to all affected licensees. Prize payout limits, net income minimum requirements, and administrative procedures will be reviewed annually to measure the effect of this section on the licensed organizations. The annual review shall be held at the March meeting which by law must be held in Olympia and/or periodically by request of the commission with proper and timely notification to the staff.

(5) During the Commission's study on MAXIMUM LIMITATIONS on bingo income, an organization may exceed the class K gross receipts limitation if the organization has been in compliance for the last 12 months with all class K requirements set forth in Table 1. This authorization will only be issued to those organizations who voluntarily agree to donate 14% of all gross income generated in excess of \$3,500,000 to a charitable organization of their choice. Provided: The donation may not be given to an auxiliary or to another bingo licensee class E and above. Provided Further: All donations made after the effective date of this amendment may be counted as a credit towards the 14% requirement. This section will terminate on December 31, 1987.

Table 1.

License Class	Annual Gross Receipts	Calendar Year Prize Payout Limits	Calendar Quarter Prize Payout Limits	Calendar Year Adjusted Net Income Minimum Requirements
A	Up to \$ 10,000	No Limits	No Limits	None
B	\$ 10,001- 50,000	No Limits	No Limits	None
C	50,001- 100,000	No Limits	No Limits	None
D	100,001- 300,000	No Limits	No Limits	None
E	300,001- 500,000	No Limits	No Limits	None
F	500,001- 1,000,000	83.0 - 80.0%	84.0%	4.0 - 5.0%
G	1,000,001- 1,500,000	80.0 - 78.0%	81.0%	5.0 - 7.0%
H	1,500,001- 2,000,000	78.0 - 76.0%	79.0%	7.0 - 9.0%
I	2,000,001- 2,500,000	76.0 - 74.0%	77.0%	9.0 - 11.0%
J	2,500,001- 3,000,000	74.0 - 72.0%	75.0%	11.0 - 13.0%
K	3,000,001- 3,500,000	72.0 - 70.0%	73.0%	13.0 - 14.0%

WSR 87-13-046
PROPOSED RULES
GAMBLING COMMISSION
 [Filed June 16, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning new section WAC 230-40-401;

that the agency will at 10:00 a.m., Friday, August 14, 1987, in Chelan, 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 chapter 9.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 14, 1987.

Dated: June 16, 1987
 By: Ronald O. Bailey
 Director

STATEMENT OF PURPOSE

Title: New section WAC 230-40-401, Hours limited for card games.

Description of Purpose: To authorize card room operation beyond 2:00 a.m.

Statutory Authority: RCW 9.46.070(11).

Summary of Proposed Rules and Reasons Supporting Action: To allow card rooms to be opened beyond 2:00 a.m. with local law enforcement approval. Proponent argues the amendment would reduce illegal after hour card games.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Ronald O. Bailey, Director, and Frank L. Miller, Deputy Director, Jefferson Building, 1110 South Jefferson, Olympia, WA 98504, 234-1075 scan, 753-1075 comm.

Proponents and Opponents: This rule change was proposed by Mr. Darrell Lee, a licensed operator.

Agency Comments: The agency believes the proposed amendment and new rule are self-explanatory and need no further comment.

This amendment and new rule were not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined there may be an economic impact upon a certain number of licensees administered by this agency by the adoption of this amendment or new rule.

NEW SECTION

WAC 230-40-401 HOURS LIMITED FOR CARD GAMES - EXPERIMENTAL RULE. In an attempt by the Commission to determine whether or not allowing licensees to allow card games after 2:00 a.m. would be in the best interest of the public health, safety and welfare, this 6-Month Experimental Rule is adopted with the following conditions:

(1) Any licensee holding a license for a public card room or a social card room may petition the Commission staff to participate in an experiment to allow licensees to select 20 hours of operation other than

those hours from 6:00 a.m. to 2:00 a.m. as authorized in WAC 230-40-400.

(2) In the Petition, licensee shall include the following:

(a) The request shall be in writing and detail the hours of proposed operation and the proposed starting date. These proposed hours, if approved, shall not be changed without written permission from the Commission staff. The selected hours may be from 7:00 a.m. to 3:00 a.m., 8:00 a.m. to 4:00 a.m., or 9:00 a.m. to 5:00 a.m.

(b) The licensee shall include with the Petition a fee of \$500.00 for the right to participate in the experiment, which fee shall help offset additional expenses of the Commission in conducting the experiment.

(c) The licensee shall agree in writing to cooperate with the staff in answering any questions or providing any information or otherwise cooperating in such a way that the staff can prepare a complete report for the consideration of the Commission in its ultimate determination to continue the experiment, let the experiment lapse, or change the hours rule permanently.

(d) The licensee must provide to the Commission a letter from local law enforcement authorizing the licensee to participate in the experiment, and further providing that local law enforcement shall also cooperate with the Gambling Commission staff in providing the necessary information needed to prepare a report for the Commission.

(e) The licensee shall detail in the Petition what methods will be taken to physically secure the alcohol service area of the premise and/or the alcohol will not be purposefully or accidentally served or consumed after 2:00 a.m.

(f) The licensee shall acknowledge in writing that participation in the experiment may be cancelled by the Commission or the Director at any time effective upon receipt of oral or written notice.

(3) Upon receipt of the Petition, the staff may exercise its discretion to allow the licensee to participate in the experiment and in so exercising its discretion shall consider among other things the following factors:

(a) Will the licensee cooperate with staff in preparing the report for the Commission.

(b) Is it reasonably probable that the licensee can participate in the experiment without being in violation of the commercial stimulant rule.

(c) Does the licensee's plan to protect against alcohol service and consumption after 2:00 a.m. appear to be adequate.

(d) Has licensee paid the \$500.00 experiment participation fee.

(e) Has local law enforcement authorized the licensee to participate in the experiment, and will local law enforcement cooperate with staff in acquiring the information necessary for a full report to the Commission.

(4) Staff shall monitor each participant in the experiment and shall immediately cancel any licensee's right to continue to participate in the experiment upon a determination by the Director that further participation by the licensee is not in the best interest of the Gambling Commission, or might jeopardize the public's health, safety, and welfare.

(5) This experiment ends at the end of the sixth month after its effective date and thereafter all participants in the experiment will return to the operation hours as required in WAC 230-04-400 unless further rule changes are adopted. PROVIDED FURTHER the Commission or the Director may cancel this experiment and the right to conduct card games after 2:00 a.m. at any time as to all participants or as to any individual participant upon written or oral notice to the participant(s).

WSR 87-13-047
PROPOSED RULES
GAMBLING COMMISSION
 [Filed June 16, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning amendatory sections WAC 230-08-010, 230-08-170, 230-30-050, 230-30-070 and 230-30-075;

that the agency will at 10:00 a.m., Friday, August 14, 1987, in Chelan, 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 chapter 9.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 14, 1987.

Dated: June 16, 1987

By: Ronald O. Bailey
Director

STATEMENT OF PURPOSE

Title: Amendatory sections WAC 230-08-010 Monthly records; 230-08-170 Punchboard and pull tab retention; 230-30-050 Punchboard and pull tab operation; 230-30-070 Control of prizes; and 230-30-075 Minimum percentage of prizes for certain gambling activities.

Description of Purpose: To safeguard punchboard and pull tab operations in order to better protect the public.

Statutory Authority: RCW 9.46.070 (11) and (14).

Summary of Proposed Rules and Reasons Supporting Action: WAC 230-08-010 requires monthly records to be completed by the 15th of each month. It would create a better audit trail; 230-08-170 requires that all winners be retained, and reduces the retention period from 6 months to 4 months. It will create a better audit trail; 230-30-050 would require a minimum of 60% payout on punchboard and pull tab operations. It will stop a small percentage of operators from a payout of less than 60%; 230-30-070 would require a minimum of 60% payout on punchboard and pull tab operations. It will stop a small percentage of operators from a payout of less than 60%; and 230-30-075 would require a minimum of 60% payout on punchboard and pull tab operations. It will stop a small percentage of operators from a payout of less than 60%.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Ronald O. Bailey, Director, and Frank L. Miller, Deputy Director, Jefferson Building, 1110 South Jefferson, Olympia, WA 98504, 234-1075 scan, 753-1075 comm.

Proponents and Opponents: Gambling Commission staff proposes this rule amendment and new rule.

Agency Comments: The agency believes the proposed amendment and new rule are self-explanatory and need no further comment.

This amendment and new rule were not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined there will be an economic impact upon a certain number of licensees administered by this agency by the adoption of this amendment or new rule.

AMENDATORY SECTION (Amending Order 161, filed 9/15/86)

WAC 230-08-010 MONTHLY RECORDS. Every person or organization licensed to operate any authorized gambling activity shall keep and maintain permanent monthly records of all of the activities of

the licensee related to each licensed activity. These records must include all financial transactions and contain enough detail to determine compliance with the requirements of WAC 230-04-050 and 230-04-080. ~~((These records shall be kept separate for each month and))~~ The record for each licensed activity shall be a separate unit, covering all transactions occurring during a calendar month. These records shall be complete in every detail and available for audit or inspection by agents of the commission or other law enforcement personnel no later than fifteen (15) days following the end of each month. Each record shall include, but not necessarily be limited to, all details of the following:

(1) The gross gambling receipts from the conduct of each of the activities licensed.

(2) Full details on all expenses related to each of the activities licensed.

(3) The total cost of all prizes paid out for each of the activities licensed.

(4) With respect to those organizations licensed as qualified bona fide charitable or bona fide nonprofit organizations, except agricultural fairs, records shall clearly show in detail how those proceeds from each licensed activity obtained by the licensee were used or disbursed by that licensee.

(5) With respect to commercial stimulant licensees, records shall include at least the following details:

(a) Gross sales of food and drink for consumption on their licensed premises;

(b) Gross sales of food and drink for consumption off the licensed premises; and

(c) Gross sales from all other business activities occurring on the licensed premises.

(6) In addition to any other requirement set forth in these rules, licensees for the operation of punchboards and pull tabs shall be required to prepare a detailed monthly record for punchboards and pull tab series removed from play during that month. This detailed monthly record shall be recorded in a standard format prescribed by the commission and shall disclose for each set at minimum the following information:

(a) The name of the punchboard or pull tab series;

(b) The Washington state identification stamp number issued by the commission and placed thereon;

(c) The series number of each pull tab series or punchboard;

(d) The date placed out for play;

(e) The date removed from play;

(f) The total number of tabs in each pull tab series or the total number of punches in each punchboard;

(g) The number of pull tabs or punches remaining after removal from play;

(h) The number of pull tabs or punches played from the pull tab series or punchboard;

(i) The cost to the players to purchase one pull tab or one punch;

(j) The gross gambling receipts as defined in WAC 230-02-110;

(k) The total prizes paid, including both cash and merchandise (calculated by the cost to the licensee) prizes;

(l) The net gambling receipts (gross gambling receipts less total prizes paid);

(m) The cash over or short determined by (1) subtracting actual cash from net gambling receipts for punchboards and pull tabs which pay cash prizes, and (2) subtracting actual cash from gross receipts for punchboards and pull tabs which award merchandise prizes; and

(n) The actual cash received from the operation of each pull tab series or punchboard; and,

In the alternative, with written commission approval, licensees operating pull tabs may record (m) and (n) in total on a daily, weekly, or monthly basis.

(7) Copies of all additional financial data which support tax reports to any and all governmental agencies.

Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from this requirement as to any particular record or records.

AMENDATORY SECTION (Amending Order 140, filed 6/15/84)

WAC 230-08-170 PUNCHBOARD AND PULL TAB RETENTION. (1) Each punchboard which is removed from operation for any reason, except for surrender to the commission, shall be retained by the operator for at least ~~((six))~~ four months following the last day of operation of said board and the board so removed with the prize flare attached thereto, together with the winning punches ~~((of \$5 and above))~~

from said board, shall remain available for inspection by the commission or its agents and local law enforcement agencies and taxing agencies.

(2) Each pull tab series which is removed from operation for any reason, except for surrender to the commission, the prize display flare for that pull tab series containing the gambling commission identification stamp, together with the unused pull tabs and all winning pull tabs (~~(of \$5 and above)~~) in that series, shall be retained by the operator for at least (~~(six)~~) four months following the last day of operation of said pull tab series and remain available for inspection by the commission or its agents and local law enforcement and taxing agencies.

(3) Licensees shall account for each punchboard and pull tab series purchased. Punchboards or pull tab series not placed out for public play or returned to the distributor or manufacturer must be retained. A punchboard or pull tab series deemed by the licensee to be defective or unplayable, for any reason, shall not be returned to the distributor or manufacturer without the written approval of the gambling commission. When a punchboard or pull tab series is found to be defective after it has been put into play, the licensee will record the defective punchboard or pull tab series on the monthly report required by WAC 230-08-010 and retain for six months unless released by the gambling commission. All punchboards and pull tab series returned to distributors and manufacturers shall be listed by commission stamp number on an invoice used in connection with the transaction.

AMENDATORY SECTION (Amending Order 155, filed 3/14/86)

WAC 230-30-050 PUNCHBOARD AND PULL TAB OPERATION. (1) No person under the age of eighteen years and no person visibly intoxicated or visibly under the influence of any narcotic, shall be allowed to play or sell any punchboard or pull tab device. It shall be the responsibility of the licensee and the responsibility of the person physically operating the punchboard or pull tab device to determine that no unauthorized person is allowed to play or sell.

(2) No operator shall permit the display or operation of any punchboard or pull tab which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition, or operated in a manner, which may deceive the public or which affects the chances of winning or losing upon the taking of any chance thereon.

(3) If pull tabs are not sold out of a coin-operated vending machine, the entire series must be placed into a see-through container(s) prior to being offered for sale. In addition, the operator must display a sign in the immediate vicinity of the pull tab operation informing all players that pull tabs may be played from any location in the container(s).

(4) All records, reports and receipts relating to a punchboard or pull tab series in play must be retained on the licensed premises so long as the series or punchboard is in play and be made available on demand to law enforcement officers and representatives of the commission.

((4)) 5) When operators purchase merchandise to be used as prizes on punchboards or pull tab series from other than a licensed distributor, the following information must be on the invoice provided by the seller:

- (a) The date of purchase;
- (b) The company's name and adequate business address;
- (c) A full description of each item purchased;
- (d) The quantity of items purchased;
- (e) The cost per individual items purchased; and
- (f) The sales invoice or receipt must be maintained by the operator for at least three years.

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 164, filed 1/13/87)

WAC 230-30-070 CONTROL OF PRIZES. (1) All prizes from the operation of punchboards and pull tabs shall be awarded in cash or in merchandise. Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. Each such board must clearly

indicate on its face the terms and conditions under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2)(a) All prizes shall be displayed in the immediate vicinity of the punchboard or pull tab device and such prizes shall be in full view of any person prior to that person purchasing the opportunity to play.

(b) When the prize is cash it shall be displayed as follows:

(i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon designating the cash available to be won shall be substituted; and

(ii) If the only prizes which may be won are cash prizes, they shall be clearly and fully described or represented by a coupon displayed upon the prize flare attached to the face or displayed in the immediate vicinity of the pull tab dispensing device.

(c) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises.

(3) Upon a determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from any display and present it to the winner.

Immediately upon determining the winner of any cash prize of five dollars or more, or of any merchandise prize with a retail value of five dollars or more, but prior to award of the prize, the licensee shall conspicuously delete all references to that prize being available to players from any flare, punchboard or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. The prize shall then be paid or delivered to the winner forthwith. The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab series when the punchboard or pull tab series is completely played out.

(4) No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. The record of the win shall be made in a standard format prescribed by the commission and shall disclose at minimum the following information:

- (a) The Washington state identification stamp number of the punchboard or pull tab series from which the prize was won;
- (b) The series number of the pull tab series or punchboard from which the prize was won;
- (c) The name of the punchboard or pull tab series;
- (d) The date the pull tab series or punchboard was placed out for play;
- (e) The date the pull tab series or punchboard was removed from play;
- (f) The month, day and year of the win;
- (g) If the prize is cash, the amount of the prize won;
- (h) If the prize is merchandise, a description of the prize won and its retail value;
- (i) The printed full name of the winner;
- (j) The current address of the winner which will include the street address, the city and the state. It shall be the responsibility of the licensee to determine the identity of the winner and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee shall require the winner to sign his name in ink on the winning pull tab being presented for payment. The licensee shall not pay out any prize unless and until the winner has fully and accurately furnished to the licensee all information required by this rule to be maintained in the licensee record of the win.

(6) Every licensee shall keep the record of all prizes awarded in excess of twenty dollars, containing all of the information required in subsection (5) above, and all winning pull tabs or punchboard punches (~~(of five dollars or more)~~) for a period of (~~(six)~~) four months and shall display the same to any representative of the commission or law enforcement officials upon demand. The licensee shall, within twenty-four hours after a winning pull tab or punch of five dollars or more has been presented for payment, mark or perforate the winning pull tab or punch in such a manner that the pull tab or punch cannot be presented again for payment.

(7) For the purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus ((75)) 50 percent of that actual cost.

(8) Spindle-type pull tab series which award only merchandise prizes valued at no more than five dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes nor shall monies collected and later reimbursed constitute revenue for the purposes of determining gross receipts.

AMENDATORY SECTION (Amending Order 154, filed 10/14/85)

WAC 230-30-075 MINIMUM PERCENTAGE OF PRIZES FOR CERTAIN GAMBLING ACTIVITIES. No operator shall put out for play and no distributor or manufacturer of punchboards and pull tabs shall sell or otherwise provide to any person in this state or for use in this state any punchboard or pull tab series that does not contain the following minimum percentage in prizes:

(1) Punchboards - a minimum of 60 percent respecting each punchboard placed out for public play.

(2) Pull tabs - a minimum of 60 percent respecting each series of pull tabs placed out for public play.

(3) For the purposes of determining the percentage of prizes offered on any punchboard, or in any pull tab series under this section((:));

(a) ((t)) Total merchandise prizes shall be computed at the amount actually paid therefor by the licensed operator plus 50 percent of that actual cost.

(4) Single cash prizes on punchboards/pull tabs shall not exceed:

(a) Two hundred in cash; or

(b) A merchandise prize, or combination merchandise prize, for which the operator has not expended more than three hundred dollars.

(5) Multiple winners on an individual pull tab or punch shall not exceed the single cash or merchandise prize limit in (4) above.

(6) Every operator of punchboards and or pull tabs shall pay out a minimum of 60 percent in prizes. This requirement will be measured on a semi-annual basis for periods ending June 30 and December 31 of each year.

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

WSR 87-13-048
PROPOSED RULES
STATE PATROL
(Commission on Equipment)
[Filed June 16, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Patrol intends to adopt, amend, or repeal rules concerning insurance requirements for registered tow truck operators; and application requirements for registered tow truck operators.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 27, 1987.

The authority under which these rules are proposed is RCW 46.37.005.

The specific statute these rules are intended to implement is chapter 46.55 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 27, 1987.

Dated: June 15, 1987
By: Lieutenant LaVere E. Klewin
Executive Secretary
Commission on Equipment

STATEMENT OF PURPOSE

Title: Tow truck operators—Application—Certificate of approval—Minimum insurance requirements.

Statutory Authority: RCW 46.37.005.

Implements: RCW 46.55.030 and 46.55.050.

Summary of Rule: Establishes application form and inspection requirements; and reduces insurance requirements to conform to statute.

Reasons Supporting Proposed Action: Implementation of legislation, chapter 311, Laws of 1987.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Lieutenant LaVere E. Klewin, phone 753-6569.

Agency Comments: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact: Favorable for all towing businesses.

AMENDATORY SECTION (Amending Order 003-85, filed 10/1/85, effective 1/1/86)

WAC 204-91-050 APPLICATION. Application for licensing as a registered tow truck operator shall be made on forms furnished by the department and shall be accompanied by an inspection certification from the Washington state patrol. Each separate business location requires a separate registration and inspection. The inspection form shall be furnished by the commission.

AMENDATORY SECTION (Amending Order 003-85, filed 10/1/85, effective 1/1/86)

WAC 204-91-060 CERTIFICATE OF APPROVAL. A certificate of approval from the chief of police if the applicant's principal place of business is located in a city or town having a population over five thousand persons or, in all other instances, from a member of the Washington state patrol, certifying that:

(1) The applicant has an established place of business at the address shown.

(2) The place of business has an office area that is accessible to the public without entering the storage area.

(3) The place of business has adequate and secure storage facilities as defined by rules of the department, where vehicles and their contents can be properly stored and protected.

(4) The applicant has proof of the following minimum insurance requirements:

(a) ((Two)) One hundred ((fifty)) thousand dollars for liability for bodily injury or property damage per occurrence, and

(b) ((One hundred)) Fifty thousand dollars of legal liability per occurrence, to protect against vehicle damage, including but not limited to fire and theft, from the time a vehicle comes into the custody of an operator until it is redeemed or sold.

(5) The information for the certificate of approval may be included in the inspection form that is completed by the inspector.

WSR 87-13-049
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 320—Filed June 16, 1987]

Be it resolved by the State Game Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1987-88 Washington game fish regulations—North Silver Lake (Spokane County), WAC 232-28-61604.

We, the State Game 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 North Silver Lake is proposed for rehabilitation this fall. The season extension is needed to allow additional recreational opportunity on the remaining fish before rotenone treatment.

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

This rule is promulgated pursuant to RCW 77.12.040 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 June 16, 1987.

By Jack S. Wayland
 for Dr. James M. Walton
 Chairman, Game Commission

NEW SECTION

WAC 232-28-61604 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—NORTH SILVER LAKE (SPOKANE COUNTY). Notwithstanding the provisions of WAC 232-28-616, North Silver Lake (Spokane County) will have a game fishing season extension effective at 12:01 a.m. on June 17 to 11:59 p.m. on September 15.

WSR 87-13-050
EMERGENCY RULES
DEPARTMENT OF GAME
(Game Commission)
 [Order 321—Filed June 16, 1987]

Be it resolved by the State Game Commission, acting at the Olympian Center, Olympia Avenue and Columbia Street, Olympia, Washington, that it does adopt the annexed rules relating to cooperative road management program, adopting WAC 232-28-214.

We, the State Game 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 road management programs must be published in a timely manner to inform the public of potential impacts. Immediate action is needed to publish road management programs before scheduled implementation.

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

This rule is promulgated pursuant to RCW 77.12.320 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 June 16, 1987.

By Jack S. Wayland
 for Dr. James M. Walton
 Chairman, Game Commission

NEW SECTION

WAC 232-28-214 COOPERATIVE ROAD MANAGEMENT PROGRAM

COOPERATIVE ROAD MANAGEMENT

NUMBER	UNIT	AREA	EFFECTIVE PERIOD
103	Boulder	Sherman Creek	Dec 1 - Apr 1
112	Sullivan	Sullivan Lake	Year-round
112	Sullivan	Snyder Hill	Sep 20 - Nov 30
160	Touchet	Griffen Peak/Chase Mt.	Oct 1 - Nov 30
175	Lick Creek	Hogback/Triple Ridge	Oct 1 - Nov 30
175	Lick Creek	Lick Creek	Dec 1 - Mar 31
224	Pearrygin	Okanogan	Oct 1 - Dec 31
231	Gardner	Okanogan	Other closures are variable, contact Okanogan NF for details
239	Chiliwist	Okanogan	
242	Alta	Okanogan	
328/	Naneum/		
329	Quilomene	*Naneum	Year-round
344	Wenas	*Little Naches	Oct 28 - Nov 30
344	Wenas	Clemen Mt./Wenas	Year-round
360	Bethel	Oak Creek	Year-round
472	White River	White River	Nov 1-22
472	White River	Greenwater	Nov 1-22
478	Mashel	Champion	Oct 17 - Nov 22
478	Mashel	Elbe Hills	Oct 1 - Nov 30
502	Doty	Pe Ell	Sep 1 - Dec 31
558	Marble	*Marble Mt.	Oct 1 - Nov 30
572	Siouxon	*Swift/Mitchell	Sep 1 - Dec 15
572	Siouxon	*Cooney Pt./Siouxon	Oct 1 - Nov 30
588	Grayback	Grayback	Sep 1 - Dec 31
588	Grayback	Klickitat	5 days prior to spring turkey opener to Jun 15 & 5 days prior to fall turkey opener to end of season
601	Hoko	Hoko	Sep 1 - Mar 31
602	Dickey	Dickey River	Year-round, starts Oct 15
607	Soleduck	Soleduck River	Year-round
615	Clearwater	Clearwater	Nov 4-17
615	Clearwater	Miller Creek	Nov 4-17
618	Matheny	Matheny	Year-round
621	Olympic	Lilliwaup	Dec 1 - Apr 15
621	Olympic	Quilcene	Year-round
636	Skokomish	Lower Wynoochee River	Oct 1 - Apr 30

NUMBER	UNIT	AREA	EFFECTIVE PERIOD
636	Skokomish	Upper Wynoochee River	Oct 1 - Apr 30
636	Skokomish	Skokomish River	Oct 1 - Apr 30
636	Skokomish	Lake Cushman	Nov 1 - Apr 30
638	Colonel Bob	Colonel Bob	Year-round
639	Humtulpis	Humtulpis	Year-round
645	Hoquiam	Furlough Cr/Jones Cr	Year-round
645	Hoquiam	Polson Camp	Sep 1 - Apr 30
663	Capitol Peak	Capitol Forest	Early archery opener to Dec 31

IT IS UNLAWFUL TO OPERATE OR BE A PASSENGER IN A MOTOR-DRIVEN VEHICLE ON ROADS THAT ARE CLOSED UNLESS EXEMPTED BY THE DEPARTMENT OF WILDLIFE OR THE COOPERATIVE AGENCY OR COMPANY.

Cooperative road management is made possible through the voluntary actions of numerous forest landowners, which include: Boise Cascade Company, Cavenham Forest Industries, Champion, Department of Wildlife, Department of Natural Resources, Kayser-Davenport, Longview Fibre,, Mayr Brothers, Plum Creek Timber Company, Publishers Forest Products Company, Rayonier Timberlands, Simpson Timber Company, U.S. Forest Service, and Weyerhaeuser Company.

These road management areas, which have some roads closed to motorized vehicles for all or a portion of the year, are designed to benefit fish and wildlife.

LONG-TERM CLOSURES prevent motorized vehicle use year-round, providing extensive areas free from disturbance for wildlife. In the long run, the condition, reproduction, and number of animals will be enhanced.

SEASONAL CLOSURES prevent motorized vehicle access during critical times of the year. Some closures protect habitat during the winter-spring period of greatest stress for big game, allowing them to make full use of wintering areas and enhancing production of young. Other closures are designed to protect the breeding and brooding season of animals such as large birds of prey and wild turkeys.

HUNTING SEASON CLOSURES prevent motorized vehicle use during game hunting seasons. These closures reduce hunter crowding and result in better big game escapement.

If you encounter some of these road management areas in your pursuit of an outdoor activity, keep in mind that the roads are closed to vehicles, not to all entry. You can get out and walk in the area as much as you like! We ask your help and cooperation to make this program a success.

*GREEN DOT SYSTEM: Under the existing road management program, roads in management areas are posted closed. However, the Department of Wildlife and several forest landowners are working out the details of a new signing program: the Green Dot System. These areas have been selected for trial use in order to check public understanding and acceptance of the system and to assess costs and benefits of the program. Under the "Green Dot" signing system, some roads are posted open — forest users are invited to drive on any roads posted with a circular green reflector. Roads without a green dot are closed to motor vehicles. The green dots are supplemented by large information boards at major points

of entry into the area and by handout maps showing the open road system.

Free maps (8-1/2" x 14") of each road management area are available at all six Department of Wildlife regional offices and at the headquarters office in Olympia.

Legal Descriptions, Green Dot Road Management Areas

Naneum: All Department of Game lands, Department of Natural Resources lands, and Boise Cascade Timber company lands lying within the following boundary: beginning at the intersection of the Colockum Pass Road and Naneum Ridge Road in Section 13, Township 20 North, Range 20 North of the Willamette Meridian, then west along the Naneum Ridge Road to the Radio Tower in Section 36, Township 21 North, Range 19 East, then Northwest along Naneum Ridge to the North boundary of Section 27, Township 21 North, Range 19 East, then West along that boundary to the Northwest corner of Section 30, Township 21 North, Range 19 East, then South along that boundary to the intersection of the North boundary of Township 18 North, then East along that boundary to the intersection of the Southeast corner of Section 31, Township 19 North, Range 21 North, then North along that boundary to the intersection with the Colockum Pass Road, then west along the Colockum Pass Road, then West along the Colockum Pass Road to the point of beginning.

Little Naches: All Forest Service lands and Plum Creek Timber Company lands lying within the following boundary: beginning at the intersection of Highway 410 and the Little Naches River Road in Section 4, Township 17 North, Range 14 East of the Willamette Meridian, then west along Highway 410 to West boundary of Section 18, Township 17 North, Range 13 East, then North along that boundary to the intersection of the Norse Peak Wilderness boundary in Section 18, Township 17 North, Range 13 East, then North along that boundary to the intersection of the Pacific Crest Trail in Section 2, Township 18 North, Range 11 East, then North along the Pacific Crest Trail in Section 13, Township 19 North, Range 12 East, then East along Forest Service Trail 1388 to the intersection of the East boundary of Range 14 East, then South along this boundary to the intersection of the South boundary of Township 18 North, then East along this boundary to the intersection of the Little Naches River Road in Section 32, Township 18 North, Range 14 East, then South along this road to the point of beginning.

Marble: Same as GMU 558 - Marble.

Cooney Point/Siouxon: All Department of Natural Resources lands and Weyerhaeuser Company lands lying within the following boundary: Beginning at the intersection of U.S. Forest Service Road 54 (the Canyon Creek Road) and DNR Road 2000 in Section 34, Township 6 North, Range 4 East of the Willamette Meridian, then west along Road 54 to the southern boundary of Range 6 North, then west along that boundary to the west boundary of Section 33, Township 6 North, Range 4 East, then north along that boundary to the east shore of Yale Reservoir, then north and east along that shore to the North Fork Lewis River, then

along the south shore of that river to Swift Reservoir, then along the south shore of Swift Reservoir to the east boundary of Section 26, Township 7 North, Range 5 East, then south to the southern boundary of Township 6 North, then west to the eastern boundary of Range 4 East, then south 1/2 mile, then west to Forest Service Road 54, then west along Forest Service Road 54 to the DNR 2000 Road and the point of beginning.

Swift Mitchell/Siouxon: All Plum Creek Timber Company lands lying with the following boundary: Beginning at the south shore of Swift Reservoir where it intersects with the east boundary of Section 26, Township 7 North, Range 5 East of the Willamette Meridian, then south to the southern boundary of Section 15, Township 6 North, Range 5 East, then east to the eastern boundary of Range 5 East, then north to the southern boundary of Section 7, Township 6 North, Range 6 East, then east to the eastern boundary of Range 6 East, then north to the northern boundary of Range 6 North, then west to the eastern boundary of Section 35, Township 7 North, Range 6 East, then north to the northern boundary of Section 35, then west to Swift Reservoir, then west along the southern shore of Swift Reservoir to the point of beginning.

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 87-13-051

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed June 16, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning rapeseed production and establishment of districts, chapter 16-570 WAC;

that the agency will at 1 p.m., Tuesday, July 21, 1987, in the Conference Room, 2015 South First Street, Yakima, WA 98903, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 3, 1987.

The authority under which these rules are proposed is chapter 15.65 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 22, 1987.

Dated: June 16, 1987

By: J. Allen Stine
Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 16-570 WAC, Rapeseed production and establishment of districts.

Description of Purpose: To correct, clarify and strengthen existing rules dealing with the production of rapeseed in the state of Washington.

Statutory Authority: Chapter 15.65 RCW.

Summary of Rule: To correct typographical errors; to clarify the intent of the rules regarding reporting of rapeseed production and the relationship between the production district boards and the cooperative extension offices; to strengthen the rule regarding control of the spread of rapeseed in noncrop land areas; and to clarify and separate seed certification and phyto-certification requirements.

Reasons Supporting Proposed Activities: Amendments are in response to requests from the rapeseed production districts to clarify and strengthen certain portions of the existing rules. The proposed amendments are designed to address the concerns expressed.

Agency Personnel Responsible: J. Allen Stine, Assistant Director, Commodity Inspection Division, Washington State Department of Agriculture, 406 General Administration Building, AX-41, (206) 753-7005.

Person or Organization Proposing Rule Whether Public, Private or Governmental: Washington State Department of Agriculture.

Agency Comments: None.

These rules are not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: This agency has determined that there will be no economic impact upon small businesses in the state of Washington by the adoption of these new rules.

AMENDATORY SECTION (Amending Order 1900, filed 7/30/86)

WAC 16-570-010 DEFINITIONS. The definitions set forth in this section apply throughout these rules unless the context clearly requires otherwise.

(1) "Board" means the rapeseed production district board as established by the director under the provisions of these rules.

(2) "Department" means the department of agriculture of the state of Washington.

(3) "Director" means the director of the department or his duly authorized representative.

(4) "Person" means a natural person, individual, firm, partnership, corporation, company, society, association, cooperative, two or more persons having a joint or common interest, or any unit or agency of local, state, or federal government.

(5) "Producer" means any person who is the owner, tenant, or operator of land who has an interest in and is entitled to receive all or any part of the proceeds from the sale of any commodity produced on that land.

(6) "Rapeseed" means those species of Brassica napus, Brassica campestris and Brassica juncea.

(7) "Types" means those species and varieties of rapeseed classified under the following rapeseed types:

(a) CANOLA, LOW ERUCIC ACID RAPESEED - LOW GLUCOSINOLATES (LEAR-LG) shall be the seed of the species Brassica napus or Brassica (~~campestris~~) campestris, the oil components of which seed contain less than two percent erucic acid and the solid component of which seed contains less than 30 micromoles of any one or any mixture of 3-butenyl glucosinolate, 4-pentenyl glucosinolate, 2-hydroxy - 3-butenyl glucosinolate, and 2-hydroxy - 4-pentenyl glucosinolate per gram of air dry, oil free solid as determined by any approved method.

(b) LOW ERUCIC ACID RAPESEED - HIGH GLUCOSINOLATES (LEAR-HG) Rapeseed varieties shall contain less than two percent erucic acid in the oil of the rapeseed and more than 30 micromoles per one gram (um/g) glucosinolates in the rapeseed meal.

(c) HIGH ERUCIC ACID RAPESEED - LOW GLUCOSINOLATES (HEAR-LG) Rapeseed shall be rapeseed varieties used for production of industrial oil which shall contain erucic acid levels above forty percent in the oil of the rapeseed and less than 30 micromoles per one gram (m/g) glucosinolates in the meal of the rapeseed.

(d) HIGH ERUCIC ACID RAPESEED - HIGH GLUCOSINOLATES (HEAR-HG) Rapeseed shall be rapeseed varieties used for production of industrial oil which shall contain erucic acid levels above forty percent in

the oil of the rapeseed and more than 30 micromoles per one gram (m/g) glucosinolates in the meal of the rapeseed.

AMENDATORY SECTION (Amending Order 1900, filed 7/30/86)

WAC 16-570-030 DUTIES OF RAPESEED PRODUCTION DISTRICT BOARDS, PERSONS, PRODUCERS. (1) Duties of the board shall include:

(a) Proposing and clearly defining district/subdistrict boundaries to be submitted to the director for establishment by rule. District and subdistrict boundaries shall follow geographical and/or topographical characteristics or provide for buffer zones to provide for isolation. Consideration is to be given to existing crop production to minimize negative impact to sensitive crops and shall also be extended beyond district and state lines to minimize impacts to producers in contiguous districts or states and cooperate to avoid the need for buffer zones which could prevent producers from raising rapeseed near district or state lines.

(b) Producers and industry shall have the ability to petition the board to recommend to the director to adopt subdistricts within an initial production district, should production for multiple markets develop.

(c) The board shall designate the Washington State University extension offices to ~~((be utilized by producers in the district to register))~~ facilitate the production districts in the registration of rapeseed production fields, in accordance with subsection (2) of this section.

(d) The board shall examine the economic potential for the differing types of rapeseed, and with input from affected producers, propose the dominant type for the district and/or subdistricts. In proposing the district and/or subdistrict boundaries and the dominant types of rapeseed for production, the board shall avoid negative impacts to already existing crops. The board shall propose and recommend to the director, rules establishing a dominant rapeseed type. A public hearing shall be held no later than March 15th, with rules adopted no later than May 15th of any production year after 1986. Hearings need not be held each year if there is no petition to change existing rule(s). The board shall inform producers of the areas and type(s) that are approved for production. This may be accomplished by utilizing producer meetings, local news and radio media, and the use of Washington State University cooperative extension personnel.

(e) The board shall serve as the first level for disputes involving production of conflicting types by conducting an inquiry to determine the facts of the dispute. If resolution is not reached at the board level the board shall then render an advisory opinion to be submitted to the director for additional action.

(f) The board shall have the authority to recommend to the director production of "off type" rapeseed (other than the authorized dominant type) or rapeseed production in an area where it is otherwise prohibited under the following criteria:

(i) The producer of the "off type" rapeseed must petition the board to allow "off type" rapeseed production.

(ii) The petition shall contain the following information:

(A) Producer name, address, telephone number and location within district/subdistrict.

(B) Crop year.

(C) Variety name and species of rapeseed to be produced.

(D) Principal use of proposed production (i.e., industrial or food oil, seed, forage, cover crop etc.).

(E) Variety traits - Erucic acid and glucosinolate levels.

(F) Contracting company - (if any).

(G) Acreage to be produced.

(H) Exact legal description and reference to local landmarks of proposed acreage.

(I) Evidence of isolation of at least one-half mile, or at such greater distance as required by rule within the respective district and/or subdistrict, from other rapeseed production or other sensitive crops.

(J) Signed statements from all landowners/operators within one-half mile of the proposed production site stating that they will not plant a conflicting type during the proposed crop year.

(2) Persons or producers of rapeseed shall register all fields prior to planting, by location, type and variety of all rapeseed to be produced, with the district board at the extension ~~((agent's))~~ office ~~((as))~~ designated by the district board ~~((prior to planting))~~.

(3) Seed certification requirements.

(a) Only certified seed ~~((and seed treated with Environmental Protection Agency or state approved chemicals for the control of phoma lingam (black leg) fungus))~~ shall be used for Washington production:

PROVIDED, That ~~((any introduced and/or noncertified rapeseed varieties))~~ the variety dwarf essex may be used for seed purposes without certification as certified seed is no longer available.

(b) All rapeseed varieties utilized for Washington production shall be ~~((treated for and be))~~ accompanied by phyto-sanitary certification that it is free from phoma ~~((lingam))~~ lingam (black leg) fungus ~~((and))~~. In the event that low level phoma lingam (black leg) fungus is present, the seed must be treated with environmental protection agency and/or Washington state approved chemicals for the control of phoma ~~((lingam))~~ lingam (black leg) fungus, and recertified as free from viable phoma lingam fungus after treatment.

(4) Any person selling or offering rapeseed for sale in the state of Washington, either in person, through dealerships or through radio, video or printed media, must be licensed by the Washington state department of agriculture seed branch.

(5) Any volunteer or uncontrolled rapeseed may be subject to the Washington state noxious weed control board and chapter 17.10 RCW. Any transport of unbagged rapeseed ~~((beyond production district or subdistrict boundaries))~~ for the purpose of conveyance, shall be in suitably covered ~~((and))~~ or sealed containers or vehicles to avoid the spread of volunteer or otherwise uncontrolled rapeseed ~~((in nonproduction and/or prohibited areas))~~. All harvesting and planting equipment shall be properly cleaned and adequate precautions taken to avoid the spread of rapeseed prior to movement from any farm or production area.

(6) The director shall have the authority to require destruction prior to bloom of any rapeseed production that does not meet the rules of the director or any established production district. In the event that the person or producer of said production does not comply with the destruction order prior to bloom, the director is authorized to have the production destroyed by a third party and the cost of such destruction is to be charged to the producer of said production.

WSR 87-13-052

PROPOSED RULES

OFFICE OF THE GOVERNOR

[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of the Governor intends to adopt, amend, or repeal rules concerning this notice proposes to amend chapter 240-10 WAC entitled state employee combined charitable contributions program.

In WAC 240-10-030(4), annual campaign, the amendment deletes the phrase "in the month of October." This amendment will allow the Washington State Employee Combined Fund Drive Committee (committee) to conduct the annual campaign at times other than October. It is the committee's intent to continue conducting the annual campaign in the fall of the year.

In WAC 240-10-040 (2)(b), participation in eligible federations, the amendment adds new subsection (iii). This addition provides that an eligible federation (umbrella organization), making an application on behalf of certain member agencies, is to certify that the constituent agencies included on its application meet the combined fund drive program's basic standards and criteria; and that the constituent agencies agree to comply with the rules and regulations promulgated by the committee. Similar language currently is contained on the application form used by the eligible federations.

Additionally, the notice intends to add one new section, WAC 240-10-057, decertification and disqualification. This new section is being added to provide a basis for decertification of a charity or a federated organization (umbrella organization) that fails to comply with

the rules, or provides false or intentionally misleading information. The new section also sets a minimum pledge level (more than \$250 annually) an agency or federated organization is to achieve in order to continue in the combined fund drive campaign. Any decertified agency or federated organization may request reconsideration of the committee's action using the procedures contained in existing WAC 240-10-055, Determination of eligibility—Procedure for reconsideration;

that the agency will at 9:00 a.m., Monday, August 10, 1987, in the Sea-Tac Airport, Room M47-A (located on the mezzanine level of the terminal, may be reached by taking the elevator behind the American Airlines ticket counter area), conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 20, 1987.

The authority under which these rules are proposed is RCW 41.04.035, 41.04.036 and 41.04.230.

The specific statute these rules are intended to implement is RCW 41.04.035, 41.04.036 and 41.04.230.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Friday, August 7, 1987. Please submit them to the individual named below.

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:

Mr. Collum C. Liska
Senior Policy Coordinator
Accounting and Fiscal Services Division
Office of Financial Management
4th Floor, Insurance Building
Mailstop AQ-44
Olympia, Washington 98504
(206) 753-8538
scan 234-8538

Dated: June 16, 1987

By: Richard J. Thompson
Chief of Staff

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Chapter 240-10 WAC, State employee combined charitable contributions program, consisting of the following: The adoption of new section WAC 240-10-057 Decertification and disqualification; and the amendment of WAC 240-10-030 Definitions, and 240-10-040 Basic standards and criteria for agency membership applicable to all agencies:

Statutory Authority: RCW 41.04.035, 41.04.036 and 41.04.230.

Specific Statute that the Rule is Intended to Implement: RCW 41.04.035, 41.04.036 and 41.04.230.

Summary of the Rules: To make the following changes to existing chapter 240-10 WAC, State employee combined charitable contributions program: WAC 240-10-057 adds a procedure for the State Employee Combined Fund Drive Committee (committee) to decertify a health and welfare agency (agency) or federated organization that fails to comply with the rules, or provides false or intentionally misleading information. The new section also sets a minimum annual dollar pledge level (more than \$250) an agency or federated organization is to achieve in order to continue in the state employee combined fund drive campaign (campaign). Any decertified agency or federated organization may request the committee to reconsider its decertification action via the reconsideration procedure contained in existing WAC 240-10-055, Determination of eligibility—Procedure for reconsideration. The phrase "in the month of October" is deleted from the definition of "annual campaign" found in WAC 240-10-030(4). The proposed amendment will allow the committee to conduct the annual campaign at times other than October. It is the committee's intent to continue conducting the annual campaign in the fall of the year. New subsection (iii) is added to the "participation in eligible federations" portion of WAC 240-10-040 (2)(b). The proposed amendment provides that an eligible federation (umbrella organization) making an application on behalf of certain member agencies is to certify that the constituent agencies included on their application meet the state employee combined fund drive program's basic standards and criteria; and that the constituent agencies agree to comply with the rules and regulations promulgated by the committee. Currently, similar language is contained on the application form utilized by eligible federations (umbrella organizations).

Reasons Supporting the Proposed Rules: The promulgation of these proposed rules will enable all charitable organizations, both those acting independently and those participating in federated organizations, to know the exact standards and criteria the committee uses in both evaluating their application and in making decertification determinations. Additionally, the proposed rules will enable the committee greater flexibility in scheduling its annual campaign drive.

Involved Agency Personnel Responsible for Drafting: Mr. Collum C. Liska, Senior Executive Policy Coordinator, Accounting and Fiscal Services Division, Office of Financial Management, 4th Floor, Insurance Building, Mailstop AQ-44, Olympia, Washington 98504, phone (206) 753-8538; Implementation and Enforcement: Mr. Robert S. Anderson, Chair, Washington State Employee Combined Fund Drive Committee, P.O. Box 1789, Mailstop FE-11, Olympia, Washington 98507-1789.

Name of Involved Agency Proposing the Rules: Office of the Governor.

Agency Comments: None.

The rules are not necessary to comply with a federal law, or a federal or state court decision.

Other Information: None.

Small Business Economic Impact Statement: Not attached since these proposed rules are not applicable to the Regulatory Fairness Act.

AMENDATORY SECTION (Amending Order 86-1, filed 4/1/86)

WAC 240-10-030 DEFINITIONS. (1) Committee - The Washington state employee combined fund drive committee described in WAC 240-10-010.

(2) State employee combined fund drive campaign - An arrangement by which the committee provides one or more other participating organizations with the opportunity to receive funds contributed to them in the annual campaign, based on their compliance with the regulations herein.

(3) Participating organization - A health and welfare agency whose application has been accepted by the committee.

(4) Annual campaign - The once-a-year period of organized solicitation of state employees conducted annually (~~in the month of October~~) to obtain voluntary contributions from state employees for charitable commitments to be allocated during the ensuing year of contributions.

(5) Year of contributions - The annual calendar year for collection of the voluntary payroll deductions for charitable contributions authorized by state employees pursuant to these regulations. The normal, full annual calendar year shall begin with January and end with the ensuing December.

(6) Health and welfare agency - The terms "voluntary agency," "voluntary health and welfare agency," "voluntary charitable agency," and "voluntary charitable health and welfare agency" mean an organization that is organized and operated for the purpose of rendering, or of materially or financially supporting the rendering of, one or more of the following services directly to, and for the direct benefit of, human beings:

- (a) Delivery of health care to ill or infirm individuals;
 - (b) Education and training of personnel for the delivery of health care to ill or infirm individuals;
 - (c) Health research for the benefit of ill or infirm individuals;
 - (d) Delivery of education, training, and care to physically and mentally handicapped individuals;
 - (e) Treatment, care, rehabilitation, and counseling of juvenile delinquents, criminals, released convicts, persons who abuse drugs or alcohol, persons who are victims of intra-family violence or abuse, persons who are otherwise in need of social adjustment and rehabilitation, and the families of such persons;
 - (f) Relief of victims of crime, war, casualty, famine, natural disasters, and other catastrophes and emergencies;
 - (g) Neighborhood and community-wide social services that directly assist needy, poor, and indigent individuals, including provision of emergency relief and shelter, recreation, transportation, the preparation and delivery of meals, educational opportunities, and job training;
 - (h) Protection of families that, on account of economic or other need, poverty, indigence, or emergency, are in long-term or short-term need of family, child-care, and maternity services, child and marriage counseling, foster care, and guidance or assistance in the management and maintenance of the home and household;
 - (i) Relief of needy, poor, and indigent infants and children, and of orphans, including the provision of adoption services;
 - (j) Relief of needy, poor, and indigent adults and of the elderly.
- (7) Local presence - Demonstration of direct and substantial presence in the local campaign community:
- (a) The availability of services, such as examinations, treatments, inoculations, preventive care, counseling, training, scholarship assistance, transportation, feeding, institutionalization, shelter, and clothing to persons working or residing in the local campaign community.
 - (b) The presence within the local campaign community, or within reasonable commuting distance thereof, of a facility at which services may be obtained, such as an office, clinic, mobile unit, field agency, or direct provider, or specific demonstrable effects of research, such as personnel or facilities engaged therein or specific local applications thereof.
 - (c) The availability to persons working or residing in the local campaign community of communication with the voluntary charitable agency by means of home visits, transportation, or telephone calls, provided by the voluntary agency at no charge to the recipient or beneficiary of the service.
- (8) Overseas - Areas outside of the District of Columbia and the fifty states of the United States.

AMENDATORY SECTION (Amending Order 86-1, filed 4/1/86)

WAC 240-10-040 BASIC STANDARDS AND CRITERIA FOR AGENCY MEMBERSHIP APPLICABLE TO ALL AGENCIES. (1) Basic standards.

(a) Federal exemption. Each charitable organization must submit a copy of the Internal Revenue Service determination letter indicating that it is an exempt organization under Internal Revenue Code Section 501(c)(3). An advance ruling on its exempt status shall meet this requirement.

(b) Registration and reporting. Each charitable organization shall have registered as a charitable organization with the secretary of state under the provisions of chapter 19.09 RCW (charitable solicitations) and with the attorney general under the provisions of chapter 11.110 RCW (charitable trusts) unless specifically exempt from registration by state law, and shall have filed all required reports within any established time limits.

(c) Integrity of operations. Each charitable organization must have at least a minimal history of service and demonstrate a real capability to serve. Funds contributed to charitable organizations by state employees must be used for their announced purposes. There shall be no payment of commissions for fund-raising, no mailing of commercial merchandise, and no paid general telephone solicitors.

(d) Finances. The charitable organization must use standards of accounting and a financial system based on generally accepted accounting principles which includes accounting procedures that would be acceptable to the American Institute of Certified Public Accountants. The committee may require an independent audit by a certified public accountant. The charitable organization must conduct its fiscal operations in accordance with a detailed annual program budget which is prepared and approved at the beginning of each fiscal year by the board of directors. Prior authorizations by the board of directors shall be required for any significant variation from the approved budget. The committee may require that the charitable organization prepare and make available to the general public an annual financial report.

(e) Nondiscrimination. The charitable organization shall have a policy and procedure of nondiscrimination in regard to race, color, religion, national origin, handicap, age, or sex applicable to persons served by the charitable organization.

(f) Annual reports. The charitable organization shall prepare an annual report available to the general public which includes a full description of the charitable organization's activities including types of solicitation for contributions, the names of its chief administrative personnel, and a full disclosure of the source and use of contributions.

(g) Agency organization. The charitable organization must maintain an active local volunteer board of directors, serving without compensation through regular meetings and exercising satisfactory administrative controls in accordance with the agency's articles of incorporation, bylaws, and, preferably, standards adopted by its national or state affiliate: PROVIDED, That the "local volunteer board" is exempted for those voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and which meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community.

(h) Fund-raising costs. Each organization shall disclose to the committee the estimated percentages of the money collected which will be applied to the cost of solicitation and to the charitable purpose. The information thus provided will be disclosed to state employees during the campaign.

(i) Application deadline. Completed applications must be received before the closing date established annually by the committee.

(2) Criteria.

(a) Service programs. Each charitable agency must have a substantial local presence in a Washington state community with a history of providing programs aimed toward direct services, research, and education in an effort to meet human health, welfare, or social service needs within a Washington state community: PROVIDED, That voluntary charitable health and welfare agencies whose services are rendered exclusively or in substantial preponderance overseas, and that meet all the criteria set forth except for the requirement of direct and substantial presence in the local campaign community, shall be eligible for agency membership; and each must be able to comply with integrity and other applicable standards that such services are indeed provided.

(b) Participation in eligible federations.

(i) No charitable organization may participate in more than one eligible federation (umbrella organization) in a county.

(ii) No charitable organization may participate both individually and as a member of an eligible federation (umbrella organization) within a county.

(iii) Applications submitted on behalf of eligible federations (umbrella organizations) shall include a certification that all participating constituent agencies meet the basic standards and criteria, and agree to comply with rules and regulations as set forth by the committee.

NEW SECTION

WAC 240-10-057 DECERTIFICATION AND DISQUALIFICATION. (1) Once approved for participation, any health and welfare agency or federated organization may be decertified and disqualified from participation in the state employee combined fund drive campaign by majority vote of the committee for any one or more of the following reasons:

- (a) Failure to comply with the rules contained in this chapter;
 - (b) Filing an application to participate in the state employee combined fund drive campaign which contains false or intentionally misleading information;
 - (c) An annual contribution pledge from an annual campaign of two hundred fifty dollars or less.
- (2) Any decertified health and welfare agency or federated organization shall be disqualified from participating in the next state employee combined fund drive campaign.
- (3) The committee may order that the annual net estimated contribution for any health and welfare agency or federated organization receiving an annual pledge of two hundred fifty dollars or less in an annual campaign may be made in a lump sum at the end of the year of contributions.
- (4) Any health and welfare agency or federated organization decertified under subsection (1)(a) or (b) of this section shall have any further payment of contributions terminated. The committee shall determine the method of disbursement of any future payments originally pledged in an annual campaign to such health and welfare agency or federated organization.
- (5) Any decertified health and welfare agency or federated organization may request reconsideration of the committee's action using the procedures described under WAC 240-10-055.

WSR 87-13-053
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Department of Licensing intends to adopt, amend, or repeal rules concerning the certification, registration and renewal fees and other fees pertaining to registered counselors, certified social workers, certified marriage and family therapists, certified mental health counselors and registered counselor hypnotherapists;

that the agency will at 10:00 a.m., Tuesday, August 3, 1987, in the Examination Center, 1300 Quince Street, Olympia, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is section 5, chapter 512, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 1, 1987.

Dated: June 15, 1987
 By: John H. Keith
 Assistant Attorney General

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To establish the amount of certain fees associated with the registration or certification of counselors, counselor-hypnotherapists, mental health counselors, social workers and marriage and family therapists.

Statutory Authority: RCW 43.24.86 [43.24.086].

Summary of the Rules: Sets the various fees for the professions listed above.

Reason Proposed: To set the fees for each licensing program at a sufficient level to defray the costs of administering that program.

Responsible Departmental Personnel: In addition to the Department of Licensing, the following departmental personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Bob VanSchoorl, Assistant Director, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 753-2241 comm, 234-2241 scan.

Proponents: Division of Professional Licensing of the Department of Licensing.

Small Business Economic Impact Statement: Not required and has not been filed since these rules do not impact small business as that term was defined by RCW 43.31.920.

NEW SECTION

WAC 308-190-010 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

<u>TITLE</u>	<u>FEE</u>
<u>Certified Mental Health Counselor</u>	
Application and Certification	\$ 60.00
Application assessment	3.00
Re-take examination	35.00
Renewal	60.00
Renewal assessment	3.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification/Verification	25.00
<u>Certified Social Worker</u>	
Application and Certification	60.00
Application assessment	3.00
Re-take examination	35.00
Renewal	60.00
Renewal assessment	3.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification/Verification	25.00
<u>Certified Marriage/Family Therapist</u>	
Application and Certification	60.00
Application assessment	3.00
Re-take examination	35.00
Renewal	60.00
Renewal assessment	3.00
Late renewal penalty	10.00
Duplicate license	15.00
Certification/Verification	25.00

TITLE	FEE
<u>Registered Counselor</u>	
Application and registration	30.00
Application assessment	1.50
Renewal	30.00
Renewal assessment	1.50
Duplicate license	15.00
Certification/Verification	25.00
<u>Registered Counselor-Hypnotherapist</u>	
Application and registration	30.00
Application assessment	1.50
Renewal	30.00
Renewal assessment	1.50
Duplicate license	15.00
Certification/Verification	25.00

WSR 87-13-054
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Medical Examiners)
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Medical Examiners intends to adopt, amend, or repeal rules concerning the registration and utilization of physician assistants;

that the agency will at 3:30 p.m., Friday, July 24, 1987, in the Auditorium, West Seattle Community Hospital, 2600 S.W. Holden Street, Seattle, 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 18.71A.020.

The specific statute these rules are intended to implement is RCW 18.71A.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 24, 1987.

Dated: June 16, 1987
 By: John H. Keith
 Board Counsel

STATEMENT OF PURPOSE

Name of Agency: Washington State Board of Medical Examiners.

Purpose: To simplify the registration process for physician assistants who have been qualified through national certification examinations.

Statutory Authority: RCW 18.71A.020.

Summary of the Rules: WAC 308-52-139 Physician assistant—Registration; 308-52-140 Physician assistant—Utilization; 308-52-141 Physician assistants—Responsibility of supervising physician; 308-52-147 Remote site—Utilization; and 308-52-148 Certification.

Responsible Departmental Personnel: Barbara Hayes, Assistant Program Manager, 1300 South Quince, Olympia, WA 98504, 234-2844 scan, 753-2844 comm.

Proponents: State of Washington Board of Medical Examiners.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PM 599, filed 5/29/86)

WAC 308-52-139 PHYSICIAN ASSISTANT—REGISTRATION. (1) Classification. Each physician assistant will be classified according to the specialty or content of his or her training program.

(2) Registration procedure. Applications shall be made jointly by the physician and the assistant on forms supplied by the board. Applications and supporting documents must be on file in the board office prior to consideration for registration. An application which clearly meets the board's requirements may receive interim approval by the board's executive secretary or assistant executive secretary. Interim approval and all other applications are subject to final action by a board member or at a regular meeting of the board, such review may include an interview.

(3) Registration expiration and renewal. Physician assistant original registration will be issued to expire on the physician assistant's next birthdate. Each registered assistant and the registering physician shall be required to submit an application and fees annually for renewal of their registration at least sixty days prior to the expiration of the registration. Application for renewal shall be submitted on forms provided by the board. A statement must be made concerning any changes in utilization requested, which will be subject to approval of the board.

(4) Change of registration. In the event that a physician assistant who is currently registered desires to become associated with another physician, such transfer may be accomplished administratively, providing that evidence is submitted to document the continuing competence of the physician assistant. Application for transfer of registration shall be made on forms provided by the board. Final approval may be granted administratively for transfer registrations which clearly meet board requirements. All other applicants will be reviewed by a board member or at a regular meeting of the board, such review may include an interview.

(5) Utilization plan. The application for registration of a physician assistant must include a detailed plan describing the manner in which the physician assistant will be utilized. The board will grant specific approval for the tasks which may be performed by the specialized physician assistants based upon the curriculum of the program from which the assistant graduated as contained in the files of the board. In the case of family practice (primary care) and pediatric physician assistants, the board will issue a list of tasks which noncertified physician assistants are commonly trained to perform, with the expectation that the physician sponsor will be responsible for determining which of the tasks the noncertified physician assistant will perform and at what level of supervision. No assistant shall be registered to perform tasks not contained in the program approval ~~((or in the case of family practice and pediatric physician assistants, the board list, unless)).~~ If the physician assistant is being trained to perform additional tasks beyond those authorized, such training may be carried out only under the direct, personal supervision of the supervising physician or a qualified person designated by him or her. Evidence satisfactory to the board ((is)) must be submitted demonstrating that he or she has been trained in that function and his or her competence has been properly and adequately tested. Request for approval of newly acquired skills may be considered by a reviewing board member or at any regular meeting of the board ((or the application committee)).

AMENDATORY SECTION (Amending Order PM 609, filed 8/1/86)

WAC 308-52-140 PHYSICIAN ASSISTANT—UTILIZATION. (1) Limitations, number.

(a) No physician shall supervise more than two graduate physician assistants without special authorization by the board.

(b) The number of physician assistants in excess of two who may be supervised by a single physician in settings as outlined in subsection (2) of this section ~~((three of this regulation))~~ shall be established by the board on an individual basis.

(2) ~~((Limitations, geographic:~~

(a) No physician assistant shall be utilized in a place geographically separated from the supervising physician's primary place for meeting patients without the express permission of the board. The "primary place for meeting patients" shall be defined to include the physician's office, the institution(s) in which his or her patients are hospitalized or the homes of patients for whom a physician-patient relationship has already been established.

(b) Special permission may be granted to utilize a physician assistant in a place remote from the physician's primary place for meeting patients if:

(i) There is a demonstrated need for such utilization;

(ii) Adequate provision for immediate communication between the physician and his or her physician assistant exists;

(iii) A mechanism has been developed to provide for the establishment of a direct patient-physician relationship between the supervising physician and patients who may be seen initially by the physician assistant;

(iv) The responsible physician spends at least one-half day per week in the remote office. In the case of part time or unique practice settings, the sponsoring physician may petition the board to modify the on-site requirement providing the sponsoring physician demonstrates that adequate supervision is being maintained by an alternate method. The board will consider each request on an individual basis.

(v) The provisions of WAC 308-52-141(2) are met.

(vi) The waiting room, offices and examining rooms of all facilities approved as remote sites must have posted a printed announcement that the (named) sponsor is responsible for all care rendered, and that the ((named)) individual providing the care is a physician assistant. Identification of the clinic on the outside facade must include the names of the physician sponsor and the physician assistant.

(3)) Limitations, health care institutions. A physician assistant working in or for a hospital, clinic, long term care facility, or other health care organization shall be registered and supervised ((by a supervising physician)) in the same manner as any other physician assistant and his or her functions shall be limited to those approved by the board. ((The extent to which a physician assistant may practice and write orders is subject to the bylaws of the facility.)) His or her responsibilities, if any, to other physicians must be defined in the application for registration. The physician may be permitted, at the discretion of the board, to utilize the physician assistant in a manner consistent with the standards set forth in WAC 308-52-150.

((4)) (3) Limitations, trainees. An individual enrolled in a training program for physician assistants may function only in direct association with his preceptorship physician or a delegated alternate physician in the immediate clinical setting, or, as in the case of specialized training in a specific area, an alternate preceptor approved by the program. They may not function in a remote location or in the absence of the preceptor.

AMENDATORY SECTION (Amending Order PM 599, filed 5/29/86)

WAC 308-52-141 PHYSICIAN ASSISTANTS—RESPONSIBILITY OF SUPERVISING PHYSICIAN. It shall be the responsibility of the supervising physician to insure that(;) the physician assistant performs only those medical services that are within the scope of the practice and proficiency of the supervising physician.

(1) Adequate supervision and review of the work of the physician assistant is provided.

(a) ((The supervising physician shall review and countersign pertinent notes and orders concerning patient care provided by the physician assistant, if such care is rendered without direct consultation with the physician. The time period for such review and countersignature shall be established in the utilization plan and will depend upon the practice setting. Patient charts which reflect physician assistant care rendered with direct physician consultation need not be countersigned.

(b)) In the temporary absence of the supervising physician, the physician assistant may carry out those tasks for which he is registered, if the supervisory and review mechanisms noted above are provided by a delegated alternate physician supervisor.

((c)) (b) The physician assistant may not function as such if these supervisory and review functions are impossible.

(2) The physician assistant employed by him, at all times when meeting or treating patients, wears an identifying badge in a prominent place on his person identifying him as a physician assistant.

(3) No physician's assistant in his employ advertises himself in any manner which would tend to mislead the public generally or the patients of the physician as to his role.

((4) The physician's assistant in his employ performs only those tasks which have been authorized by the board. If the physician assistant is being trained to perform additional tasks beyond those authorized, such training may be carried out only under the direct, personal supervision of the supervising physician or a qualified person designated by him.))

NEW SECTION

WAC 308-52-147 REMOTE SITE—UTILIZATION. Limitations, geographic.

(1) No physician assistant shall be utilized in a place geographically separated from the supervising physician without the express permission of the board. A remote site shall be defined as a setting physically separate from the supervising physician's primary place for meeting patients or a setting where a supervising physician is present less than twenty-five percent of the practice time of the physician assistant. The "primary place for meeting patients" shall be defined to include the physician's office, the institution(s) in which his or her patients are hospitalized or the homes of patients for whom a physician-patient relationship has already been established.

(2) Special permission may be granted to utilize a physician assistant in a remote site if:

(a) There is a demonstrated need for such utilization.

(b) Adequate provision for immediate communication between the primary or alternate physician and the physician assistant exists.

(c) A mechanism has been developed to provide for the establishment of a direct patient-physician relationship between the supervising physician and patients who may be seen initially by the physician assistant.

(d) The responsible physician spends at least ten percent of the practice time of the physician assistant in the remote office. In the case of part time or unique practice settings, the sponsoring physician may petition the board to modify the on-site requirement providing the sponsoring physician demonstrates that adequate supervision is being maintained by an alternate method. The board will consider each request on an individual basis.

(e) All patient activities, functions, services and treatment measures are properly documented in written form by the physician assistant and reviewed and countersigned by the supervising physician.

(f) The provisions of WAC 308-52-141(2) are met.

(g) The waiting room, offices and examining rooms of all facilities approved as remote sites must have posted a printed announcement that the (named) sponsor is responsible for all care rendered, and the (named) individual providing the care is a physician assistant. Identification of the clinic on the outside facade must include the names of the physician sponsor and the physician assistant.

NEW SECTION

WAC 308-52-148 CERTIFICATION. (1) Individuals will be considered as certified physician assistants as follows:

(a) Individuals who have graduated from a board approved training program and who have passed the National Commission on Certification of Physician's Assistants (NCCPA) initial certification examination.

(b) Individuals who are qualified foreign medical graduates who have been certified by the Educational Commission for Foreign Medical Graduates (ECFMG).

(2) On or after July 1, 1987, applicants for original registration will be designated certified and noncertified. These individuals will be considered for registration as follows:

(a) A noncertified physician assistant may perform services for which he or she has been trained as outlined in the procedure reference and guideline established by the board.

(i) The noncertified physician assistant may not practice in a remote site, or

(ii) Prescribe controlled substances unless specially approved by the board.

(iii) The noncertified physician assistant and supervising physician shall insure that, with respect to each patient, all activities, functions, services and treatment measures are immediately and properly documented in written form by the noncertified physician assistant. Every written entry shall be reviewed and countersigned by the supervising physician within forty-eight hours.

(b) A certified physician assistant may provide those services which he or she is competent to perform and which are consistent with the certified physician assistant's education, training and experience.

(i) The supervising physician shall be responsible for determining the tasks and degree of supervision required for performance of specific tasks.

(ii) A review mechanism shall be established to assure supervision of the certified physician assistant's work.

WSR 87-13-055
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning:

New	WAC 308-400-095	Fees.
New	WAC 308-400-100	Forms, fees and procedures—Filing processor and preparer liens for agricultural products and fish.
New	WAC 308-400-110	Forms, fees and procedures—Filing crop liens;

that the agency will at 9:00 a.m., Monday, July 27, 1987, in the First Floor Conference Room, Black Lake Office Building #2, 405 Black Lake Boulevard, 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 62A.9-409 as amended by section 6, chapter 189, Laws of 1987, RCW 60.13.040 as amended by section 7, chapter 189, Laws of 1987, and RCW 60.11.040.

The specific statute these rules are intended to implement is RCW 62A.9-409 as amended by section 6, chapter 189, Laws of 1987, RCW 60.13.040 as amended by section 7, chapter 189, Laws of 1987, and by section 3, chapter 148, Laws of 1987, and by RCW 60.11.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 27, 1987.

Dated: June 16, 1987
By: Maxine Nelson
for Keith Weaver
Administrator

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: WAC 308-400-095 is to prescribe fees for filing information with and for obtaining information from Uniform Commercial Code filing officers; and 308-400-100 and 308-400-110 are to prescribe forms, fees and procedures pertaining to filing crop liens, and processor and preparer liens for agricultural products or fish.

Statutory Authority: RCW 62A.9-409 as amended by section 6, chapter 189, Laws of 1987, RCW 60.13.040 as amended by section 7, chapter 189, Laws of 1987, and by section 3, chapter 148, Laws of 1987, and RCW 60.11.040.

Summary of the Rules: New sections WAC 308-400-095 Fees; 308-400-100 Forms, fees, and procedures—Filing processor and preparer liens for agricultural products or fish; and 308-400-110 Forms, fees and procedures—Filing crop liens.

Reason Proposed: Rules are proposed prescribing fees for filing information with and obtaining information from, filing officers, because effective July 26, 1987, the statutorily prescribed fees are repealed and fees are to be prescribed by the Department of Licensing. Due to the department's increased rule-making authority, forms, fees and procedures are prescribed pertaining to filing crop liens and processor and preparer liens for agricultural products or fish.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Ken Mark, Assistant Director, Business License Services, Department of Licensing, 405 Black Lake Boulevard, Olympia, Washington 98504, phone (206) 753-1749 comm or 234-1749 scan; and Keith Weaver, Administrator, Business License Services, Department of Licensing, 405 Black Lake Boulevard, Olympia, Washington 98504, phone (206) 753-9627 comm or 234-9627 scan.

Proponents: State of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

NEW SECTION

WAC 308-400-095 FEES. The following fees for filing information with, and for obtaining information from, filing officers shall be charged by the Department of Licensing:

1) For filing, indexing, and furnishing data pursuant to a security interest created by a deed of trust or mortgage under provisions of RCW 62A.9-302, the fee shall be seven dollars.

2) For filing and indexing an original financing statement or a continuation statement pursuant to RCW 62A.9-403, and for stamping a copy furnished by the secured party showing the date and place of filing, the fee shall be four dollars if the statement is in the standard form prescribed by the Department of Licensing, but if the form of the statement does not conform to the standards prescribed by the department the fee shall be seven dollars.

3) For filing, indexing, and furnishing filing data for a financing statement indicating an assignment or a separate statement of assignment, under provisions of RCW 62A.9-405, on a form conforming to standards prescribed by the Department of Licensing shall be four dollars, but if the form of the financing statement or separate statement of assignment does not conform to the standards prescribed by the department the fee shall be seven dollars.

4) For filing and noting a statement of release pursuant to RCW 62A.9-406 on a form conforming to standards prescribed by the Department of Licensing, the fee shall be four dollars, but if the form of the statement does not conform to the standards prescribed by the department the fee shall be seven dollars.

5) For a certificate of information pursuant to RCW 62A.9-407, the fee shall be four dollars. For a certificate of information pursuant to RCW 62A.9-407 and for a copy of any filed financing statements or statements of assignment the fee shall be eight dollars for each particular debtor's statements requested.

NEW SECTION

WAC 308-400-100 FEES, FORMS AND PROCEDURES— FILING PROCESSOR AND PREPARER LIENS FOR AGRICULTURAL PRODUCTS OR FISH. The filing forms, fees and procedures for filing with, and obtaining information from, filing officers, pertaining to processor and preparer liens for agricultural products or fish pursuant to chapter 60.13 RCW, shall correspond to the forms, fees and procedures prescribed by the Department of Licensing pursuant to chapter 62A.9 RCW, for filing statements or information with, and obtaining information from, filing officers.

NEW SECTION

WAC 308-400-110 FORMS, FEES AND PROCEDURES— FILING CROP LIENS. The filing forms, fees and procedures for filing information with, and obtaining information from, filing officers, pertaining to crop liens pursuant to chapter 60.11 RCW, shall correspond to the filing forms, fees and procedures prescribed by the Department of Licensing pursuant to chapter 62A.9 RCW, for filing information statements with, and obtaining information from, filing officers.

**WSR 87-13-056
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed June 17, 1987]**

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 escrow officer and agent fees, new section WAC 308-128B-080;

that the agency will at 10:00 a.m., Monday, August 3, 1987, in the Examination Center, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is RCW 43.24.086.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 3, 1987.

Dated: June 16, 1987
By: Joyce R. Dolliver
Assistant Attorney General

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To establish the amount of certain fees associated with the licensing or regulation of professions, occupations, or business administered by the Department of Licensing.

Statutory Authority: RCW 43.24.86 [43.24.086].

Summary of the Rules: WAC 308-128B-080 Escrow officer and agent fees.

Reason Proposed: To set the fees for each licensing program at a sufficient level to defray the costs of administering that program.

Responsible Departmental Personnel: In addition to the Department of Licensing, the following departmental personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Bob VanSchoorl, Assistant Director, 1300 Quince Street S.E., Olympia, Washington 98504, (206) 753-2241 comm, 234-2241 scan.

Proponents: Director of the Department of Licensing.

Small Business Economic Impact Statement: Not required and has not been filed since these rules do not impact small business as that term was defined by RCW 43.31.920.

NEW SECTION

WAC 308-128B-080 ESCROW OFFICER AND AGENT FEES. The following fees shall be charged by the professional licensing division of the department of licensing.

<u>TITLE OF FEE</u>	<u>FEE</u>
Escrow Officer:	
First Examination	\$100.00
Re-Examination	100.00
License	150.00
License Renewal	175.00
Transfer of License	15.00
Duplicate License	15.00
Escrow Agent:	
Application	\$275.00
Renewal	275.00
Late Renewal Penalty	250.00
Transfer of License	15.00
Duplicate License	15.00
Escrow Agent Branch Office:	
Application	\$275.00
Renewal	275.00
Late Renewal Penalty	250.00
Transfer of License	15.00
Duplicate License	15.00

**WSR 87-13-057
PROPOSED RULES
DEPARTMENT OF LICENSING
(Also Board of Registration
for Professional Engineers
and Land Surveyors)
[Filed June 17, 1987]**

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 fees associated with the licensing or regulation of certain professions, occupations, or businesses administered by the Department of Licensing;

that the agency will at 10:00 a.m., Monday, August 3, 1987, in the Examination Center, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on a date following the hearing.

The authority under which these rules are proposed is RCW 43.24.086.

The specific statute these rules are intended to implement is RCW 43.24.086.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 3, 1987.

Dated: June 12, 1987
 By: Robert VanSchoorl
 Assistant Director

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To establish the amount of certain fees associated with the licensing or regulation of professions, occupations, or businesses administered by the Department of Licensing.

Statutory Authority: RCW 43.24.86 [43.24.086].

Summary of the Rules: WAC 196-26-020 Engineer fees; 308-31-055 Podiatry fees; 308-34-090 Naturopathic physician fees; 308-40-125 Dentist fees; 308-50-440 Hearing aid fitter/dispenser fees; 308-51-210 Massage fees; 308-54-315 Nursing home administrator fees; 308-55-025 Ocularist fees; 308-115-405 Midwifery fees; 308-180-260 Acupuncture fees; repealing WAC 196-26-010 Fees (supervising physician); 308-50-375 Fees; 308-51-200 Fees; and 308-180-100 Acupuncture fees.

Reason Proposed: To set the fees for each licensing program at a sufficient level to defray the costs of administering that program.

Responsible Departmental Personnel: In addition to the Department of Licensing, the following departmental personnel have knowledge of and responsibility for drafting, implementing and enforcing these rules: Robert VanSchoorl, Assistant Director, 1300 Quince Street S.E., Olympia, Washington 98504, 234-2241 scan, 753-2241 comm.

Proponents: Director of the Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal law or federal or state court requirements.

Small Business Economic Impact Statement: Not required since these rules do not impact small businesses as that term is defined by RCW 43.31.920.

NEW SECTION

WAC 196-26-020 ENGINEER FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Engineers:	
Application fee	\$ 60.00
Examination retake (2nd subsequent or more)	50.00
Reciprocity	50.00
Engineer certificate (initial registration)	15.00
Replacement certificate	15.00
Renewal	40.00
Late renewal penalty	25.00
Duplicate license	15.00
Certification	25.00
Engineer in training:	
Application, examination and certificate	30.00
Examination retake (2nd subsequent or more)	50.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00

Title of Fee	Fee
Land surveyor:	
Examination and certificate	60.00
Examination retake (2nd subsequent or more)	50.00
Reciprocity	50.00
Renewal	40.00
Late renewal penalty	25.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00
Engineer corporation:	
Certificate of authorization	250.00
Renewal	125.00
Duplicate license	15.00
Replacement certificate	15.00
Certification	25.00
Engineer partnership:	
Certification of authorization	250.00
Renewal	125.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-26-010 FEES.

AMENDATORY SECTION (Amending Order PL 446, filed 11/2/83)

WAC 308-31-055 PODIATRY FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$200.00
Reciprocity application	200.00
License renewal	100.00
Reexamination	200.00
Late renewal penalty	10.00
Duplicate license	5.00))
<u>Application (examination and reexamination)</u>	<u>\$500.00</u>
<u>Reciprocity application</u>	<u>400.00</u>
<u>License renewal</u>	<u>650.00</u>
<u>Late renewal penalty</u>	<u>10.00</u>
<u>Duplicate license</u>	<u>15.00</u>
<u>Certification</u>	<u>25.00</u>

NEW SECTION

WAC 308-34-090 NATUROPATHIC PHYSICIAN FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application/examination/reexamination	\$275.00
License renewal	250.00
Late renewal penalty	175.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-40-125 DENTIST FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$120.00
Reexam	120.00

Title of Fee	Fee
Renewal	40.00
Late renewal penalty	40.00
Reciprocity application	120.00
Duplicate license	5.00
Certification	25.00))
Application (examination and reexamination)	\$400.00
Renewal	165.00
Late renewal penalty	200.00
Reciprocity application	400.00
Duplicate license	15.00
Certification	25.00
Investigation fee	25.00

Title of Fee	Fee
Application—Reciprocity	125.00
Original license	50.00
Temporary permit	125.00
Renewal	75.00
Late renewal penalty	75.00
Duplicate license	5.00
A.I.T. registration	25.00))
Application (examination and original license)	\$250.00
Reexamination (partial)	200.00
Application—Reciprocity	150.00
Temporary permit	150.00
Renewal	160.00
Late renewal penalty	160.00
Duplicate license	15.00
Certification	25.00

NEW SECTION

WAC 308-50-440 **HEARING AID FITTER/DISPENSER FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Trainee:	
Initial application	\$300.00
Trainee transfer of sponsor—Within fifteen days	75.00
Trainee transfer of sponsor—Over fifteen days	100.00
Extension of trainee license	200.00
Fitter/dispenser:	
Examination or reexamination (full)	500.00
Partial reexamination	175.00
Initial license	250.00
Renewal	200.00
Late renewal penalty	150.00
Duplicate license	15.00
Certification	25.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-50-375 FEES.

NEW SECTION

WAC 308-51-210 **MASSAGE FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Massage practitioner:	
Written examination and reexamination	\$ 60.00
Practical examination and reexamination	80.00
Initial license	80.00
Renewal	70.00
Late renewal penalty	75.00
Certification	25.00
Duplicate license	15.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-51-200 FEES.

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-54-315 **NURSING HOME ADMINISTRATOR FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$125.00
Reexam (partial)	75.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-55-025 **OCULARIST FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Application and exam	\$250.00
Renewal	300.00
Late renewal penalty	300.00
Duplicate license	5.00
Apprentice registration	200.00
Transfer of sponsor	50.00))
Application and examination	\$ 350.00
Renewal	1150.00
Late renewal penalty	300.00
Duplicate license	15.00
Certification	25.00

AMENDATORY SECTION (Amending Order PL 442, filed 8/10/83)

WAC 308-115-405 **MIDWIFERY FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
((Initial application	\$125.00
Examination or reexam	150.00
Renewal	75.00
Late renewal penalty	75.00
Duplicate license	5.00
Verification	10.00))
Initial application	\$225.00
Examination	250.00
Reexamination (second subsequent or more)	250.00
Renewal	175.00
Late renewal penalty	175.00
Duplicate license	15.00
Certification	25.00

NEW SECTION

WAC 308-180-260 **ACUPUNCTURE FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application/examination	\$500.00
Retake examination—Written	200.00
Retake examination—Practical	300.00
Annual license renewal	960.00
Late renewal penalty	200.00
Duplicate license	15.00
Certification	25.00
Acupuncture training program application	300.00

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-180-100 ACUPUNCTURE FEES.

WSR 87-13-058
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning brand inspection fee for horses, chapter 16-620 WAC;

that the agency will at 1:00 p.m., Wednesday, July 22, 1987, in the Meeting Room of Marysville Livestock Auction, 15714 Smokey Point Boulevard, Arlington, 98223, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 27, 1987.

The authority under which these rules are proposed is RCW 16.57.350.

The specific statute these rules are intended to implement is RCW 16.57.390.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 22, 1987.

Dated: June 17, 1987

By: Mike Willis
 Assistant Director

STATEMENT OF PURPOSE

Title: Brand inspection fee for horses.

Description of Purpose: To make the brand inspection fee for all horses \$2.00 per animal.

Statutory Authority: RCW 16.57.350.

Specific Statute Rule is Intended to Implement: RCW 16.57.390.

Summary of Rule: The current fee for brand inspection of horses is \$2.00 for horses bearing individual identification symbols and \$1.00 for all others. Proposal would make brand inspection fee for all horses \$2.00 per animal.

Reasons Supporting Proposed Action: The livestock identification section of the Livestock Services Division, Washington State Department of Agriculture, is fully funded through fees collected for services. Additional revenue is needed for support of current level activities. Inspection fee for horses was last increased in 1982.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Willis, Assistant Director, Washington State Department of Agriculture, Livestock Services Division, 406 General Administration Building, Olympia, WA 98504, (206) 753-5065.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Washington State Department of Agriculture, Livestock Services Division.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement: None.

AMENDATORY SECTION (Amending Order 1753, filed 1/21/82)

WAC 16-620-290 FEES - REGULAR INSPECTION POINTS. The fee for ~~((identifying)) the brand inspection of horses ((bearing individual identification symbols, as defined in chapter 16.57 RCW;))~~ at public livestock markets and slaughter houses shall be two dollars per animal inspected ~~((and the fee for all other horses shall be one dollar per animal inspected))~~. Such inspection fees shall be applicable only during the scheduled time which the director of agriculture has established as regular brand inspecting time at each such public livestock market or slaughterhouse. Inspection performed upon request during any other time at such public livestock markets or slaughterhouses ~~((shall))~~ may be actual costs.

REPEAL

WAC 16-620-300

AMENDATORY SECTION (Amending Order 1753, filed 1/21/82)

WAC 16-620-340 INSPECTION, SPECIAL SALES. Inspection shall be mandatory at all special horse sales wherein horses of more than one owner are offered for sale either by private treaty or auction. Inspection charges at any such sale shall be collected and paid to the department of agriculture by the person or business entity conducting the sale. The department of agriculture may require the prepayment of said inspection charges. The charge for inspection at special horse sales shall be two dollars per animal ~~((for any horse bearing an individual identification symbol, as defined in chapter 16.57 RCW, or one dollar per animal for any other horse))~~. If the inspection charges do not cover the total cost incurred by the department, the remainder shall be the responsibility of the person or business entity conducting the sale at actual cost.

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

WSR 87-13-059
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed June 17, 1987]

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 Return of wine by retailer—Replacement—Conditions, WAC 314-24-210;

that the agency will at 9:30 a.m., Thursday, July 23, 1987, in the Offices of the Liquor Control Board, Capital Plaza Building, 5th Floor, 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.

The specific statute these rules are intended to implement is chapter 386, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 23, 1987.

Dated: June 16, 1987

By: L. H. Pedersen
Chairman

STATEMENT OF PURPOSE

Title: WAC 314-24-210 Return of wine by retailer—Replacement—Conditions.

Description of Purpose: To allow the return of fortified wine by a Class F—restricted retailer; and to allow the return of wine from a wholesaler to a winery for purposes other than destruction and/or reconditioning.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: Chapter 386, Laws of 1987.

Summary of Rule: Allows the retailer to return any fortified wine to the wholesaler from whom they purchased the wine; and allows a wholesaler to return wine to a winery when the wholesaler cannot pay for the wine or the wholesaler discontinues the wine line or the winery changes distributors.

Reasons Supporting Proposed Action: The adoption by the 1987 legislature of HB 1158 redefines wine as table wine and fortified wine. Certain fortified wines are prohibited from sale in Class F—restricted licensed premises. The Class F—restricted licensed premise is a new classification of license created by HB 1158. This type of license will be issued whenever the board determines a Class F license needs to be restricted based upon requirements set forth in HB 1158. Since a regular Class F license may be restricted at any time throughout the year as such a license is applied for or renewed, the licensee may have some fortified wine in stock at the time the license becomes restricted. Many times after ordering wine, the wholesaler finds they are unable to sell the wine and unable to pay for the wine, at the present time there are no conditions which will allow for a winery to take back salable wine which a wholesaler has been unable to sell or pay for. The new section as added will allow for this. Frequently when a wholesaler discontinues a line of wine he may wish to return the wine to the winery rather than sell out the line. The new section as added will allow for this. Sometimes during a change in distributorship the winery will take back salable wine when it is not authorized to do so. The new section as added will allow for this.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Jan Britt, Supervisor, Manufacturers/Importers/Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6273; and James E. Hoing, Controller, Financial Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6258.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: This rule change is necessary in order to allow for the smooth and orderly implementation of chapter 386, Laws of 1987.

Small Business Economic Impact Statement: There may be a cost impact to the wholesaler(s) who will be taking back fortified wine as the wholesalers have the added cost of handling the product three times instead of the normal one time. (First the wholesaler sells the wine to a retailer, secondly the wholesaler takes back and reimburses the retailer for the wine, thirdly the wholesaler sells the wine to another retailer.)

AMENDATORY SECTION (Amending Order 204, Resolution No. 213, filed 11/25/86)

WAC 314-24-210 RETURN OF WINE BY RETAILER—REPLACEMENT—CONDITIONS. No wine shall be returned by any retail licensee to any wine wholesaler except as herein provided.

(1) Wine which is not in a salable condition may be returned by a retail licensee to the wine wholesaler from whom purchased, provided it is immediately replaced by the wine wholesaler with an identical quantity, type and brand of wine: PROVIDED, That if the brand of wine is not presently in the wine wholesaler's stock and is not available to the wholesaler in the immediate future, a cash refund may be made to the retail licensee upon the approval of the board first being obtained.

(a) Every wine wholesaler shall maintain on the licensed premises for a period of two years complete records of all refunds and exchanges made under this section including an inventory of unsalable wine returned to such wholesaler by any retail licensee.

(b) Such unsalable wine which requires reconditioning or destruction shall be returned by the wine wholesaler to the domestic winery which manufactured or produced the same, or to the importer who imported such wine. When wine which has been returned to a domestic winery by any person for reconditioning or destruction has been assembled at the winery, a complete inventory in duplicate of unsalable wine shall be filed with the board by the winery with a request that inspection be made of the returned wine before the reconditioning process or destruction is started. When wine has been returned by the wholesaler to the importer who imported such wine, a complete inventory of said wine shall be filed in duplicate with the board by the importer with a request that inspection be made of the returned wine before the wine is destroyed or returned to the out-of-state manufacturer.

(c) Wine which is not in a salable condition and has been returned to a domestic winery or importer by a wholesaler may be replaced by the supplier with an identical quantity, type, and brand of wine: PROVIDED, That if the brand of wine is not presently in the winery or importer's stock and is not available to the supplier in the immediate future, a cash refund or credit may be made to the wholesaler by the supplier. Credit extended for the return of product should be noted on a separate document from the original invoice. Except as provided herein, no other adjustment, by way of a cash refund or otherwise, shall be made by the winery or wine wholesaler.

(2) Wine may be returned by a retail licensee or by a governmental agency who has seized the same to the wine wholesaler selling such wine in the event the retailer goes out of the business of selling wine at retail or has their license changed to a Class F restricted license, and in such case a cash refund may be made upon return of the wine, provided that consent of the board is first had and obtained.

(3) Wine different from that ordered which has been delivered in error to a retail licensee may be returned to a wine wholesaler and either replaced with that wine which was ordered or a cash refund may be made upon the approval of the board first being obtained: PROVIDED, That the error in delivery shall be discovered and corrected within eight days of the date the delivery was made.

(4) A wholesaler may return salable wine to a Washington winery provided the winery reimburses the wholesaler for the cost of the wine plus the wine tax which was paid by the wholesaler. The winery will then put any wine returned from a wholesaler into their tax paid area at the winery.

WSR 87-13-060
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning:

New WAC 314-12-025 Applicants for temporary licenses—
 Fee—Who qualifies.
 Amd WAC 314-12-070 Transfer of licenses;

that the agency will at 9:30 a.m., Thursday, July 23, 1987, 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, chapter 217, Laws of 1987 (Senate Bill 5212).

The specific statute these rules are intended to implement is RCW 66.24.010, chapter 217, Laws of 1987 (Senate Bill 5212).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 23, 1987.

Dated: June 16, 1987

By: L. H. Pedersen
 Chairman

STATEMENT OF PURPOSE

Title: WAC 314-12-025 Applicants for temporary licenses—Fee—Who qualifies; and 314-12-070 Transfer of licenses.

Description of Purpose: WAC 314-12-025 is being written to implement Senate Bill 5212, chapter 217, Laws of 1987, which allows the board to issue temporary licenses for retail and wholesale liquor licenses which have had a transfer application filed; and the added language to WAC 314-12-070 is housekeeping in nature to bring that rule into compliance with Senate Bill 5212, chapter 217, Laws of 1987.

Statutory Authority: RCW 66.08.030, chapter 217, Laws of 1987 (SB 5212).

Statutes Implemented by the Rule: RCW 66.24.010, chapter 217, Laws of 1987 (SB 5212).

Summary of Rule: WAC 314-12-025 sets forth the fee and lists who is qualified to apply for a temporary liquor license pending the regular transfer of the license; and 314-12-070 is a housekeeping measure to allow for the issuance of temporary licenses during a transfer in accordance with Senate Bill 5212, chapter 217, Laws of 1987.

Reasons Supporting Proposed Action: Senate Bill 5212 gives the board the authority to set the fee and list the conditions for a temporary license when a transfer application has been received. The rule and amendment proposed implement Senate Bill 5212.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for

drafting, implementing and enforcing these rules: Jan Britt, Supervisor, Manufacturers/Importers/Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6273; and Lester C. Dalrymple, Supervisor, License Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6259.

Person or Organization Proposing Rule: Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: These rules were made necessary as a result of state law (chapter 217, Laws of 1987) as explained above.

Small Business Economic Impact Statement: There will be no negative cost impact for these rules.

NEW SECTION

WAC 314-12-025 APPLICANTS FOR TEMPORARY LICENSES—FEE—WHO QUALIFIES. Any person who has submitted a transfer application for a retail or wholesale liquor license in accordance with RCW 66.24.010 and WAC 314-12-070 may apply for, and be issued, a temporary license to be effective immediately upon issuance under the following conditions: (1) A fee of fifty dollars shall be submitted with the application for a temporary license.

(2) For the purposes of this section, "retail liquor license" shall include all classes of liquor licenses that allow the holder to sell liquor directly to the public.

(3) For the purposes of this section, "wholesale liquor license" shall include all classes of liquor licenses held in conjunction with those wholesale licenses authorized by RCW 66.24.200 and 66.24.250.

(4) The privilege of having a temporary license issued upon an application for a transfer of license does not apply to breweries or wineries, even though these licensees have limited wholesale and retail privileges under their manufacturers' licenses.

AMENDATORY SECTION (Amending Order 85, Resolution No. 94, filed 10/28/81)

WAC 314-12-070 TRANSFER OF LICENSES. (1) No transfer of any license shall be made except in conformance with RCW 66.24.010, and subject to the following conditions:

(a) The holder of the license shall execute an assignment and transfer upon a form prescribed by the board, and the assignee and transferee shall then make application for approval of such assignment and transfer;

(b) Except as authorized by WAC 314-12-025, the transferee shall not take possession of the premises, nor exercise any of the privileges of a licensee, nor shall such assignment and transfer be effective until the board shall have approved the same;

(c) In approving any assignment and transfer of licenses, the board reserves the right to impose special conditions as to the future connection of the former licensee or any of his employees with the licensed business as in its judgment the circumstances may justify;

(d) A change of trade name may be made coincident with the transfer of the license without any additional fee.

(2) The sale of a partnership interest or any change in the partners, either by withdrawal or addition or otherwise, shall be considered an assignment and transfer of the licenses held by the partnership and subject to the regulations applicable to assignment and transfer of licenses.

(3) If the licensee is a corporation, a change in ownership of any stock shall not be deemed a transfer of a license: PROVIDED, HOWEVER, That pursuant to the provisions of RCW 66.24.025(2), the proposed sale of more than ten percent of the outstanding and/or issued stock of a licensed corporation or any proposed change in the principal officers of a licensed corporation must be reported to the board on forms prescribed by it. The board may inquire into all matters in connection with any such sale of stock or proposed change in officers, and the written consent of the board must be obtained before any such changes are made.

(4) If a licensee has an unresolved violation charge pending, no action will be taken by the board on an application to transfer the liquor license to another until such time as a final disposition has been made of the pending violation charge.

WSR 87-13-061
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning definitions, labeling requirements and examination of fertilizer minerals and limes, chapter 16-200 WAC;

that the agency will at 10:00 a.m., Tuesday, July 21, 1987, in the Federal Agricultural Conference Room, 2015 South 1st Street, Yakima, 98903, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 17, 1987.

The authority under which these rules are proposed is chapter 15.54 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 21, 1987.

Dated: June 17, 1987

By: Art G. Losey
 Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 16-200 WAC.

Description of Purpose: To regulate labeling requirements and examination of fertilizer minerals and limes.

Statutory Authority: Chapter 15.54 RCW.

Summary of Rules: Setting guidelines for fertilizer manufacturing and sale.

Reasons for Supporting Proposed Actions: The 1987 legislature adopted changes in chapter 15.54 RCW giving the department the authority to assess civil penalties, adopt rules in the areas of transportation, display, distribution, use and disposal of fertilizers and changes the method for setting values for fertilizers.

Agency Personnel Responsible for Drafting Rules: Ted Maxwell, Assistant, Registration and Services, phone (206) 753-5062; Proposing and Implementing Rules: Glenn E. Smerdon, Supervisor, Agriculture Chemical Branch, 406 General Administration Building, AX-41, Olympia, WA, phone (206) 753-5062.

Persons Proposing Amendments: Washington State Department of Agriculture.

Agency Comments: None.

Rules Necessary to Comply with Federal Law: No.

Small Business Economic Impact Statement: None.

NEW SECTION

WAC 16-200-695 DEFINITIONS. The definitions set forth in this section shall apply throughout this chapter unless context otherwise requires:

(1) "Organic" means a material containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth. When the term "organic" is utilized in the label or labeling of any commercial fertilizer, it shall be qualified as either "synthetic organic" or "natural organic," with the percentage of each specified.

(2) "Natural organic" means a material derived from either plant or animal products containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth.

(3) "Synthetic organic" means a material that is manufactured chemically (by synthesis) from its elements and other chemicals, containing carbon and one or more elements (other than hydrogen and oxygen) essential for plant growth.

(4) "Unit" means one percent (by weight) of a ton.

(5) "AOAC" means the association of analytical chemists.

NEW SECTION

WAC 16-200-705 PURPOSE. The following rules concerning the definitions, labeling requirements and examination of fertilizer minerals and limes are established in this chapter under the authority of the Commercial Fertilizer Act, chapter 15.54 RCW.

NEW SECTION

WAC 16-200-711 PLANT NUTRIENTS IN ADDITION TO NITROGEN, PHOSPHORUS AND POTASSIUM. (1) Plant nutrients, other than nitrogen, phosphorus and potassium, when mentioned in any form or manner shall be registered and shall be guaranteed on the label. Guarantees shall be made on the elemental basis. Sources of the elements guaranteed shall be shown on the label. Proof of availability shall be provided the director upon request. Except guarantees for those water soluble nutrients labeled solely for hydroponic or continuous liquid feed programs, the minimum percentages which will be accepted for registration are as follows:

Element	%
Calcium (Ca)	1.0000
Magnesium (Mg)	0.5000
Sulfur (S)	1.0000
Boron (B)	0.0200
Chlorine (Cl)	0.1000
Cobalt (Co)	0.0005
Copper (Cu)	0.0500
Iron (Fe)	0.1000
Manganese (Mn)	0.0500
Molybdenum (Mo)	0.0005
Sodium (Na)	0.1000
Zinc (Zn)	0.0500

(2) Guarantees or claims for the plant nutrients listed in subsection (1) of this section are the only ones which shall be accepted by the department. Proposed labels and directions for the use of the fertilizer shall be furnished to the department with the application for registration upon request. Any of the above listed elements which are guaranteed shall appear in the order listed immediately following guarantees for the primary nutrients of nitrogen, phosphorus and potassium.

(3) A warning or caution statement may be required on the label for any commercial fertilizer containing more than 0.1% boron or more than 0.001% molybdenum. For example:

(a) Boron:

(i) Directions: Apply this fertilizer at a maximum rate of three hundred fifty pounds per acre for alfalfa or red clover seed production. CAUTION: Do not use on other crops; the boron may cause injury to them.

(ii) CAUTION: Apply this fertilizer at a maximum rate of seven hundred pounds per acre for alfalfa or red clover seed production. Do not use on other crops; the boron may cause serious injury to them.

(iii) WARNING: This fertilizer carries added borax and is intended for use only on alfalfa. Its use on any other crops or under conditions other than those recommended may result in serious injury to the crops.

(b) Molybdenum: CAUTION: This fertilizer is to be used only on soil which responds to molybdenum. Crops high in molybdenum are toxic to grazing animals (ruminants).

NEW SECTION

WAC 16-200-715 FERTILIZER LABELS. The following information, in the format presented, is the minimum information required for all fertilizer labels. For packaged products, this information shall either appear on the front or back of the package; or occupy at least the upper-third side of the package; or be printed on a tag and attached to the package. This information shall be in a readable and conspicuous form. For bulk products, this same information in written or printed form shall accompany delivery and be supplied to the purchaser at time of delivery.

(1) Net weight.

- (2) Brand.
- (3) Grade (provided that the grade shall not be required when no primary nutrients are claimed.)
- (4) Guaranteed analysis*
 - Total Nitrogen (N)** _____%
 - ____% ammoniacal nitrogen
 - ____% nitrate nitrogen
 - ____% water insoluble nitrogen
 - ____% urea nitrogen
 - ____% (other recognized and determined forms of N)
 - Available Phosphoric Acid (P₂O₅) _____%
 - Soluble Potash (K₂O) _____%
 - (Other nutrients, elemental basis)*** _____%
- (5) Sources of nutrients guaranteed on the label shall be listed below the completed guaranteed analysis statement.
- (6) Name and address of registrant.

* Zero guarantees shall not be made and shall not appear in the statement.

** If chemical forms of nitrogen are claimed or required, the form shall be shown and the percentages of the individual forms shall add up to the total nitrogen percentage.

*** As prescribed by WAC 16-200-711.

NEW SECTION

WAC 16-200-721 SLOWLY RELEASED PLANT NUTRIENTS. (1) No fertilizer label shall bear a statement that connotes or implies that certain plant nutrients contained in a fertilizer are released slowly over a period of time, unless the nutrient or nutrients are identified and guaranteed.

- (2) Types of products with slow release properties recognized are:
 - (a) Water insoluble (nitrogen products only), such as natural organics, ureaform materials, urea-formaldehyde products, IBDU, oxamide, etc.;
 - (b) Coated slow release, such as sulfur coated urea and other encapsulated soluble fertilizers;
 - (c) Occluded slow release, where fertilizers or fertilizer materials are mixed with waxes, resins, or other inert materials and formed into particles; and
 - (d) Products containing water soluble nitrogen such as ureaform materials, urea-formaldehyde products, methylenediurea (MDU), dimethylenetriurea (DMTU), dicyanodiamide (DCD), etc.
- (3) The terms "water insoluble," "coated slow release," "slow release," "controlled release," "slowly available water soluble," and "occluded slow release" are accepted as descriptive of the products listed in subsection (2) of this section; however the registrant can show a testing program substantiating the claim (testing under guidance of experiment station personnel or a recognized reputable researcher acceptable to the director). A laboratory procedure, acceptable to the director for evaluating the release characteristics of the product(s) shall also be provided by the registrant upon request.
- (4) When the nitrogen is organic, it shall be established that if a label states the amount of organic nitrogen present in a phrase, such as "nitrogen in organic form equivalent to X% N," then the water insoluble nitrogen guarantee shall not be less than sixty percent of the nitrogen so designated. For example: If the total nitrogen guarantee for a fertilizer is ten percent and the label states "Nitrogen in organic form equivalent to 2.5% N" then the water insoluble nitrogen guarantee shall not be less than 1.5% (2.5% x 0.6 = 1.5%).
- (5) When a slowly released nutrient is less than fifteen percent of the guarantee for either total nitrogen (N), available phosphoric acid (P₂O₅), or soluble potash (K₂O), as appropriate, the label shall bear no reference to such designations.
- (6) AOAC method 2.074 (13th Edition), or as designated in subsequent editions, shall be used to confirm the coated slow release and occluded slow release nutrients and others whose slow release characteristics depend on particle size. AOAC method 2.072 (13th Edition) or as designated in subsequent editions, shall be used to determine the water insoluble nitrogen of organic materials.

NEW SECTION

WAC 16-200-725 COMMERCIAL FERTILIZER DEFINITIONS. Except as the director designates otherwise in specific cases, the names and definitions for commercial fertilizers shall be those adopted by the association of american plant food control officials.

NEW SECTION

WAC 16-200-731 COMMERCIAL VALUE OF PLANT NUTRIENTS. The commercial values used in assessing penalties for plant nutrient deficiencies are as follows:

(1) Fertilizer Materials	Commercial Value (\$/Unit)		
	N	P ₂ O ₅	K ₂ O
Urea	5.00		
Ammonium Nitrate (33.5% - 34% N)	6.00		
Ammonium Sulfate	9.00		
Ammonium Phosphate:			
16-20-0	6.00	6.00	
18-46-0	5.00	5.00	
11-52-0	5.00	5.00	
11-55-0	5.00	5.00	
Triple Superphosphate (45%-46% P ₂ O ₅)			6.00
Muriate of Potash (60%-62% K ₂ O)			3.00
Potassium Sulfate (50%-53% K ₂ O)			7.00
Sulfate of Potash-Magnesia			8.00
Anhydrous Ammonia (82% N)	3.00		
Aqua Ammonia (20-0-0)	3.00		
Ammonium Thiosulfate (12-0-0)	5.00		
Ammonium Polysulphate (10-34-0)	6.00		6.00

(2) Relative values for macronutrients:	Commercial Value (\$/Unit)		
	N	P ₂ O ₅	K ₂ O
Dry blend nonspecialty fertilizer (not listed in (a) above)	6.00	5.00	4.00
Liquid blend nonspecialty fertilizer (not listed in (a) above)	5.00	6.00	5.00
Dry blend specialty fertilizer	20.00	20.00	20.00
Liquid blend specialty fertilizer	25.00	25.00	25.00

(3) Values used for determining and assessing penalties for secondary and minor plant nutrients shall be determined from the sales invoice.

NEW SECTION

WAC 16-200-735 BREAKDOWN OF PLANT FOOD ELEMENTS WITHIN THE GUARANTEED ANALYSIS. When a plant nutrient guarantee is broken down into the component forms, the percentage for each component shall be shown before the name of the form. For example: 4% Nitrate Nitrogen.

NEW SECTION

WAC 16-200-739 BRAND NAME. The addition of another prominent name or design to a registered brand (other than descriptive words associated with the grade) shall constitute a new and different brand. For example: Blue Bird 5-10-10 vs. John Doe Blue Bird 5-10-10.

REPEALER

- The following sections of the Washington Administrative Code are repealed:
- WAC 16-200-700 DEFINITION, LABELING, AND REGISTRATION OF CUSTOMER-FORMULA FERTILIZERS.
 - WAC 16-200-710 SECONDARY AND MINOR PLANT NUTRIENTS.
 - WAC 16-200-720 DEFINITIONS, REGULATIONS, AND ANALYSIS.
 - WAC 16-200-730 SPECIALTY FERTILIZERS.
 - WAC 16-200-740 FERTILIZER BRAND REGISTRATION.
 - WAC 16-200-743 FERTILIZER BRAND REGISTRATION-LABELING.

WSR 87-13-062
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning nursery fees and assessments, chapter 16-401 WAC;

that the agency will at 9:00 a.m., Wednesday, July 22, 1987, in the General Administration Agricultural Conference Room, 406 General Administration Building, AX-41, 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 September 17, 1987.

The authority under which these rules are proposed is chapter 15.13 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 22, 1987.

Dated: June 17, 1987
By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 16-401 WAC.

Description of Purpose: To establish fees for services provided to the nursery industry.

Statutory Authority: Chapter 15.13 RCW.

Summary of Rule: Set fees for various services provided by the department for industry and establish license fees for the nursery industry as well as establish an assessment on fruit tree nursery stock.

Reasons for Supporting Proposed Action: The 1987 legislature adopted changes in chapter 15.13 RCW giving the department authority to set license fees for nursery dealers and assessment on fruit tree stock. These fees and assessments were originally in the RCW and have not been increased, but will remain the same. At the same time, the department proposes to increase fees charged for services in the inspection of nurseries. These fees have not been increased since 1973 and are needed to cover the increased costs to the agency for these inspections.

Agency Personnel Responsible for Drafting, Implementing and Enforcing Rules: Robert O. Rebhan, Plant Services Supervisor, 406 General Administration Building, AX-41, Olympia, WA 98504, (206) 753-5062.

Person Proposing Rule: Washington State Department of Agriculture.

Agency Comments: None.

Whether Rule is Necessary as Result of Federal Law: No.

Small Business Economic Impact: None.

AMENDATORY SECTION (Amending Order 1315, filed 5/30/73)

WAC 16-401-020 NURSERY INSPECTION FEES. (Facility inspection) Any plant material at the location licensed as a nursery

dealer under chapter 15.13 RCW shall be subject to inspection. A certificate will be written stating the result of the inspection: PROVIDED, That the license location shall be subject to no more than two paid inspections each license period. Fees shall be based on actual time spent for inspection:

Table with 2 columns: Time intervals (Up to 1/2 hour, 1/2 to 1 hour, 1 to 2 hours, 2 to 3 hours, Over 3 hours) and Fees (None, \$ 9.00, 18.00, 27.00, 36.00).

AMENDATORY SECTION (Amending Order 1628, filed 3/21/79)

WAC 16-401-025 NURSERY INSPECTION-REQUESTED INSPECTIONS. Requested nursery inspections shall be at the rate of \$12.00 per hour, except as listed below, and shall include, but not be limited to:

Table listing various inspection services and their charges: Third party inspections, travel time; Minimum charge; Phytosanitary certificate; Nursery stock inspection certificate; Fumigation certificate; Field inspections.

Table listing field inspections and nursery stock inspection certificate tag charges: Field inspections of flowering bulbs, corms, rhizomes, or other field crops; Nursery stock inspection certificate tag.

When requested inspections are in combination, the charge will be ((+\$2.00)) \$18.00 per hour and minimum charges will be waived. EXCEPTION: When combination inspections include fumigation, a minimum charge will be ((+\$8.00)) \$27.00.

AMENDATORY SECTION (Amending Order 1628, filed 3/21/79)

WAC 16-401-030 EXTRA CHARGES. Extra charges on all requested inspections under WAC 16-401-025 shall be at the rate of ((+\$2.00)) \$18.00 per hour above the minimum charges listed.

(1) For all inspection services performed after 5:00 p.m. or on Saturdays, Sundays or state legal holidays, an hourly charge equivalent of ((+\$8.00)) \$27.00 per hour for actual hours spent in performance of duties shall be made. This shall include unit charges, plus, if necessary, overtime charges to equal ((+\$8.00)) \$27.00 per hour.

(2) The following state legal holidays will be observed: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving, Veteran's Day, Christmas Day, ((Lincoln's Birthday, Washington's Birthday, Columbus Day and General Election Day)) President's Day, and Martin Luther King Jr.'s Birthday. NO SERVICE will be performed on Thanksgiving, Christmas or New Year's Day, beginning at 5:00 p.m. on the previous day.

(3) All fees due under provisions of WAC 16-401-020, 16-401-025 and 16-401-030 shall be payable at the time the service is completed.

NEW SECTION

WAC 16-401-040 NURSERY DEALER LICENSE FEES. As provided in chapter 15.13 RCW, the director of agriculture hereby establishes the following schedule of annual license fees which shall accompany the application for nursery dealer license:

(1) Retail nursery dealer license:

(a) For gross business sales of horticultural plants and turf less than two thousand five hundred dollars, the license fee shall be twenty-five dollars.

(b) For gross business sales of horticultural plants and turf between two thousand five hundred dollars and fifteen thousand dollars, the license fee shall be fifty dollars.

(c) For gross business sales of horticultural plants and turf of fifteen thousand dollars or more, the license fee shall be one hundred dollars.

(2) Wholesale nursery dealer license:

(a) For gross business sales of horticultural plants and turf less than fifteen thousand dollars, the license fee shall be fifty dollars.

(b) For gross business sales of horticultural plants and turf of fifteen thousand dollars or more, the license fee shall be one hundred dollars.

NEW SECTION

WAC 16-401-050 ANNUAL ASSESSMENT—FRUIT TREE MATERIAL. As provided in chapter 15.13 RCW, the director of agriculture hereby establishes an annual assessment of one percent on the gross sale price of the wholesale market value for all fruit trees, fruit tree seedlings, fruit tree rootstock, and all other rootstock used for fruit tree propagation produced in Washington, and sold within the state or shipped from the state by any licensed nursery dealer.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-401-002 PROMULGATION.

WSR 87-13-063

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning rapeseed varieties eligible for certification and objectionable weeds in seeds, chapter 16-316 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 11, 1987.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 30, 1987.

Dated: June 17, 1987

By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

Title: Chapter 16-316 WAC.

Description of Purpose: To amend varieties eligible list of seed eligible for certification, and objectional weed list.

Statutory Authority: Chapter 15.49 RCW.

Summary of Rules: These rules consist of standards and requirements for certification of seed.

Reasons for Supporting Proposed Action: At a recent hearing considering other proposed changes in seed varieties eligible, additional varieties were proposed which were not included in the sections opened for consideration.

Agency Personnel Responsible for Drafting, Enforcing and Implementing Rules: Max G. Long, Seed Branch Supervisor, 2015 South 1st Street, Yakima, WA 98903.

Persons Proposing Rules: Washington State Department of Agriculture.

Agency Comments: None.

Rule Amendments Necessary to Comply with Federal Law: No.

Small Business Economic Impact Statement: None.

AMENDATORY SECTION (Amending Order 1757, filed 3/31/82, effective 5/1/82)

WAC 16-316-165 SEED CERTIFICATION—OBJECTIONABLE WEEDS. The following weeds shall be considered objectionable weeds for the purpose of seed certification:

English or Common Name	Botanical or Scientific Name
Bermudagrass	Cynodon dactylon (L.) Pers.
Blue lettuce	Lactuca pulchella (Pursh.) DC.
Docks and Sorrel	Rumex spp.
Field pennycress (fanweed)	Thlaspi arvense
Field sandbur	Cenchrus pauciflorus Benth.
Halogeton	Halogeton glomeratus C.A. Mey.
Medusahead	Elymus caput-medusae L. or Taeniatherum asperum (Sim) Nevski
Plantains	Plantago spp.
Poverty weed	Iva axillaris Pursh.
Puncturevine	Tribulus terrestris L.
St. Johnswort	Hypericum perforatum L.
Dalmation toadflax	Linaria dalmatica (L.) Mill.
Yellow toadflax	Linaria vulgaris Hill.
Western ragweed	Ambrosia psilostachya DC.
Wild mustard	Brassica kaber (DC.) L.C. Wheeler Var.
Wild oat	Avena fatua L.
Yellow starthistle	Centaurea solstitialis L.
Gromwell (in small grain)	Lithospermum arvense
Bedstraw	Galium aparine (in alfalfa only - inclusion of this species on weed list means certified class is limited to a maximum 18 per pound with no tolerance for foundation or registered seed)

AMENDATORY SECTION (Amending Order 1889, filed 6/9/86)

WAC 16-316-832 RAPESEED VARIETIES ELIGIBLE FOR CERTIFICATION. Following are the rapeseed varieties eligible and certification scheme for each:

Bridger*	Lindoro-oo
Cascade*	Rubin
Ceres	Wn-988

WSR 87-13-064

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Agriculture intends to adopt, amend, or repeal rules concerning strawberry certification, chapter 16-328 WAC; and caneberry certification, chapter 16-333 WAC.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 11, 1987.

The authority under which these rules are proposed is chapter 15.14 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 30, 1987.

Dated: June 17, 1987
By: Art G. Losey
Assistant Director

STATEMENT OF PURPOSE

Title: Chapters 16-333 and 16-328 WAC.

Description of Purpose: To set requirements and standards for caneberry and strawberry certification programs.

Statutory Authority: Chapter 15.14 RCW.

Summary of Rules: To allow for the propagation of foundation and registered stock from nuclear stock.

Reasons for Supporting Proposed Actions: These amendments were proposed in a recent hearing on the caneberry and certification programs which provide certification for additional kinds of propagative stock now being produced.

Agency Personnel Responsible for Drafting, Implementing and Enforcing the Rules: Max G. Long, Seed Branch Supervisor, 2015 South 1st Street, Yakima, WA 98903, phone (509) 575-2750.

Persons Proposing Amendments: Washington State Department of Agriculture.

Agency Comments: None.

Rules Necessary to Comply with Federal Law: No.

Small Business Economic Impact: None.

NEW SECTION

WAC 16-328-038 PRODUCTION OF CERTIFIED STRAWBERRY NURSERY STOCK BY MICROPROPAGATION TECHNIQUES. Foundation and registered strawberry nursery stock may be propagated from approved nuclear stock. See WAC 16-328-009 and WAC 16-328-015.

NEW SECTION

WAC 16-333-065 PRODUCTION OF CERTIFIED CANEBERRY NURSERY STOCK BY MICROPROPAGATION TECHNIQUES. Foundation and registered caneberry nursery stock may be propagated from approved nuclear stock. See WAC 16-333-020 and 16-333-040.

WSR 87-13-065

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed June 17, 1987]

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 Fees—Payment and procedures, chapter 392-185 WAC;

that the agency will at 9:00 a.m., Monday, July 27, 1987, in the Wanamaker Conference Room, SPI, Old Capitol 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 28A.97.050.

Dated: June 17, 1987
By: Frank B. Brouillet
Superintendent of Public Instruction

STATEMENT OF PURPOSE

Rule: Chapter 392-185 WAC.

Rule Section(s): WAC 392-185-060 Fees—Payment and procedures.

Statutory Authority: RCW 28.97.050 [28A.97.050].

Purpose of the Rule(s): To set forth the criteria for fee reimbursements to educational clinics for services to eligible common school dropouts.

Summary of the New Rule(s) and/or Amendment(s): Removes the provision that an extension request must be filed with OPSI after 75 instructional days in order to receive reimbursement for continued service up to one hundred thirty-five instructional days.

Reasons Which Support the Proposed Actions: Contributes to the reduction of unnecessary paperwork and more efficient use of agency secretarial, administrative, and fiscal services.

Person or Organization Proposing the Rule(s): SPI, government.

Agency Personnel Responsible for Drafting: Ralph E. Julnes, OSPI, 753-2298; Implementation: Barbara L. Mertens, OSPI, 753-2562; and Enforcement: Judy A. Schrag, OSPI, 586-6394.

The Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: [No information supplied by agency.]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rules: [No information supplied by agency.]

AMENDATORY SECTION (Amending Order 1-78, filed 2/6/78, effective 3/9/78)

WAC 392-185-060 FEES—PAYMENT AND PROCEDURES. Consistent with the provisions of chapter 28A.97 RCW as enacted or hereafter amended, fee reimbursements made to certified educational clinics shall be made in accordance with the following:

(1) There shall be no reimbursement prior to the actual delivery of services.

(2) Payments related to diagnostic procedures and course activities shall be made from available funds first to those clinics which demonstrate superior performance in the judgment of the superintendent of public instruction in accordance with WAC 392-185-030.

(3) No certified educational clinic shall be entitled to receive payment for any student's course work undertaken prior to the completion of the initial diagnostic procedure.

(4) Upon submission of vouchers, the superintendent of public instruction shall reimburse certified educational clinics under contract for services provided to identified, eligible common school dropouts on the basis of records of diagnostic and instructional services rendered.

(5) Vouchers shall include the following:

(a) A roster of names of students;

(b) Diagnostic fees; and

(c) Fees for instruction based upon class sizes, subject areas and other pertinent data to allow for computation of reimbursement: PROVIDED, That in the event of changes in class size, vouchers shall reflect appropriate changes and documentation shall appear in the records of the educational clinic: PROVIDED FURTHER, That this information is submitted on voucher claim forms as provided by the superintendent of public instruction in accordance with written instructions.

(6) After a student has ~~((been in attendance in))~~ attended an educational clinic ~~((on 75 instructional days))~~, for all or a portion of ~~((each such))~~ one hundred thirty-five instructional days, no further reimbursement fees shall be paid by the superintendent of public instruction for that student ~~((until the educational clinic submits a report explaining the student's educational difficulties, establishing a specific learning program for the student and estimating the additional time required to achieve the educational objectives established at the time the student entered the program. An educational clinic may petition for such additional time prior to the seventy-fifth instructional day, but not sooner than the sixtieth instructional day. The superintendent of public instruction or his or her designee shall promptly review the report and continue reimbursement fees for not more than 60 days of additional instruction if the instructional plan appears reasonably likely to succeed))~~.

WSR 87-13-066
PROPOSED RULES
OFFICE OF FINANCIAL MANAGEMENT
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning this notice proposes to amend WAC 82-50-021, official lagged, semimonthly paydates established, in the following ways: Deleting from the section the official semimonthly paydates used in calendar year 1986; and adding to the section the official semimonthly paydates to be used in calendar year 1988.

The result of these changes will be to have the WAC section displaying the official lagged semimonthly paydates for calendar years 1987 and 1988;

that the agency will at 9:00 a.m., Monday, July 27, 1987, in the 4th Floor Conference Room, Insurance 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 Thursday, July 30, 1987.

The authority under which these rules are proposed is RCW 42.16.010(1) and 42.16.017.

The specific statute these rules are intended to implement is RCW 42.16.010(1) and 42.16.017.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before Friday, July 24, 1987. Please submit them to the individual named below.

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:

Mr. Collum C. Liska
 Accounting and Fiscal Services Division
 4th Floor, Insurance Building
 Mailstop AQ-44
 Olympia, Washington 98504
 (206) 753-8538
 scan 234-8538

Dated: June 17, 1987
 By: Robert C. Benson, Jr.
 Deputy Director

STATEMENT OF PURPOSE

Title and Number of Rule Section(s) or Chapter(s): Chapter 82-50 WAC, Paydates for state employees, consisting of WAC 82-50-021, Official lagged, semi-monthly paydates established.

Statutory Authority: RCW 42.16.010(1) and 42.16.017.

Specific Statute that the Rule is Intended to Implement: RCW 42.16.010(1) and 42.16.017.

Summary of the Rules: To make the following changes to WAC 82-50-021: First, it deletes from the section the calendar year 1986 official lagged, semi-monthly paydates, that now are merely historical and of no further use. Second, it adds to the section the calendar year 1988 official lagged, semi-monthly paydates. The calendar year 1987 official lagged, semi-monthly paydates are retained in the section. Therefore, the end result of this amendment is to have WAC 82-50-021 contain and display the official lagged, semi-monthly paydates for calendar years 1987 and 1988.

Reasons Supporting the Proposed Rules: To ensure compliance with the legislative directive to annually update and publish the official lagged, semi-monthly paydates for the current and ensuing calendar years through the administrative hearing process.

Involved Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mr. Collum C. Liska, Senior Executive Policy Coordinator, Accounting and Fiscal Services Division, Office of Financial Management, 4th Floor, Insurance Building, Mailstop AQ-44, Olympia, Washington 98504, phone (206) 753-8538.

Name of Involved Agency Proposing the Rules: Office of Financial Management.

Agency Comments: None.

The rules are not necessary to comply with a federal law, or a federal or state court decision.

Other Information: None.

Small Business Economic Impact Statement: Not attached since these proposed rules are not applicable to the Regulatory Fairness Act.

AMENDATORY SECTION (Amending Order 86-63, filed 8/8/86)

WAC 82-50-021 OFFICIAL LAGGED, SEMIMONTHLY PAY DATES ESTABLISHED. Unless exempted otherwise under the provisions of WAC 82-50-031, the salaries of all state officers and employees are paid on a lagged, semi-monthly basis for the official twice-a-month pay periods established in RCW 42.16.010(1) that began on January 1, 1984. The following are the official lagged, semi-monthly pay dates for calendar years ~~((1986))~~ 1987 and ~~((1987))~~ 1988:

CALENDAR YEAR 1986	CALENDAR YEAR 1987
Friday, January 10, 1986	Friday, January 9, 1987
Friday, January 24, 1986	Monday, January 26, 1987
Monday, February 10, 1986	Tuesday, February 10, 1987
Tuesday, February 25, 1986	Wednesday, February 25, 1987
Monday, March 10, 1986	Tuesday, March 10, 1987
Tuesday, March 25, 1986	Wednesday, March 25, 1987
Thursday, April 10, 1986	Friday, April 10, 1987
Friday, April 25, 1986	Friday, April 24, 1987
Friday, May 9, 1986	Monday, May 11, 1987
Friday, May 23, 1986	Friday, May 22, 1987
Tuesday, June 10, 1986	Wednesday, June 10, 1987
Wednesday, June 25, 1986	Thursday, June 25, 1987
Thursday, July 10, 1986	Friday, July 10, 1987
Friday, July 25, 1986	Friday, July 24, 1987
Monday, August 11, 1986	Monday, August 10, 1987
Monday, August 25, 1986	Tuesday, August 25, 1987
Wednesday, September 10, 1986	Thursday, September 10, 1987
Thursday, September 25, 1986	Friday, September 25, 1987
Friday, October 10, 1986	Friday, October 9, 1987
Friday, October 24, 1986	Monday, October 26, 1987
Monday, November 10, 1986	Tuesday, November 10, 1987
Tuesday, November 25, 1986	Wednesday, November 25, 1987
Wednesday, December 10, 1986	Thursday, December 10, 1987
Wednesday, December 24, 1986	Thursday, December 24, 1987))
CALENDAR YEAR 1987	CALENDAR YEAR 1988
Friday, January 9, 1987	Monday, January 11, 1988
Monday, January 26, 1987	Monday, January 25, 1988
Tuesday, February 10, 1987	Wednesday, February 10, 1988
Wednesday, February 25, 1987	Thursday, February 25, 1988
Tuesday, March 10, 1987	Thursday, March 10, 1988
Wednesday, March 25, 1987	Friday, March 25, 1988
Friday, April 10, 1987	Monday, April 11, 1988
Friday, April 24, 1987	Monday, April 25, 1988
Monday, May 11, 1987	Tuesday, May 10, 1988
Friday, May 22, 1987	Wednesday, May 25, 1988
Wednesday, June 10, 1987	Friday, June 10, 1988
Thursday, June 25, 1987	Friday, June 24, 1988
Friday, July 10, 1987	Monday, July 11, 1988
Friday, July 24, 1987	Monday, July 25, 1988
Monday, August 10, 1987	Wednesday, August 10, 1988
Tuesday, August 25, 1987	Thursday, August 25, 1988
Thursday, September 10, 1987	Friday, September 9, 1988
Friday, September 25, 1987	Monday, September 26, 1988
Friday, October 9, 1987	Friday, October 7, 1988
Monday, October 26, 1987	Tuesday, October 25, 1988
Tuesday, November 10, 1987	Thursday, November 10, 1988
Wednesday, November 25, 1987	Wednesday, November 23, 1988
Thursday, December 10, 1987	Friday, December 9, 1988
Thursday, December 24, 1987	Friday, December 23, 1988

WSR 87-13-067
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the minimum functional standards for solid waste handling, amending chapter 173-304 WAC, to include requirements for closure and postclosure care of solid waste handling facilities.

The Department of Ecology is in the process of amending the state's solid waste regulations (chapter 173-304 WAC) to include a requirement for setting aside sufficient funds in reserve to provide for the proper closure and postclosure care for specified solid waste handling facilities.

A draft of these proposed amendments is available by contacting Randy Martin, Solid and Hazardous Waste Program, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711;

that the agency will on July 22, 1987, 7:00-9:30 p.m., in the Spokane County Health Department, Auditorium, West 1101 College, Spokane, and on July 26, 1987, 7:00-9:30 p.m., in the Port of Seattle, Commissioners Chambers, 2201 Alaskan Way South, Pier 66, Seattle, conduct public hearings on the proposed rules.

The public comment period is scheduled to end on August 20, 1987. The adoption hearing is scheduled for August 31, 1987, at 2:00 p.m. in Room 154 at the Department of Ecology's Headquarters Office. The amendment will become effective 30 days after adoption.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 70.95 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 20, 1987.

Dated: June 17, 1987

By: Greg Sorlie
 for Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Permanent rules regarding closure and postclosure care of solid waste landfill facilities, chapter 173-304 WAC.

Description of Purpose: Describes the manner in which ecology will implement the provisions of statutory authority.

Statutory Authority: RCW 70.95.215, Solid waste management—Recovery and recycling.

Summary of Rule: Establishes the requirements for owners and operators of solid wastes landfill facilities for closure and postclosure care. In addition, it provides the financial assurance mechanisms to ensure funds are available to close these facilities when the time arises.

Reasons Supporting Proposed Action: To implement chapter 70.95 RCW.

Agency Personnel Responsible for Drafting: Brett Betts; Implementation: Earl Tower; and Enforcement: Local health departments.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: [No information supplied by agency.]

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: No adverse economic impact. The Regulatory Fairness Act, chapter 19.85 RCW, requires that rules which have an economic impact on more than 20% of all industries or more than 10% of the businesses in any one industry be reviewed and altered to minimize their impact upon small businesses. The regulatory proposal has been reviewed in light of this requirement. The conclusions of this review are summarized below.

The proposed regulatory action amends the minimum functional standards for solid waste handling to address financial assurance for closure and postclosure care of

landfill facilities. The form and content reflect legislative directions contained in RCW 70.95.215. Examination indicates, as those amended regulations become incorporated into facilities operation plans—with the requirement that tipping fees be the revenue source, unless prohibitively high—charges will increase. The exact amount of increase will be unique to each site.

These cost/charge increases will effect two groups: Solid waste generators and owner/operators of solid waste handling facilities. We expect solid waste generators to have their disposal costs increase based upon the amount of waste generated. Thus, the regulation would not seem to place a disproportionate burden upon small business.

Regarding owners/operators of solid waste handling facilities this regulation will cause the costs to increase. However, these funds will be used by the owner/operators during the facilities closure and to maintain the facility for a specified period thereafter. This expense should already be considered and included in charges to customers. In addition, waiver procedures are being developed if tipping fees become prohibitively high. Nonetheless, the operator will still be required to provide another revenue source to provide financial assurance for each solid waste landfill facility.

After careful review, it is judged that this regulatory proposal satisfied the intent of the Regulatory Fairness Act.

NEW SECTION

WAC 173-304-407 GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS (1) Applicability. The requirements of subsections (2), (3), and (4) of this section apply to all solid waste handling facilities. The requirements of subsections (5), (6), and (7) apply to:

- (a) Landfills subject to WAC 173-304-460 including limited purpose landfills under WAC 173-304-460(6);
 - (b) Surface impoundments under WAC 173-304-430 (2)(g) closed with the waste remaining in place;
 - (c) Inert waste and demolition waste landfills under WAC 173-304-461;
 - (d) Woodwaste landfills under WAC 173-304-462; and
 - (e) Landspreading disposal facilities under WAC 173-304-450
- (2) Closure performance standard. Each owner and operator shall close their facility in a manner that:
- (a) Minimizes the need for further maintenance;
 - (b) Controls, minimizes or eliminates to the extent necessary, threats to human health and the environment from post-closure escape of solid waste constituents, leachate, landfill gases, contaminated rainfall or waste decomposition products to the ground, ground water, surface water, and the atmosphere; and
 - (c) Prepares the facility for the post-closure period.
- (3) Closure plan and amendment. Closure as defined in WAC 173-304-100(11), includes but is not limited to grading, seeding, landscaping, contouring, and screening. For interim solid waste handling sites, closure includes waste removal and decontamination.
- (a) Each owner or operator shall develop, keep and abide by a plan of closure approved by the jurisdictional health department as part of the permitting process in WAC 173-304-600.
- (b) The closure plan shall project time intervals at which sequential partial closure is to be implemented, and identify closure cost estimates and projected fund withdrawal intervals for the associated closure costs, from the selected financial assurance instrument, where applicable.
- (c) Each owner or operator shall not commence disposal operations in any part of a facility until a closure plan for the entire facility has been approved by the jurisdictional health department, and until a financial assurance instrument has been provided where applicable, as required by WAC 173-304-467.

(d) Each owner or operator shall close the facility in accordance with the approved closure plan, or the owner or operator shall amend the plan with the approval of the jurisdictional health department.

(4) Closure procedures.

(a) Each owner or operator shall notify the jurisdictional health department and where applicable, the financial assurance instrument trustee, of the intent to implement the closure plan in part or whole, no later than 180 days prior to the projected final receipt of waste at part of or at the entire facility.

(b) The owner or operator shall commence implementation of the closure plan within 30 days after receipt of a final volume of waste and/or attaining the final landfill elevation as identified in the facility closure plan.

(c) After an owner or operator has initiated closure of a facility, waste shall not be accepted for disposal or for use in closure except as identified in the closure plan approved by the jurisdictional health department, as required in subsection (3)(a) of this section.

(d) When the facility closure is completed, each owner or operator shall submit the following to the jurisdictional health department for review and approval:

(i) Facility closure plan sheets signed by a professional engineer registered in the State of Washington and modified as necessary to represent as-built changes to final closure construction as approved in the closure plan;

(ii) An affidavit signed by the owner or operator, and a professional engineer registered in the State of Washington that the site has been closed in accordance with the approved closure plan.

(e) When the jurisdictional health department finds the facility has been closed in accordance with the specifications of the approved closure plan, and the closure requirements of this section, the jurisdictional health department shall:

(i) Issue a certificate of closure for the site to the owner or operator and the financial assurance instrument trustee, where applicable; and

(ii) Notify the owner or operator that the facility post-closure period has begun on a specified date.

(5) Post-closure performance standard. Each owner or operator shall provide post-closure activities to allow for continued facility maintenance and monitoring of air, land and water as long as necessary for the facility to stabilize and to protect human health and the environment.

(6) Post-closure plan and amendment. For disposal facilities, post-closure includes ground water monitoring, surface water monitoring, gas monitoring, maintenance of the facility, facility structures and monitoring systems for their intended use, and other activities deemed appropriate by the jurisdictional health department.

(a) Each owner or operator shall develop, keep and abide by a post-closure plan approved as a part of the permitting process in WAC 173-304-600. The post-closure plan shall address facility maintenance and monitoring activities for at least a twenty (20) year period or until the site becomes stabilized (i.e. little or no settlement, gas production or leachate generation) and monitoring ground water, surface water, and gases can be safely discontinued.

(b) The post-closure plan shall project time intervals at which post-closure activities are to be implemented, and identify post-closure cost estimates and projected fund withdrawal intervals from the selected financial assurance instrument, where applicable, for the associated post-closure costs.

(c) Each owner or operator shall not commence disposal operations in any part of a facility until a post-closure plan for the entire facility has been approved by the jurisdictional health department, and until a financial assurance instrument has been provided where applicable, as required by WAC 173-304-467.

(d) Each owner or operator shall complete the post-closure activities in accordance with the approved post-closure plan and schedules. Facility post-closure activities must be completed in accordance with the approved post-closure plan or the plan must be so amended with the approval of the jurisdictional health department.

(7) Post-closure procedures.

(a) Each owner or operator shall not commence post-closure activities until the owner or operator has received a certificate of closure from the jurisdictional health department as required in subsection (4)(c)(i) of this section.

(b) When post-closure activities are complete, the owner or operator shall submit an affidavit to the jurisdictional health department, signed by the owner or operator, and a professional engineer registered in the State of Washington stating why post-closure activities are no longer

necessary (i.e. little or no settlement, gas production, or leachate generation).

(c) If the jurisdictional health department finds that post-closure activities have established the facility is stabilized (i.e. little or no settlement, gas production or leachate generation), the health department may at its discretion authorize the owner or operator to discontinue post-closure maintenance and monitoring activities. The jurisdictional health department shall certify the end of the post-closure care period by issuance of a certificate of post-closure completion to the facility owner or operator and the financial assurance trustee, where applicable.

NEW SECTION

WAC 173-304-467 FINANCIAL ASSURANCE. (1) Applicability. These standards apply to all new and expanded landfill disposal facilities, and to existing landfill disposal facilities that have not closed on or before November 27, 1989. Landfill disposal facilities include:

(a) All solid waste facilities operated as landfills under WAC 173-304-460, including limited purpose landfills under WAC 173-304-460(6);

(b) Facilities operated as surface impoundments under WAC 173-304-430 that are closed with the waste remaining in place and therefore required to meet the requirements of WAC 173-304-407; and

(c) Woodwaste landfills operated under WAC 173-304-462;

(2) Cost estimate for closure.

(a) Each owner or operator must prepare a written closure cost estimate as part of the facility closure plan. The closure cost estimate must be in current dollars and represent the cost of closing the facility in accordance with the closure requirements in WAC 173-304-407.

(i) The cost estimate must be based on a maximum cost estimate for completing design, purchase, construction, and other activities as identified in the facility closure plan as required under WAC 173-304-407;

(ii) In establishing the closure cost estimate, each owner or operator must assume a closure scenario under worst-case conditions. Worst-case conditions are defined as the jurisdictional health department hiring independent contractors to complete all closure activities as identified in the approved closure plan;

(iii) The closure plan shall project annual or other intervals for withdrawal of closure funds from the closure financial assurance instrument to complete the activities identified in the approved closure plan;

(iv) The closure cost estimate may not be reduced by allowance for salvage value of equipment, waste or the resale value of property or land.

(b) Each owner or operator must prepare a new closure cost estimate in accordance with (a) and (c) of this subsection whenever:

(i) Changes in operating plans or facility design affect the closure plan;

(ii) There is a change in the expected year of closure that affects the closure plan; or

(iii) The jurisdictional health department directs the owner or operator to revise the closure plan.

(c) Each owner or operator must adjust the closure cost estimate for inflation within thirty days after each anniversary of the date on which the first closure cost estimate was prepared. The adjustment must be made as specified in (c)(i) and (ii) of this subsection, using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the United States Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual deflator by the deflator for the previous year.

(i) The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.

(ii) Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.

(d) During the operating life of the facility, the owner or operator must keep at the facility the latest closure cost estimate prepared in accordance with subsections (2)(a) and (b) of this section, and when this estimate has been adjusted in accordance with (c) of this subsection, the latest adjusted closure cost estimate.

(e) The jurisdictional health department shall evaluate each cost estimate and may accept, or at its discretion require revision of the cost estimate in accordance with its evaluation.

(f) The Department of Ecology may request that the jurisdictional health department require the facility owner or operator to adjust the

cost estimate in accordance with Ecology's review and direction. In response the health department may:

(i) require the facility owner or operator to adjust the closure cost estimate in accordance with the Department's recommendations; or

(ii) demonstrate to the Department that the closure cost estimate is adequate to meet the closure activities identified in the approved closure plan. The health department's cost estimate demonstration must receive written approval by the Department.

(3) Financial instrument for closure.

(a) Each owner or operator must establish financial assurance for closure of the facility. Each owner or operator must choose from the following options or combination of options:

(i) Reserve account;

(ii) Closure trust fund; or

(iii) Surety bond guaranteeing payment into a closure trust fund.

(b) Landfill disposal facilities maintained on private property for the sole use of the entity owning the site shall not be required to establish a reserve account for closure if, to the satisfaction of the Department of Ecology, they provide another form of financial assurance as specified in subsection (3)(a) of this section.

(c) Established closure financial assurance accounts shall not constitute an asset of the facility owner or operator. Closure financial assurance account funds shall not be available to any creditor other than the jurisdictional health department in the event of bankruptcy or reorganization of the facility owner or operator. Closure financial assurance funds shall not be available or used to pay any final judgment against the owner or operator arising out of the operation of the facility before or after closure.

(d) Any income accruing to the established closure financial assurance account through management by the trustee shall be deposited into the account and subjected to the same restrictions as the principal. Excess monies remaining in the closure financial assurance account after the jurisdictional health department has certified the completion of closure as identified in WAC 173-304-407 (4)(e)(i) may be returned to the owner or operator. To the extent practicable as determined by the jurisdictional health department, return of excess monies to the facility owner or operator must consider:

(i) Provisions for a reduction of the disposal rates the public is charged within the area served by the landfill disposal facility; or

(ii) Provisions for diversion of the excess monies to support the respective county's comprehensive solid waste management planning efforts. In particular, the excess monies should support planning efforts to develop programs and policies which promote the solid waste management priorities identified in RCW 70.95.010(4).

(4) Cost estimate for post-closure.

(a) Each owner or operator must prepare a written post-closure cost estimate as part of the facility post-closure plan. The post-closure cost estimate must be in current dollars and represent the total cost of completing post-closure activities for the facility for at least a twenty (20) year post-closure period in accordance with the post-closure requirements in WAC 173-304-407.

(i) The post-closure cost estimate must be based on a maximum cost estimate for completing post-closure monitoring, maintenance, and other activities identified in the approved facility post-closure plan as required under WAC 173-304-407;

(ii) In establishing the post-closure cost estimate, each owner or operator must assume a post-closure scenario under worst-case conditions. Worst case conditions are defined as the jurisdictional health department hiring independent contractors to complete all post-closure activities as identified in the approved post-closure plan;

(iii) The post-closure plan shall project annual or other intervals for withdrawal of post-closure funds from the post-closure financial assurance instrument to complete the activities identified in the approved post-closure plan;

(iv) The post-closure cost estimate shall not be reduced by allowance for salvage, value of equipment, waste, or the resale value of property or land.

(b) Each owner or operator must prepare a new post-closure cost estimate for the remainder of the post-closure care twenty (20) year period in accordance with (a) and (c) of this subsection, whenever:

(i) Change in the post-closure plan increases the cost of post-closure care;

(ii) The jurisdictional health department directs the owner or operator to revise the post-closure plan.

(c) During the operating life of the facility, the owner or operator must adjust the post-closure cost estimate for inflation within thirty (30) days after each anniversary of the date on which the first post-

closure cost estimate was prepared. The adjustment must be made as specified in (c)(i) and (ii) of this subsection using an inflation factor derived from the annual Implicit Price Deflator for Gross National Product as published by the United States Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual deflator by the deflator for the previous year.

(i) The first adjustment is made by multiplying the latest adjusted post-closure cost estimate by the inflation factor. The result is the adjusted post-closure cost estimate.

(ii) Subsequent adjustments are made by multiplying the latest adjusted post-closure cost estimate by the latest inflation factor.

(d) During the operating life of the facility, the owner or operator must keep at the facility, the latest post-closure cost estimate prepared in accordance with subsection 4(a) and (b) of this section, and, when this estimate has been adjusted in accordance with (c) of this subsection, the latest adjusted post-closure cost estimate.

(5) Financial instrument for post-closure.

(a) Each owner or operator must establish financial assurance for post-closure of the facility. Each owner or operator must choose from the following options or combination of options:

(i) Reserve account;

(ii) Closure trust fund; or

(iii) Surety bond guaranteeing payment into a post-closure trust fund.

(b) Landfill disposal facilities maintained on private property for the sole use of the entity owning the site shall not be required to establish a reserve account for post-closure if, to the satisfaction of the Department of Ecology, they provide another form of financial assurance as specified in subsection (5)(a) of this section.

(c) Established post-closure financial assurance accounts shall not constitute an asset of the facility owner or operator. Post-closure financial assurance account funds shall not be available to any creditor other than the jurisdictional health department in the event of bankruptcy or reorganization of the facility owner or operator. Post-closure financial assurance funds shall not be available or used to pay any final judgment against the owner or operator arising out of the operation of the facility before or after closure.

(d) Any income accruing to the established post-closure financial assurance account through management by the trustee shall be deposited into the account and subjected to the same restrictions as the principal. Excess monies remaining in the post-closure financial assurance account after the jurisdictional health department has certified the completion of post-closure as identified in WAC 173-304-407 (7)(c) may be returned to the owner or operator. To the extent practicable as determined by the jurisdictional health department, return of excess monies to the facility owner or operator must consider:

(i) Provisions for a reduction of the disposal rates the public is charged within the area served by the landfill disposal facility; or

(ii) Provisions for diversion of the excess monies to support the respective county's comprehensive solid waste management planning efforts. In particular, the excess monies should support planning efforts to develop programs and policies which promote the solid waste management priorities identified in RCW 70.95.010(4).

(6) Closure/post-closure financial assurance fund establishment and reporting.

(a) Closure and post-closure financial assurance funds shall be generated at each facility by transferring a percentage of the facility user fees to the selected financial assurance instrument on at least a monthly basis, such that adequate closure and post-closure funds will be generated to ensure full implementation of the approved closure, and post-closure plans.

(b) Each owner or operator must establish a procedure with the financial assurance instruments trustee for notification of non payment of funds to be sent to the jurisdictional health department and the Department of Ecology, Solid and Hazardous Waste Program, Mailstop PV-11, Olympia, WA. 98504-8711.

(c) Each owner or operator shall file with the Department of Ecology an annual audit of the financial assurance accounts established for closure and post-closure activities, and a statement of the percentage of user fees diverted to the financial assurance instruments. The audit shall include calculations demonstrating fund levels adequate to meet the current closure and post-closure cost estimates. Annual audits shall be conducted by a certified public accountant licensed in the State of Washington, and shall be filed with the Department of Ecology no later than March 31 of each year for the previous calendar year, including each of the post-closure care years.

(7) Authorization for financial assurance account fund withdrawal for closure and post-closure activities.

(a) Each owner or operator shall submit a written request to the jurisdictional health department prior to each withdrawal of funds from either the closure or post-closure financial assurance account.

(b) The jurisdictional health department shall review the request in conjunction with the approved closure and post-closure plan, and shall issue a written withdrawal authorization to the owner or operator and the financial assurance instrument trustee, for each withdrawal. The written authorization shall be on a form approved by the Department. Based on its review, the jurisdictional health department may at its discretion, authorize withdrawal of financial assurance account funds in part or whole, conditioning the release of such funds on:

(i) The established cost estimate for the identified task as provided in the approved closure or post-closure plan;

(ii) The owner or operator's certification that the sum authorized has been used solely for identified closure or post-closure tasks and associated costs; and

(iii) The owner or operator's establishing the need for additional funds beyond the cost estimate identified in the approved closure or post-closure plan, to the satisfaction of the jurisdictional health department.

(c) The jurisdictional health department may authorize the release of financial assurance account funds to a third party other than the owner or operator, to effect the completion of any closure or post-closure activity deemed necessary by the jurisdictional health department. Authorization of funds must be based on the jurisdictional health department's determination that:

(i) The owner or operator has failed or refused to perform scheduled closure or post-closure activities in a timely manner as identified in the approved closure or post-closure plan;

(ii) Closure or post-closure activities have been improperly performed and are in noncompliance with the approved closure or post-closure plan; or

(iii) The owner or operator has violated the terms of the facility permit and the Minimum Functional Standards for Solid Waste Handling WAC 173-304.

(d) If the jurisdictional health department finds that authorization of financial assurance funds to a third party is necessary under the provisions of subsection (7)(c) of this section, the health department shall give thirty (30) days written notice to the facility owner or operator of such determination. If the owner or operator agrees to initiate the necessary corrective action within the thirty day period, the health department shall authorize the release of the appropriate financial assurance funds to the owner or operator upon successful completion of the corrective action.

WSR 87-13-068

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Department of Ecology intends to adopt, amend, or repeal rules concerning discharge standards and procedures for determining effluent limitations for domestic wastewater facilities (i.e., sewage treatment plants).

Public Meetings

At four public meetings, a representative of the Department of Ecology will explain the proposed regulation and answer questions. The meetings will be informal. Interested parties may arrive anytime within the scheduled hours.

July 15, 3:00 p.m. to 7:00 p.m.
Skagit County, PUD No. 1
Aqua Room
1415 Freeway Drive
Mt. Vernon

July 16, 5:30 p.m. to 9:00 p.m.
Douglas County, PUD No. 1
1151 Valley Mall Parkway
East Wenatchee

July 17, 3:00 p.m. to 7:00 p.m.
Department of Ecology
Eastern Regional Office
North 4601 Monroe Street
Suite 100
Spokane

July 21, 3:00 p.m. to 7:00 p.m.
EFSEC Hearing Room
4224 6th Avenue S.E.
Building #1
Lacey

Public Hearings

At four public meetings a representative of the department will summarize the proposed regulation. The floor will then be open to receive public testimony on the proposed regulation.

July 28, 7:00 p.m.
EFSEC Hearing Room
4224 6th Avenue S.E.
Building #1
Lacey

July 29, 7:00 p.m.
Spokane County Health Department
1101 College Street
Spokane

July 30, 7:00 p.m.
Department of Ecology
Central Region Office
3601 West Washington
Yakima

August 3, 7:00 p.m.
Shoreline Community College
Student Lounge
16101 Greenwood North
Seattle

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 28, 1987.

The authority under which these rules are proposed is RCW 90.48.035 and 90.48.260.

The specific statute these rules are intended to implement is RCW 90.48.010 and 90.48.260.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 17, 1987.

By Phillip C. Johnson
Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Chapter 173-221 WAC, Discharge standards and effluent limitations for domestic wastewater facilities.

Description of Purpose: To establish discharge standards and procedures for determining effluent limitations for domestic wastewater facilities.

Statutory Authority: RCW 90.48.035 and 90.48.260.

Summary of Rule: The Department of Ecology proposes to establish specific numerical discharge standards for domestic wastewater facilities (i.e., sewage treatment plants) which discharge to surface waters. Previous to this rule the state of Washington generally used federal standards as published first on August 17, 1973 (38 FR 22298), and most recently as 40 CFR Part 133; secondary treatment regulation (Sept. 1984). The department has used water quality guideline 21 which is an interim measure effective until superseded by this rule.

The proposed rule is similar to the current federal rule. However, it places additional restrictions on certain facilities. The following is a summary of the content of the proposed rule.

WAC 173-221-040, unless a facility qualifies for an alternative discharge standard or effluent limitation, its discharge must meet the following standards:

Pollutant parameter	30-day average	7-day average	Daily
Biochemical oxygen demand (BOD)	30 mg/L	45 mg/L	-
Total suspended solids (TSS)	30 mg/L	45 mg/L	-
Fecal coliforms (geometric means)	200 organisms/100 ml	400 organisms/100 ml	-
pH			6-9 standard units

In addition, the 30-day average percent removal for BOD and TSS shall not be less than 85 percent.

WAC 173-221-050, alternative discharge standards are possible in five cases:

The facility is a trickling filter which was constructed and/or expanded prior to November 1984. In this case, the effluent limitations for BOD and TSS are set on a case-by-case basis based upon past performance. However, effluent limitations shall not exceed 45 mg/L BOD and 45 mg/L TSS on a 30-day average.

The facility is a waste stabilization pond which either has design capacity not exceeding 2 million gallons per day (mgd) or has received the Department of Ecology's approval, prior to the effective date of the regulation, for a greater design capacity. In the latter case, that portion of discharge which exceeds the approved capacity must achieve the standards of WAC 173-221-040. In the previous case, that portion of discharge which exceeds 2 mgd must achieve the standards of WAC 173-221-040. BOD and TSS effluent limitations for qualifying flows are set on a case-by-case basis based upon past performance. However, effluent limitations shall not exceed 45 mg/L BOD and 75 mg/L TSS on a 30-day average basis.

The facility receives flow from combined sewers during wet weather. During such wet weather conditions, the facility may be excused from achieving any predetermined percent removal requirement.

The facility receives less concentrated influent wastewater than normally received by domestic wastewater facilities. In such cases, the facility may apply for a lower percent removal requirement than the eighty-five percent removal required by WAC 173-221-040.

The facility owner/operator requests and the department approves substitution of carbonaceous BOD for the standard BOD limitation. In such cases, the department may substitute a 25 mg/L carbonaceous BOD (CBOD) limit instead of a 30 mg/L BOD limit.

For a facility to qualify for alternative effluent limitations, it must meet additional conditions as explained in the regulation.

We refer parties who desire further background on the rationale for the regulation development to these sources:

Background Paper for Development of Discharge Standards and Effluent Limitations for Domestic Wastewater Facilities

Preamble to 40 CFR Part 133; Secondary Treatment Regulation; September 20, 1984; October 16, 1984; June 3, 1985

Copies of these documents are available from the Department of Ecology by writing or calling Ed O'Brien, Department of Ecology, Mailstop PV-11, Olympia, WA 98504, phone (206) 459-6059.

Reasons Supporting Proposed Action: Recommendation of ad hoc committee; clarification of state treatment requirements for municipal sewage treatment plants.

Agency Personnel Responsible for Drafting: Ed O'Brien, Mailstop PV-11, Olympia, WA 98504, (206) 459-6059; Implementation: Regional environmental quality section staff; and Enforcement: Spokane - (509) 456-2926, Redmond - (206) 885-1900, Yakima - (509) 575-2800, and Tumwater - (206) 753-2353.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: The department will consider permit changes, if appropriate, as allowed by this regulation, at its convenience but at least no later than at the time of permit renewal.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: No.

Small Business Economic Impact Statement

Summary: The proposed regulation will not have an economic impact on more than 20% of all industries or more than 10% of the businesses in any one industry. Therefore it doesn't need review or alterations to minimize impact upon small businesses.

Background: The proposed regulation would establish specific state of Washington numerical discharge standards and effluent limitations for domestic wastewater facilities. Presently, specific numerical standards and limitations are only in federal regulations. The proposed regulation is similar to the federal requirements with a few additional constraints.

Domestic wastewater facilities are sewage treatment plants usually operated by a municipality such as a city, town, or sewer district. The Department of Ecology issues NPDES permits to these municipalities to discharge treated sewage to surface waters. The permits include limitations on the concentrations and pounds of pollutants which the municipalities can discharge.

Impact Analysis: In most cases, as a result of this proposed regulation, a municipality's effluent limitations will remain as they are now. In these cases, the regulation doesn't impact businesses.

In some cases, the regulation would allow ecology to issue permits with less stringent discharge requirements than currently allowed. Only certain types (trickling filters and waste stabilization ponds) of wastewater facilities may qualify for these less stringent requirements. Again, the regulation should not impact businesses.

Most municipalities which have waste stabilization ponds will have their permit limitations adjusted to those which their existing system can achieve reliably. This could mean an increase in the amount of one type of pollution which they can discharge (biochemical oxygen demand), but a decrease in the amount of another type of pollution (suspended solids). In most cases, there will not be any economic impact to the municipality or to businesses in that municipality.

In a few cases state-wide, municipalities with waste stabilization ponds may have to perform construction or rehabilitation. This would be necessary to meet their new effluent limits. In these cases, the municipality may have to increase sewer user fees to collect funds to pay for this work. Businesses in these municipalities which are connected to the sewer would have an increase in their sewer bill.

Because this last example may occur in only a few small municipalities, the number of potentially impacted businesses is very small.

Chapter 173-221 WAC
DISCHARGE STANDARDS AND EFFLUENT LIMITATIONS FOR DOMESTIC WASTEWATER FACILITIES

WAC	
173-221-010	Purpose and scope.
173-221-020	Policy.
173-221-030	Definitions.
173-221-040	Domestic wastewater facility discharge standards.
173-221-050	Alternative domestic wastewater facility discharge standards and effluent limitations.
173-221-100	Severability.

NEW SECTION

WAC 173-221-010 PURPOSE AND SCOPE. (1) The purpose of this chapter is to implement RCW 43.21A.010, 90.48.010, and 90.52.040 by setting discharge standards which represent "all known, available, and reasonable methods" of prevention, control, and treatment for domestic wastewater facilities which discharge to waters of the state. This chapter supplements WAC 173-220-130. Guidelines or policies of the department not included in this chapter are not affected by this chapter, except that if such guidelines or policies are in conflict, the requirements of this chapter shall take precedence.

(2) This chapter also supplements 40 CFR Part 133; Secondary Treatment Regulation. Wherever this chapter is more stringent than the federal regulation, the requirements of this chapter shall take precedence.

NEW SECTION

WAC 173-221-020 POLICY. Waters of the state shall be of the highest possible quality. Regardless of the quality of the waters of the state, all wastes and other materials and substances proposed for discharge into said waters shall be provided with all known, available, and reasonable methods of treatment prior to discharge. Even though standards of quality established for the waters of the state would not be violated, wastes and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except (1) in those situations where it is clear that overriding considerations of the public interest will be served, and (2) they receive all known, available, and reasonable methods of treatment prior to discharge.

NEW SECTION

WAC 173-221-030 DEFINITIONS. As used in this chapter, unless the context indicates otherwise:

(1) "Seven-day average" means the arithmetic mean of pollutant parameter values for samples collected in a period of seven consecutive days. The department may use pollutant parameter values for samples collected in a calendar week for determining compliance with permit conditions.

(2) "Thirty-day average" means the arithmetic mean of pollutant parameter values for samples collected in a period of thirty consecutive days. The department may use pollutant parameter values for samples collected in a calendar month for determining compliance with permit conditions.

(3) "BOD" means five-day Biochemical Oxygen Demand.

(4) "CBOD" means five-day Carbonaceous Biochemical Oxygen Demand.

(5) "Combined sewer" means a sewer which has been designed to serve as a sanitary sewer and a storm sewer, and into which inflow is allowed by local ordinance.

(6) "Department" means the Washington department of ecology.

(7) "Director" means the director of the Washington department of ecology.

(8) "Discharge standard" means a minimum performance requirement established in regulation by the department. Effluent limitations for a pollutant parameter shall not be less stringent than the applicable discharge standard.

(9) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places, together with such ground water infiltration or surface waters as may be present.

(10) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of domestic wastewater together with such industrial waste as may be present. In the case of subsurface sewage treatment and disposal, the term is restricted to mean those facilities treating and disposing of domestic wastewater only from:

(a) A septic tank system with subsurface sewage treatment and disposal and an ultimate design capacity exceeding fourteen thousand five hundred gallons per day at any common point; or

(b) A mechanical treatment system or lagoon followed by subsurface disposal with an ultimate design capacity exceeding three thousand five hundred gallons per day at any common point.

Where the proposed system utilizing subsurface disposal has received a state construction grant or a federal construction grant under the Federal Water Pollution Control Act as amended, such system is a "domestic wastewater facility" regardless of size.

(11) "Effluent concentrations consistently achievable through proper operation and maintenance" means:

(a) For a given pollutant parameter, the 95th percentile value for the thirty-day average effluent quality achieved by a wastewater facility in a period of at least twenty-four consecutive months, excluding values attributable to equipment failures, operational errors, overloading, and other unusual conditions; and

(b) A seven-day average value equal to 1.5 times the value derived under (a) of this subsection.

(12) "Effluent limitation" means any restriction, prohibition, or specification established by the department in a permit or administrative order on:

(a) Quantities, rates, percent removals, and/or concentrations of physical, chemical, or biological characteristics of wastes which are discharged into waters of the state; and

(b) Management practices relevant to the prevention or control of such waste discharges.

Effluent limitations shall be derived from discharge standards and other relevant factors identified in chapter 173-220 WAC.

(13) "Expansion" means the construction of additional treatment units to accommodate hydraulic flow and/or pollutant load for the purpose of increasing the existing design capacity of the wastewater facility.

(14) "Fecal coliform" means the group of coliform bacteria which originate in the intestinal tract of warm-blooded animals.

(15) "Industrial wastewater" means the water or liquid carried wastes from industrial or commercial processes as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade, or business, from the development of any natural resource, or from animal operations such as feedlots, poultry houses, or dairies. The term includes contaminated stormwater and also leachate from solid waste facilities.

(16) "Infiltration" means the addition of ground water into a sewer through joints, the sewer pipe material, cracks, and other defects.

(17) "Inflow" means the addition of rainfall-caused surface water drainage from roof drains, yard drains, basement drains, street catch basins, etc., into a sewer.

(18) "Interfere with" means a discharge by an industrial user which, alone or in conjunction with discharges by other sources, inhibits or disrupts the domestic wastewater facility, its treatment processes or operations, or its sludge processes, use or disposal and which is a cause of a violation of any requirement of the domestic wastewater facility's permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal by the domestic wastewater facility in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Federal Water Pollution Control Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA)), and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D or the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.

(19) "Permittee" means the entity to which the department issues a permit.

(20) "pH" means the negative logarithm of the hydronium ion concentration.

(21) "Sanitary sewer" means a sewer which is designed to convey domestic wastewater and infiltration.

(22) "State" means the state of Washington.

(23) "Trickling filter" means a fixed growth biological treatment system in which wastewater is sprayed over the top surface of a column of rock or synthetic media. This definition does not include fixed growth biological systems which have a supplemental biological treatment system, other than a waste stabilization pond(s), for the principal wastewater stream.

(24) "TSS" means total suspended solids.

(25) "TSS concentrations achievable with waste stabilization ponds" means a TSS value, determined by the department, which is equal to the effluent concentrations achieved ninety percent of the time within the state or appropriate contiguous geographical area by waste stabilization ponds that are achieving the levels of effluent quality for BOD specified in WAC 173-221-050 (2)(a).

(26) "Waste stabilization pond" means basins built by excavating the ground and by diking for the purpose of treating wastewater under conditions that favor natural biological treatment and accompanying bacterial reduction. This includes domestic wastewater facilities which are classified as stabilization ponds, or aerated lagoons per the department's Criteria for Sewage Works Design.

(27) "Wastewater facility" means all structures and equipment required to collect, transport, treat, reclaim, or dispose of domestic, industrial, or combined domestic/industrial wastewaters.

(28) "Waters of the state" means all lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and other sources within the jurisdiction of the state of Washington.

(29) "Water quality standards" means the standards set forth in chapter 173-201 WAC.

(30) "Wet weather" means the time during and immediately following rainfall events which cause large quantities of inflow.

NEW SECTION

WAC 173-221-040 DOMESTIC WASTEWATER FACILITY DISCHARGE STANDARDS. (1) Except as allowed under WAC 173-221-050, domestic wastewater facilities which discharge to surface waters shall not exceed a thirty-day average of 30 milligrams per liter (mg/l) BOD, 30 mg/l TSS. Seven-day averages shall not exceed 45 mg/l BOD, 45 mg/l TSS. Additionally, the thirty-day average percent removals of BOD and TSS shall not be less than eight-five percent of influent concentrations.

(2) Fecal coliform limits shall not exceed a monthly geometric mean of 200 organisms/100 milliliters (mL), and a weekly geometric mean of 400 organisms per 100 mL.

(3) The effluent pH value shall be between 6.0 and 9.0 standard units unless the permittee demonstrates that:

(a) Inorganic chemicals are not added to the waste stream as part of the treatment process; and

(b) Contributions from industrial sources do not cause the pH of the effluent to be less than 6.0 or greater than 9.0; and

(c) The discharge does not cause water quality violations outside of an approved dilution zone.

NEW SECTION

WAC 173-221-050 ALTERNATIVE DOMESTIC WASTEWATER FACILITY DISCHARGE STANDARDS AND EFFLUENT LIMITATIONS. (1) Alternative discharge standards for trickling filters which were constructed and/or expanded prior to November 1984 are:

(a) Up to a thirty-day average of 45 mg/l BOD, 45 mg/l TSS. Seven-day averages shall not exceed 65 mg/l BOD, 65 mg/l TSS. In addition, the thirty-day average percent removals of BOD and TSS shall not be less than sixty-five percent of influent concentrations;

(b) Notwithstanding (a) of this subsection, not any less stringent than effluent concentrations consistently achievable through proper operation and maintenance of the wastewater facility based on an analysis of the past performance, the design, and the design capacity of the wastewater facility;

(c) Fecal coliform and pH discharge standards are as established in WAC 173-221-040.

(2) Alternative discharge standards for waste stabilization ponds which are the principal treatment process and which either have less than a two million gallon per day design capacity or have received, prior to the effective date of this regulation, the department's approval under chapter 173-240 WAC, for a greater design capacity, are:

(a) Up to a thirty-day average of 45 mg/l BOD, 45 mg/l TSS. Seven-day averages shall not exceed 65 mg/l BOD, 65 mg/l TSS. Additionally, the thirty-day average percent BOD removal shall not be less than sixty-five percent of influent concentrations.

(b) The discharge standards for TSS in (a) of this subsection may be adjusted by the department to conform to the TSS concentrations achievable with waste stabilization ponds, provided that operation and maintenance data indicate that the TSS values specified in (a) of this subsection cannot be achieved.

(c) Notwithstanding (a) and (b) of this subsection, not any less stringent than effluent concentrations consistently achievable through proper operation and maintenance of the wastewater facility based upon an analysis of the past performance.

(d) Fecal coliform and pH discharge standards shall be as established in WAC 173-221-040.

(3) For domestic wastewater facilities which receive flows from combined sewers, the department shall decide on a case-by-case basis whether any attainable percent removal can be defined during wet weather. If it can be defined, the department will set an alternative percent removal effluent limitation for the wet weather period. A permittee who requests such alternative limits shall submit supporting documentation to the department.

(4)(a) For domestic wastewater facilities which receive less concentrated influent wastewater, permittees can request and submit supporting documentation for:

(i) A lower percent removal effluent limitation than the discharge standards set forth in WAC 173-221-040, or subsections (1) and (2) of this section; or

(ii) A mass loading limit based upon the lower percent removal.

(b) To qualify for alternative effluent limitations because of less concentrated influent wastewater, the permittee must demonstrate:

(i) The wastewater facility is consistently achieving, and/or will consistently achieve, the effluent concentration limits and mass limits based upon the effluent concentrations in its permit; and

(ii) That to meet the percentage removal requirements set forth in WAC 173-221-040 or subsections (1) and (2) of this section, the wastewater facility would have to achieve an effluent concentration at least 5 mg/l below the effluent concentration which is otherwise required; and

(iii) The less concentrated influent is not the result of excessive infiltration and/or inflow. The department will use federal regulations and guidance in defining excessive infiltration and inflow; and

(iv) The development and implementation of a program, subject to the department's approval, for ongoing wastewater facility maintenance, repair, and replacement, including infiltration and inflow control. A goal of the program shall be eventual achievement of the percent removal requirements specified in WAC 173-221-040 and subsection (1) or (2) of this section, whichever is applicable. The department will incorporate the approved infiltration and inflow control program into the permit for the wastewater facility.

(5) Subject to the department's approval, a request for alternative effluent limitations pursuant to subsections (1) through (4) of this section must meet all of the following conditions:

(a) The effluent shall not cause water quality violations; and

(b) The permittee shall identify effluent concentrations consistently achievable through proper operation and maintenance; and

(c) The permittee shall demonstrate that industrial wastewater does not interfere with the domestic wastewater facility; and

(d) The wastewater facility must be within department approved hydraulic and organic design capacity; and

(e) The permittee must complete an analysis of whether seasonal alternative effluent limits are more appropriate than year-round; and

(f) The wastewater facility must be able to meet all other permit requirements and conditions.

(6)(a) At the option of the department, in lieu of the parameter BOD and the levels of the BOD effluent quality specified in WAC 173-221-040, the parameter CBOD may be substituted as an effluent limitation with the following levels of the CBOD effluent quality provided: The thirty-day average shall not exceed 25 mg/l. The seven-day average shall not exceed 40 mg/l. Additionally, the thirty-day average percent removal shall not be less than eighty-five percent of the influent concentration.

(b) At the option of the department, in lieu of the parameter BOD and the levels of the BOD effluent quality specified in subsections (1) and (2) of this section, the parameter CBOD may be substituted as an effluent limitation on a case-by-case basis where data are available. The levels of CBOD effluent quality shall not be less stringent than the following: The thirty-day average shall not exceed 40 mg/l. The seven-day average shall not exceed 60 mg/l. The thirty-day average percent removal shall not be less than sixty-five percent of the influent concentration.

(c) Permittee applications for substitution of CBOD for BOD under (b) of this subsection shall include parallel CBOD and BOD data.

NEW SECTION

WAC 173-221-100 SEVERABILITY. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application.

WSR 87-13-069

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Filed June 17, 1987]

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 water quality standards for waters of the state of Washington, chapter 173-201 WAC;

that the agency will at 7 p.m., Tuesday, July 21, 1987, in the Spokane County Health Center, West 1101 College, Spokane, WA, and at 7 p.m., Wednesday, July 22, 1987, in the Department of Ecology, Central Regional Office, 3601 West Washington, Yakima, WA, and at 7:00 p.m., Thursday, July 23, 1987, in the Hearings Room, Energy Facility Site Evaluation Council, 4224 6th Avenue S.E., Building #1, Lacey, WA, and at 7 p.m., Monday, July 27, 1987, in the Hearings Room, Snohomish County Administration Building, 3000 Rackafeller, Everett, WA, conduct public hearings on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 24, 1987.

The authority under which these rules are proposed is chapter 43.21A RCW.

The specific statute these rules are intended to implement is chapter 90.48 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 7, 1987.

Dated: June 17, 1987

By: Phillip C. Johnson
Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Water quality standards for waters of the state of Washington.

Description of Purpose: To amend chapter 173-201 WAC.

Statutory Authority: Chapter 43.21A RCW.

Summary of Rule: Amending chapter 173-201 WAC to adopt numeric toxic criteria, new bacteria criteria, and other miscellaneous changes.

Reasons Supporting Proposed Action: Amendments reflect federal regulations and guidelines.

Agency Personnel Responsible for Drafting: Jerry Thielen, mailstop PV-11, 459-6076; Implementation and Enforcement: Marc Horton, mailstop PV-11, 459-6053.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: Amendments will strengthen the water quality standards and will provide for the use of more appropriate environmental indicators.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: See attached.

Summary of Proposed Changes

Federal regulations (40 CFR Part 131.20) require that states at least once every three years conduct a review of their water quality standards. The department is currently conducting this triennial review.

Major proposed revisions include: Adoption of numeric toxics criteria. The department is proposing to adopt

"criteria values" for the protection of aquatic life, as published in USEPA's "Quality Criteria for Water," 1986 (QCW). Because current water quality standards state that the QCW shall be used as a source of information for the setting of criteria, no incremental increased costs to industry are anticipated as a result of this revision.

Adoption of EPA bacterial criteria for recreational freshwater swimming based on the organism enterococci. Although enterococci are slightly harder than the existing fecal coliform organism, the "kill ratio" is theoretically the same. Based on this assumption, a given amount of disinfection will kill both organisms at the same rate. Overall chlorine use should remain the same, although it may vary between treatment facilities.

Establish a total phosphorus limit for Long Lake, Spokane County. The establishment of a 25 ug/L seasonal average concentration will require the use of alternative treatment and/or disposal methods to accommodate growth in the area. At current discharge levels, no additional treatment or disposal methods are necessary.

Upgrade of the Lower Yakima River (river mile 103.8 to mouth) from Class B to Class A. The establishment of more stringent (Class A) water quality criteria may require more restrictive effluent limits for BOD, nutrients, and bacteria in permitted discharges.

Chapter 173-201 WAC

WATER QUALITY STANDARDS FOR SURFACE WATERS OF THE STATE OF WASHINGTON

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-010 INTRODUCTION. (1) The purpose of this chapter is to establish water quality standards for surface waters of the state of Washington consistent with public health and public enjoyment thereof, and the propagation and protection of fish, shellfish, and wildlife, pursuant to the provisions of chapter 90.48 RCW and the policies and purposes thereof.

(2) This chapter shall be reviewed periodically by the department and appropriate revisions shall be undertaken.

(3) The water use and quality criteria set forth in WAC 173-201-035 through 173-201-085 are established in conformance with present and potential water uses of the surface waters of the state of Washington and in consideration of the natural water quality potential and limitations of the same. These shall be the sole criteria for said waters.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-025 DEFINITIONS. (1) Background conditions: The biological, chemical, and physical conditions of a water body, upstream from the point or nonpoint source of any discharge under consideration. Background sampling location in an enforcement action would be upstream from the point of discharge, but not upstream from other inflows. If several discharges to any water body exist, and enforcement action is being taken for possible violations to the standards, background sampling would be undertaken immediately upstream from each discharge.

(2) Department: State of Washington department of ecology.

(3) Director: Director of the state of Washington department of ecology.

(4) Enterococci: That portion of the fecal streptococcus group which can be found in the feces of warm blooded animals and belongs to Lancefield's serological Group D. They are gram positive cocci that are recovered on mE medium after 48 hours at 41 degrees Celsius, and hydrolyze esculin.

(5) Fecal coliform: That portion of the coliform group which is present in the intestinal tracts and feces of warm-blooded animals as

detected by the product of acid or gas from lactose in a suitable culture medium within 24 hours at 44.5 plus or minus 0.2 degrees Celsius.

~~((5))~~ (6) Geometric mean: The nth root of a product of n factors.

~~((6))~~ (7) Mean detention time: The time obtained by dividing a reservoir's mean annual minimum total storage by the 30-day ten-year low-flow from the reservoir.

~~((7))~~ (8) Permit: A document issued pursuant to RCW 90.48.160 et seq. or 90.48.260 or both, specifying the waste treatment and control requirements and waste discharge conditions.

~~((8))~~ (9) pH: The negative logarithm of the hydrogen ion concentration.

~~((9))~~ (10) Primary contact recreation: Activities where a person would have direct contact with water to the point of complete submergence, including but not limited to skin diving, swimming and water skiing.

~~((10))~~ (11) Secondary contact recreation: Activities where a person's water contact would be limited (wading or fishing) to the extent that bacterial infections of eyes, ears, respiratory or digestive systems or urogenital areas would normally be avoided.

~~((11))~~ (12) Surface waters of the state: Include lakes, rivers, ponds, streams, inland waters, saltwaters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

~~((12))~~ (13) Temperature: Water temperature expressed in degrees Celsius (°C).

~~((13))~~ (14) Turbidity: The clarity of water expressed as nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

~~((14))~~ (15) Upwelling: The annual natural phenomenon where the summer prevailing, northerly winds parallel to Washington's coast produce a seaward transport of surface waters. Cold, deeper more saline waters rich in nutrients and low in dissolved oxygen rise to replace the surface water. The cold, oxygen deficient water flows into Puget Sound and other coastal estuaries replacing the deep water with lower dissolved oxygen concentrations reaching the surface during late summer and fall.

~~((15))~~ (16) USEPA: United States Environmental Protection Agency.

~~((16))~~ (17) Wildlife habitat: Waters of the state used by fish, other aquatic life and wildlife for any life history stage or activity.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-035 GENERAL CONSIDERATIONS. The following general guidelines shall apply to the water quality criteria and classifications set forth in WAC 173-201-045 through 173-201-085 hereof:

(1) At the boundary between waters of different classifications, the water quality criteria for the higher classification shall prevail.

(2) In brackish waters of estuaries, where the fresh and marine water quality criteria differ within the same classification, the criteria shall be interpolated on the basis of salinity; except that the marine water quality criteria shall apply for dissolved oxygen when the salinity is one part per thousand or greater and for fecal coliform organisms when the salinity is ten parts per thousand or greater.

(3) Except for acute criteria for toxic substances as described in WAC 173-201-047, the water quality criteria herein established shall not apply within an authorized dilution zone adjacent to or surrounding a waste-water discharge.

(4) ~~((Generally,))~~ Dilution zones shall be described in a valid discharge permit and shall be consistent with the department's dilution zone guidelines, and limited to that which will:

(a) Not cause acute mortalities of sport, food, or commercial fish and shellfish species of established biological communities within populations or important species to a degree which damages the ecosystem.

(b) Not diminish aesthetic values or other beneficial uses disproportionately.

(5) Waste discharge permits, whether issued pursuant to the National Pollutant Discharge Elimination System or otherwise, shall be conditioned in such manner as to authorize discharges which meet the water quality standards.

(a) However, persons discharging wastes in compliance with the terms and conditions of permits shall not be subject to civil and criminal penalties on the basis that discharge violates water quality standards.

(b) Permits shall be subject to modification by the department whenever it appears to the department the discharge violates water

quality standards. Modification of permits, as provided herein, shall be subject to review in the same manner as originally issued permits.

~~((5))~~ (6) Nonpoint sources and water quality standards.

(a) It is recognized that many activities not subject to a waste discharge permit system are now being performed in the state, which result in conflicts with the water quality standards of this chapter. Further, the department has not developed a program which, in a reasonable or fully satisfactory manner, provides methods or means for meeting such standards. Persons conducting such activities shall not be subject to civil or criminal sanctions for violation of water quality standards if the activities are either:

(i) Conducted in accordance with management practices set forth by rules of the department.

For example, promulgation of regulations by the department which set forth approved management practices or other effluent limits shall be accomplished so that activities conducted within such regulations, (i.e., forest practices rules and regulations chapter 173-202 WAC and Title 222 WAC) will achieve compliance with water pollution control laws. When the regulations are violated, the water quality standard can be enforced as described in WAC 173-201-045 through 173-201-085; or,

(ii) Subject to a regulatory order issued by the department relating to specific activities as provided for in WAC 173-201-100(2).

(b) Management practices or regulatory orders described in WAC 173-201-035~~((5))~~ (6) hereof, shall be subject to modification by the department whenever it appears to the department that the discharge violates water quality standards. Modification of management practices or regulatory orders, as provided herein, shall be subject to review in the same manner as the originally issued management practices or regulatory orders.

~~((6))~~ (7) The water quality criteria herein established for total dissolved gas shall not apply when the stream flow exceeds the 7-day, 10-year frequency flood.

~~((7) The total area and/or volume of a receiving water assigned to a dilution zone shall be as described in a valid discharge permit as needed and be limited to that which will:~~

~~(a) Not cause acute mortalities of sport, food, or commercial fish and shellfish species of established biological communities within populations or important species to a degree which damages the ecosystem.~~

~~(b) Not diminish aesthetic values or other beneficial uses disproportionately.)~~

(8) The antidegradation policy of the state of Washington, as generally guided by chapter 90.48 RCW, Water Pollution Control Act, and chapter 90.54 RCW, Water Resources Act of 1971, is stated as follows:

(a) Existing beneficial uses shall be maintained and protected and no further degradation which would interfere with or become injurious to existing beneficial uses will be allowed.

(b) No degradation will be allowed of waters lying in national parks, national recreation areas, national wildlife refuges, national scenic rivers, and other areas of national ecological importance.

(c) Whenever waters are of a higher quality than the criteria assigned for said waters, the existing water quality shall be protected and waste and other materials and substances shall not be allowed to enter such waters which will reduce the existing quality thereof, except, in those instances where:

(i) It is clear that overriding considerations of the public interest will be served, and

(ii) All wastes and other materials and substances proposed for discharge into the said waters shall be provided with all known, available, and reasonable methods of treatment before discharge.

(d) Whenever the natural conditions of said waters are of a lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria.

(e) The criteria and special conditions established in WAC 173-201-045 through 173-201-085 may be modified for a specific water body on a short-term basis when necessary to accommodate essential activities, respond to emergencies, or to otherwise protect the public interest. Such modification shall be issued in writing by the director or his/her designee subject to such terms and conditions as he/she may prescribe. The aquatic application of herbicides which result in water use restrictions shall be considered an activity for which a short-term modification generally may be issued subject to the following conditions:

(i) A request for a short-term modification shall be made to the department on forms supplied by the department. Such request generally shall be made at least thirty days prior to herbicide application.

(ii) Such herbicide application shall be in accordance with state of Washington department of agriculture regulations.

(iii) Such herbicide application shall be in accordance with label provisions promulgated by USEPA under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. (7 U.S.C. 136, et seq.)

(iv) Notice, including identification of the herbicide, applicator, location where the herbicide will be applied, proposed timing and method of application, and water use restrictions shall be given according to the following requirements:

(A) Appropriate public notice as determined and prescribed by the director or his/her designee shall be given of any water use restrictions specified in USEPA label provisions.

(B) The appropriate regional offices of the departments of fisheries and game shall be notified twenty-four hours prior to herbicide application.

(C) In the event of any fish kills, the departments of ecology, fisheries, and game shall be notified immediately.

(v) The herbicide application shall be made at times so as to:

(A) Minimize public water use restrictions during weekends.

(B) Completely avoid public water use restrictions during the opening week of fishing season, Memorial Day weekend, July 4 weekend, and Labor Day weekend.

(vi) Any additional conditions as may be prescribed by the director or his/her designee.

(f) In no case, will any degradation of water quality be allowed if this degradation interferes with or becomes injurious to existing water uses and causes long-term (~~and irreparable~~) harm to the environment.

(g) No waste discharge permit will be issued which violates established water quality criteria, except, as provided for under WAC 173-201-035 (8)(e).

(9) Due consideration will be given to the precision and accuracy of the sampling and analytical methods used as well as existing conditions at the time, in the application of the criteria.

(10) The analytical testing methods for these criteria shall be in accordance with the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" (40 C.F.R. Part 136), the most recent editions of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation, and "Methods for Chemical Analysis of Water and Wastes," published by USEPA, and other or superseding methods published and/or approved by the department following consultation with adjacent states and concurrence of the USEPA.

(11) Deleterious concentrations of radioactive materials for all classes shall be as determined by the lowest practicable concentration attainable and in no case shall exceed:

(a) 1/100 of the values listed in WAC 402-24-220 (Column 2, Table II, Appendix A, rules and regulations for radiation protection); or,

(b) USEPA Drinking Water Regulations for radionuclides, as published in the Federal Register of July 9, 1976, or subsequent revisions thereto.

(12) (~~Deleterious concentrations of toxic, or other nonradioactive materials, shall be determined by the department in consideration of the Quality Criteria for Water, published by USEPA 1976, and as revised, as the authoritative source for criteria and/or other relevant information, if justified.~~)

(~~13~~) Nothing in this chapter shall be interpreted to be applicable to those aspects of governmental regulation of radioactive wastes which have been preempted from state regulation by the Atomic Energy Act of 1954, as amended, as interpreted by the United States Supreme Court in the cases of Northern States Power Co. v. Minnesota 405 U.S. 1035 (1972) and Train v. Colorado Public Interest Research Group, 426 U.S. 1 (1976).

(~~14~~) (13) Nothing in this chapter shall be interpreted to prohibit the establishment of effluent limitations for the control of the thermal component of any discharge in accordance with Section 316 of the Federal Clean Water Act (~~(P.L. 95-217 as amended)~~) 33 U.S.C. 1251 et seq.).

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-045 GENERAL WATER USE AND CRITERIA CLASSES. The following criteria shall apply to the various classes of surface waters in the state of Washington:

(1) Class AA (extraordinary).

(a) General characteristic. Water quality of this class shall markedly and uniformly exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) (~~Fecal coliform organisms~~) Bacterial indicators.

(A) Freshwater - (I) Enterococci organisms shall not exceed a geometric mean value of 12 organisms/100 mL, with a single sample maximum of 22 organisms/100 mL. (II) Fecal coliform organisms shall not exceed a geometric mean value of 50 organisms/100 mL, with not more than 10 percent of samples exceeding 100 organisms/100 mL.

(B) Marine water - fecal coliform organisms shall not exceed a geometric mean value of 14 organisms/100 mL, with not more than 10 percent of samples exceeding 43 organisms/100 mL.

(ii) Dissolved oxygen.

(A) Freshwater - dissolved oxygen shall exceed 9.5 mg/L.

(B) Marine water - dissolved oxygen shall exceed 7.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 7.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 16.0°C (freshwater) or 13.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed $t=23/(T+5)$ (freshwater) or $t=8/(T-4)$ (marine water).

When natural conditions exceed 16.0°C (freshwater) and 13.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the (~~permissible~~) maximum permissible temperature ((change across the) increase measured at a dilution zone boundary; and "T" represents the ((highest existing) background temperature ((in this water classification outside of any dilution zone)) as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 16.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a man-caused variation within a range of less than 0.2 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be (~~less than those which may affect public health, the natural aquatic environment, or the desirability of the water for any use~~) below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-201-047).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(2) Class A (excellent).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) ~~((Fecal coliform organisms))~~ Bacterial indicators.

(A) Freshwater – (I) Enterococci organisms shall not exceed a geometric mean value of 33 organisms/100 mL, with a single sample maximum of 61 organisms/100 mL. (II) Fecal coliform organisms shall not exceed a geometric mean value of 100 organisms/100 mL, with not more than 10 percent of samples exceeding 200 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 14 organisms/100 mL, with not more than 10 percent of samples exceeding 43 organisms/100 mL.

(ii) Dissolved oxygen.

(A) Freshwater – dissolved oxygen shall exceed 8.0 mg/L.

(B) Marine water – dissolved oxygen shall exceed 6.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 6.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 18.0°C (freshwater) or 16.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed $t=28/(T+7)$ (freshwater) or $t=12/(T-2)$ (marine water).

When natural conditions exceed 18.0°C (freshwater) and 16.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ~~((permissible))~~ maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary; and "T" represents the ((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 18.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a man-caused variation within a range of less than 0.5 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those ~~((of public health significance, or which may cause acute or chronic toxic conditions to the aquatic biota, or))~~ which may adversely affect ((any)) characteristic water ((use)) uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-201-047).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(3) Class B (good).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for most uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial and agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing and spawning.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) ~~((Fecal coliform organisms))~~ Bacterial indicators.

(A) Freshwater – (I) Enterococci organisms shall not exceed a geometric mean value of 33 organisms/100 mL, with a single sample maximum of 151 organisms/100 mL. (II) Fecal coliform organisms shall not exceed a geometric mean value of 200 organisms/100 mL, with not more than 10 percent of samples exceeding 400 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 100 organisms/100 mL, with not more than 10 percent of samples exceeding 200 organisms/100 mL.

(ii) Dissolved oxygen.

(A) Freshwater – dissolved oxygen shall exceed 6.5 mg/L.

(B) Marine water – dissolved oxygen shall exceed 5.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 5.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 21.0°C (freshwater) or 19.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed $t=34/(T+9)$ (freshwater) or $t=16/T$ (marine water).

When natural conditions exceed 21.0°C (freshwater) and 19.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ~~((permissible))~~ maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary; and "T" represents the ((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 21.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) and 7.0 to 8.5 (marine water) with a man-caused variation within a range of less than 0.5 units.

(vi) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which ~~((adversely affect public health during characteristic uses, or which may cause acute or chronic toxic conditions to the aquatic biota, or which))~~ may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-201-047).

(viii) Aesthetic values shall not be reduced by dissolved, suspended, floating, or submerged matter not attributed to natural causes, so as to affect water use or taint the flesh of edible species.

(4) Class C (fair).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements of selected and essential uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial).

(ii) Fish (salmonid and other fish migration).

(iii) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(iv) Commerce and navigation.

(c) Water quality criteria – marine water.

(i) Fecal coliform organisms shall not exceed a geometric mean value of 200 organisms/100 mL, with not more than 10 percent of samples exceeding 400 organisms/100 mL.

(ii) Dissolved oxygen shall exceed 4.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 4.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by man-caused activities.

(iii) Temperature shall not exceed 22.0°C due to human activities. Temperature increases shall not, at any time, exceed $t=20/(T+2)$.

When natural conditions exceed 22.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the ((permissive)) maximum permissible temperature ((change across the)) increase measured at a dilution zone boundary; and "T" represents the ((highest existing)) background temperature ((in this water classification outside of any dilution zone)) as measured at a point unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

(iv) pH shall be within the range of 6.5 to 9.0 with a man-caused variation within a range of less than 0.5 units.

(v) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vi) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect ((public health during)) characteristic water uses, ((or which may)) cause acute or chronic ((toxic)) conditions to the aquatic biota, or ((which may)) adversely affect ((characteristic water uses)) public health (see WAC 173-201-047).

(vii) Aesthetic values shall not be interfered with by the presence of obnoxious wastes, slimes, aquatic growths, or materials which will taint the flesh of edible species.

(5) Lake class.

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam and mussel rearing, spawning, and harvesting.

Crayfish rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria.

(i) Bacterial indicators. (A) Enterococci organisms shall not exceed a geometric mean value of 33 organisms/100 mL, with a single sample maximum of 61 organisms/100 mL. (B) Fecal coliform organisms shall not exceed a geometric mean value of 50 organisms/100 mL, with not more than 10 percent of samples exceeding 100 organisms/100 mL.

(ii) Dissolved oxygen - no measurable decrease from natural conditions.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature - no measurable change from natural conditions.

(v) pH - no measurable change from natural conditions.

(vi) Turbidity shall not exceed 5 NTU over background conditions.

(vii) Toxic, radioactive, or deleterious material concentrations shall be less than those which may affect public health, the natural aquatic environment, or the desirability of the water for any use.

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

NEW SECTION

WAC 173-201-047 TOXIC SUBSTANCES. (1) The following criteria shall apply to all surface waters of the state of Washington (values are µg/L):

Substance	Freshwater		Marine Water	
	Acute	Chronic	Acute	Chronic
Aldrin/Dieldrin ^a	2.5 ^P	0.019 ^Q	0.71 ^P	0.0019 ^Q
Ammonia	b	c	-	-
Cadmium	d	e	43.0 ^U	9.3 ^F
Chlordane	2.4 ^P	0.0043 ^Q	0.09 ^P	0.004 ^Q
Chlorine	19.0 ^U	11.0 ^F	13.0 ^U	7.5 ^F
Chromium (Hex)	16.0 ^U	11.0 ^F	1100.0 ^U	50.0 ^F
Chromium (Tri)	f	g	-	-
Copper	h	i	2.9 ^U	-
Cyanide	22.0 ^U	5.2 ^F	1.0 ^U	-
DDT	1.1 ^P	0.001 ^Q	0.13 ^P	0.001 ^Q
Endosulfan	0.22 ^P	0.056 ^Q	0.034 ^P	0.0087 ^Q
Endrin	0.18 ^P	0.0023 ^Q	0.037 ^P	0.0023 ^Q
Heptachlor	0.52 ^P	0.0038 ^Q	0.053 ^P	0.0036 ^Q
Hexachlorocyclohexane (Lindane)	2.0 ^P	0.08 ^Q	0.16 ^P	-
Lead	j	k	140.0 ^U	5.6 ^F
Mercury	2.4 ^U	0.012 ^F	2.1 ^U	0.025 ^F
Nickel	l	m	140.0 ^P	7.1 ^Q
PCB's	2.0 ^Q	0.014 ^Q	10.0 ^Q	0.03 ^Q
Selenium	260.0 ^P	35.0 ^Q	410.0 ^P	54.0 ^Q
Silver	n	o	0.12	2.3 ^P
Toxaphene	1.6 ^P	0.013 ^Q	0.07 ^P	-
Zinc	o	47.0 ^Q	170.0 ^P	58.0 ^Q

Notes to Table

a. Aldrin is metabolically converted to Dieldrin. Therefore, the sum of the Aldrin and Dieldrin concentrations are compared with the Dieldrin criteria.

b. Acute Limit^U ≤ 0.52/FT/FPH/2

Where FT = 10^{0.03 (20-TCAP)}; TCAP ≤ T ≤ 30

10^{0.03 (20-T)}; 0 ≤ T ≤ TCAP

FPH = 1; 8 ≤ pH ≤ 9

FPH = $\frac{1 + 10^{7.4-pH}}{1.25}$; 6.5 ≤ pH ≤ 8

TCAP = 20°C; Salmonids present

TCAP = 25°C; Salmonids absent

c. Chronic Limit^F ≤ 0.80/FT/FPH/RATIO

The RATIO = 16 if; 7.7 ≤ pH ≤ 9

The RATIO = 24 x $\frac{10^{10.7-pH}}{1 + 10^{7.4-pH}}$ if; 6.5 ≤ pH ≤ 7.7

Where FT and FPH are as above except:

TCAP = 15°C; Salmonids present

TCAP = 20°C; Salmonids absent

d. Acute limit^U ≤ e^{(1.128 [ln (hardness)] - 3.828)}

e. Chronic limit^F ≤ e^{(0.7852 [ln (hardness)] - 3.490)}

f. Acute limit^U ≤ e^{(0.8190 [ln (hardness)] + 3.688)}

g. Chronic limit^F ≤ e^{(0.8190 [ln (hardness)] + 1.561)}

h. Acute limit^U ≤ e^{(0.9422 [ln (hardness)] - 1.464)}

i. Chronic limit^F ≤ e^{(0.8545 [ln (hardness)] - 1.465)}

j. Acute limit^U ≤ e^{(1.273 [ln (hardness)] - 1.460)}

k. Chronic limit^F ≤ e^{(1.273 [ln (hardness)] - 4.705)}

l. Acute limit^P ≤ e^{(0.76 [ln (hardness)] + 4.02)}

m. Chronic limit^Q ≤ e^{(0.76 [ln (hardness)] + 1.06)}

n. Acute limit^P ≤ e^{(1.72 [ln (hardness)] - 6.52)}

o. Acute limit^P ≤ e^{(0.83 [ln (hardness)] + 1.95)}

p. Shall not exceed at any time.

q. Shall not exceed as a 24 hour average.

- u. A 1-hour average concentration not to exceed more than once every three years.
- r. A 4-day average concentration not to exceed more than once every three years.

(2) Concentrations of toxic, and other substances with toxic propensities not listed in subsection (1) of this section shall be determined in consideration of USEPA's Quality Criteria for Water, 1986, and as revised, and other relevant information as appropriate.

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-070 GENERAL CLASSIFICATIONS. General classifications applying to various surface water bodies not specifically classified under WAC 173-201-080 or 173-201-085 are as follows:

- (1) All surface waters lying within ((~~the mountainous regions of the state assigned to~~) national parks, national forests, and/or wilderness areas(;;)) are classified Class AA or lake class.
- (2) All lakes and their feeder streams within the state are classified lake class and Class AA respectively, except for those feeder streams specifically classified otherwise.
- (3) All reservoirs with a mean detention time of greater than 15 days are classified lake class.
- (4) All reservoirs with a mean detention time of 15 days or less are classified the same as the river section in which they are located.
- (5) All reservoirs established on preexisting lakes are classified as lake class.
- (6) All unclassified surface waters that are tributaries to Class AA waters are classified Class AA. All other unclassified surface waters within the state are hereby classified Class A.

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-080 SPECIFIC CLASSIFICATIONS—FRESHWATER. Specific fresh surface waters of the state of Washington are classified as follows:

- (1) American River. Class AA
- (2) Big Quilcene River and tributaries. Class AA
- (3) Bumping River. Class AA
- (4) Burnt Bridge Creek. Class A
- (5) Cedar River from Lake Washington to Landsburg Dam (river mile 21.6). Class A
- (6) Cedar River and tributaries from Landsburg Dam (river mile 21.6) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (7) Chehalis River from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45" W) to Scammon Creek (river mile 65.8). Class A
- (8) Chehalis River from Scammon Creek (river mile 65.8) to Newaukum River (river mile 75.2). Special condition - dissolved oxygen shall exceed 5.0 mg/L from June 1, to September 15. For the remainder of the year, the dissolved oxygen shall meet Class A criteria. Class A
- (9) Chehalis River from Newaukum River (river mile 75.2) to Rock Creek (river mile 106.7). Class A
- (10) Chehalis River, from Rock Creek (river mile 106.7) to headwaters. Class AA
- (11) Chehalis River, south fork. Class A
- (12) Chewack River. Class AA
- (13) Chiwawa River. Class AA
- (14) Cispus River. Class AA
- (15) Clearwater River. Class A
- (16) Cle Elum River. Class AA
- (17) Cloquallum Creek. Class A
- (18) Clover Creek from outlet of Lake Spanaway to inlet of Lake Steilacoom. Class A
- (19) Columbia River from mouth to the Washington-Oregon border (river mile 309.3). Special conditions - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving

water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Dissolved oxygen shall exceed 90 percent of saturation.

- (20) Columbia River from Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). Special condition from Washington-Oregon border (river mile 309.3) to Priest Rapids Dam (river mile 397.1). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$. Class A
- (21) Columbia River from Grand Coulee Dam (river mile 596.6) to Canadian border (river mile 745.0). Class AA
- (22) Colville River. Class A
- (23) Coweeman River from mouth to Mulholland Creek (river mile 18.4). Class A
- (24) Coweeman River from Mulholland Creek (river mile 18.4) to headwaters. Class AA
- (25) Cowlitz River from mouth to base of Riffe Lake Dam (river mile 52.0). Class A
- (26) Cowlitz River from base of Riffe Lake Dam (river mile 52.0) to headwaters. Class AA
- (27) Crab Creek and tributaries. Class B
- (28) Decker Creek. Class AA
- (29) Deschutes River from mouth to boundary of Snoqualmie National Forest (river mile 48.2). Class A
- (30) Deschutes River from boundary of Snoqualmie National Forest (river mile 48.2) to headwaters. Class AA
- (31) Dickey River. Class A
- (32) Dosewallips River and tributaries. Class AA
- (33) Duckabush River and tributaries. Class AA
- (34) Dungeness River from mouth to Canyon Creek (river mile 10.8). Class A
- (35) Dungeness River and tributaries from Canyon Creek (river mile 10.8) to headwaters. Class AA
- (36) Duwamish River from mouth south of a line bearing 254° true from the NW corner of berth 3, terminal No. 37 to the Black River (river mile 11.0) (Duwamish River continues as the Green River above the Black River). Class B
- (37) Elochoman River. Class A
- (38) Elwha River and tributaries. Class AA
- (39) Entiat River from Wenatchee National Forest boundary (river mile 20.5) to headwaters. Class AA
- (40) Grande Ronde River from mouth to Oregon border (river mile 37). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$. Class A
- (41) Grays River from Grays River Falls (river mile 15.8) to headwaters. Class AA
- (42) Green River (Cowlitz County). Class AA
- (43) Green River (King County) from Black River (river mile 11.0 and point where Duwamish River continues as the Green River) to west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park at river mile 42.3). Class A
- (44) Green River (King County) from west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park, river mile 42.3) to west boundary of Sec. 13-T21N-R7E (river mile 59.1). Class AA
- (45) Green River and tributaries (King County) from west boundary of Sec. 13-T21N-R7E (river mile 59.1) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (46) Hamma Hamma River and tributaries. Class AA
- (47) Hanaford Creek from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1). Special condition - dissolved oxygen shall exceed 6.5 mg/L. Class A
- (48) Hanaford Creek from east boundary of Sec. 25-T15N-R2W (river mile 4.1) to headwaters. Class A
- (49) Hoh River and tributaries. Class AA

(50) Hoquiam River (continues as west fork above east fork) from mouth to river mile 9.3 (Dekay Road bridge) (upper limit of tidal influence).	Class B	(80) Puyallup River from mouth to river mile 1.0.	Class B
(51) Humptulips River and tributaries from mouth to Olympic National Forest boundary on east fork (river mile 12.8) and west fork (river mile 40.4) (main stem continues as west fork).	Class A	(81) Puyallup River from river mile 1.0 to Kings Creek (river mile 31.6).	Class A
(52) Humptulips River, east fork from Olympic National Forest boundary (river mile 12.8) to headwaters.	Class AA	(82) Puyallup River from Kings Creek (river mile 31.6) to headwaters.	Class AA
(53) Humptulips River, west fork from Olympic National Forest boundary (river mile 40.4) to headwaters.	Class AA	(83) Queets River and tributaries.	Class AA
(54) Issaquah Creek.	Class A	(84) Quillayute River.	Class AA
(55) Kalama River from lower Kalama River Falls (river mile 10.4) to headwaters.	Class AA	(85) Quinault River and tributaries.	Class AA
(56) Klickitat River from Little Klickitat River (river mile 19.8) to headwaters.	Class AA	(86) Salmon Creek (Clark County).	Class A
(57) Lake Washington Ship Canal from Government Locks (river mile 1.0) to Lake Washington (river mile 8.6). Special condition - salinity shall not exceed one part per thousand (1.0 ppt) at any point or depth along a line that transects the ship canal at the University Bridge (river mile 6.1).	Lake Class	(87) Satsop River from mouth to west fork (river mile 6.4).	Class A
(58) Lewis River, east fork, from Multon Falls (river mile 24.6) to headwaters.	Class AA	(88) Satsop River, east fork.	Class AA
(59) Little Wenatchee River.	Class AA	(89) Satsop River, middle fork.	Class AA
(60) Methow River from mouth to Chewack River (river mile 50.1).	Class A	(90) Satsop River, west fork.	Class AA
(61) Methow River from Chewack River (river mile 50.1) to headwaters.	Class AA	(91) Skagit River from mouth to Skiyou Slough-lower end (river mile 25.6).	Class A
(62) Mill Creek from mouth to 13th street bridge in Walla Walla (river mile 6.4). Special condition - dissolved oxygen concentration shall exceed 5.0 mg/L.	Class B	(92) Skagit River and tributaries (includes Baker, Suak, Suiattle, and Cascade rivers) from Skiyou Slough-lower end, (river mile 25.6) to Canadian border (river mile 127.0).	Class AA
(63) Mill Creek from 13th Street bridge in Walla Walla (river mile 6.4) to Walla Walla Waterworks Dam (river mile 25.2).	Class A	(93) Skokomish River and tributaries.	Class AA
(64) Mill Creek and tributaries from city of Walla Walla Waterworks Dam (river mile 25.2) to headwaters. Special condition - no waste discharge will be permitted.	Class AA	(94) Skookumchuck River from Bloody Run Creek (river mile 21.4) to headwaters.	Class AA
(65) Naches River from Snoqualmie National Forest boundary (river mile 35.7) to headwaters.	Class AA	(95) Skykomish River from mouth to May Creek (above Gold Bar at river mile 41.2).	Class A
(66) Naselle River from Naselle "Falls" (cascade at river mile 18.6) to headwaters.	Class AA	(96) Skykomish River from May Creek (above Gold Bar at river mile 41.2) to headwaters.	Class AA
(67) Newaukum River.	Class A	(97) Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). Special condition.	
(68) Nisqually River from mouth to Alder Dam (river mile 44.2).	Class A	(a) Below Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	
(69) Nisqually River from Alder Dam (river mile 44.2) to headwaters.	Class AA	(b) Above Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined.	Class A
(70) Nooksack River from mouth to Maple Creek (river mile 49.7).	Class A	(98) Snohomish River from mouth and east of longitude 122°13'40"W upstream to latitude 47°56'30"N (southern tip of Ebey Island river mile 8.1). Special condition - fecal coliform organisms shall not exceed a geometric mean value of 200, organisms/100 mL, with not more than 10 percent of samples exceeding 400 organisms/100 mL.	Class A
(71) Nooksack River from Maple Creek (river mile 49.7) to headwaters.	Class AA	(99) Snohomish River upstream from latitude 47°56'30"N (southern tip of Ebey Island river mile 8.1) to confluence with Skykomish and Snoqualmie River (river mile 20.5).	Class A
(72) Nooksack River, south fork, from mouth to Skookum Creek (river mile 14.3).	Class A	(100) Snoqualmie River and tributaries from mouth to west boundary of Twin Falls State Park on south fork (river mile 9.1).	Class A
(73) Nooksack River, south fork, from Skookum Creek (river mile 14.3) to headwaters.	Class AA	(101) Snoqualmie River, middle fork.	Class AA
(74) Nooksack River, middle fork.	Class AA	(102) Snoqualmie River, north fork.	Class AA
(75) Okanogan River.	Class A	(103) Snoqualmie River, south fork, from west boundary of Twin Falls State Park (river mile 9.1) to headwaters.	Class AA
(76) Palouse River from mouth to south fork (Colfax, river mile 89.6).	Class B	(104) Soleduck River and tributaries.	Class AA
(77) Palouse River from south fork (Colfax, river mile 89.6) to Idaho border (river mile 123.4). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A	(105) Spokane River from mouth to ((Idaho border)) Long Lake Dam (river mile ((96-5)) 33.9). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A
(78) Pend Oreille River from Canadian border (river mile 16.0) to Idaho border (river mile 87.7). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.	Class A	(106) Spokane River from Long Lake Dam (river mile 33.9) to Nine Mile Bridge (river mile 58.0). Special conditions:	
(79) Pilchuck River from city of Snohomish Waterworks Dam (river mile 26.8) to headwaters.	Class AA	(a) The average concentration of total phosphorus (as P) shall not exceed 25µg/L during the period of June 1 to October 31.	
		(b) Temperature shall not exceed 20.0°C, due to human activities. When natural conditions exceed 20.0°C, no	

temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$.

(107) Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$.

(108) Stehckin River.

((107)) (109) Stillaguamish River from mouth to north and south forks (river mile 17.8).

((108)) (110) Stillaguamish River, north fork, from mouth to Squire Creek (river mile 31.2).

((109)) (111) Stillaguamish River, north fork, from Squire Creek (river mile 31.2) to headwaters.

((110)) (112) Stillaguamish River, south fork, from mouth to Canyon Creek (river mile 33.7).

((111)) (113) Stillaguamish River, south fork, from Canyon Creek (river mile 33.7) to the headwaters.

((112)) (114) Sulphur Creek.

((113)) (115) Sultan River from mouth to Chaplain Creek (river mile 5.9).

((114)) (116) Sultan River and tributaries from Chaplain Creek (river mile 5.9) to headwaters. Special condition - no waste discharge will be permitted above city of Everett Diversion Dam (river mile 9.4).

((115)) (117) Sumas River from Canadian border (river mile 12) to headwaters (river mile 23).

((116)) (118) Tieton River.

((117)) (119) Tolt River, south fork and tributaries from mouth to west boundary of Sec. 31-T26N-R9E (river mile 6.9).

((118)) (120) Tolt River, south fork from west boundary of Sec. 31-T26N-R9E (river mile 6.9) to headwaters. Special condition - no waste discharge will be permitted.

((119)) (121) Touchet River, north fork from Dayton water intake structure (river mile 3.0) to headwaters.

((120)) (122) Toutle River, north fork, from Green River to headwaters.

((121)) (123) Toutle River, south fork.

((122)) (124) Tucannon River from Umatilla National Forest boundary (river mile 38.1) to headwaters.

((123)) (125) Twisp River.

((124)) (126) Union River and tributaries from Bremerton Waterworks Dam (river mile 6.9) to headwaters. Special condition - no waste discharge will be permitted.

((125)) (127) Walla Walla River from mouth to Lowden (Dry Creek at river mile 27.2).

((126)) (128) Walla Walla River from Lowden (Dry Creek at river mile 27.2) to Oregon border (river mile 40). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.

((127)) (129) Wenatchee River from Wenatchee National Forest boundary (river mile 27.1) to headwaters.

((128)) (130) White River (Pierce-King counties) from Mud Mountain Dam (river mile 29.6) to headwaters.

((129)) (131) White River (Chelan County).

((130)) (132) Wildcat Creek.

((131)) (133) Willapa River upstream of a line bearing 70°true through Mailboat Slough light (river mile 1.8).

((132)) (134) Wishkah River from mouth to river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W).

((133)) (135) Wishkah River from river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W) to west fork (river mile 17.7).

Lake Class

Class A

Class AA

Class A

Class A

Class AA

Class A

Class AA

Class B

Class A

Class AA

Class A

Class AA

Class B

Class A

Class AA

Class AA

Class AA

Class A

Class A

Class B

Class A

((134)) (136) Wishkah River from west fork of Wishkah River (river mile 17.7) to south boundary of Sec. 33-T21N-R8W (river mile 32.0).

Class AA

((135)) (137) Wishkah River and tributaries from south boundary of Sec. 33-T21N-R8W (river mile 32.0) to headwaters. Special condition - no waste discharge will be permitted.

Class AA

((136)) (138) Wynoochee River from mouth to Olympic National Forest boundary (river mile 45.9).

Class A

((137)) (139) Wynoochee River from Olympic National Forest boundary (river mile 45.9) to headwaters.

Class AA

~~((138) Yakima River from mouth to Sunnyside Dam (river mile 103.8)).~~

~~Class B~~

~~((139)) (140) Yakima River from ((Sunnyside Dam (river mile 103.8)) mouth to Cle Elum River (river mile 185.6). Special condition - temperature shall not exceed 21.0°C due to human activities. When natural conditions exceed 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$.~~

~~Class A~~

((140)) (141) Yakima River from Cle Elum River (river mile 185.6) to headwaters.

Class AA

AMENDATORY SECTION (Amending Order DE 82-12, filed 6/2/82)

WAC 173-201-090 ACHIEVEMENT CONSIDERATIONS. To fully achieve and maintain the foregoing water quality in the state of Washington, it is the intent of the department to apply the various implementation and enforcement authorities at its disposal, including participation in the programs of the Federal Clean Water Act ((~~P.L. 95-217~~) 33 U.S.C. 1251 et seq.) as appropriate. It is also the intent that cognizance will be taken of the need for participation in cooperative programs with other state agencies and private groups with respect to the management of related problems. The department's planned program for water pollution control will be defined and revised annually in accordance with section 106 of said federal act. Further, it shall be required that all activities which discharge wastes into waters within the state, or otherwise adversely affect the quality of said waters, be in compliance with the waste treatment and discharge provisions of state or federal law.

AMENDATORY SECTION (Amending Order DE 77-32, filed 1/17/78)

WAC 173-201-100 IMPLEMENTATION. (1) Discharges from municipal, commercial, and industrial operations. The primary means to be used for controlling municipal, commercial, and industrial waste discharges shall be through the issuance of waste disposal permits, as provided for in RCW 90.48.160 and following.

(2) Miscellaneous waste discharge or water quality effect sources. The director shall, through the issuance of regulatory permits, directives, and orders, as are appropriate, control miscellaneous waste discharges and water quality effect sources not covered by WAC 173-201-100(1) hereof. It is noted that, from time to time, certain short-term activities which are deemed necessary to accommodate essential activities or to otherwise protect the public interest may be specially authorized by the director as indicated in WAC 173-201-035 (8)(e), under such conditions as the director may prescribe, even though such activities may result in a reduction of water quality conditions below those criteria and classifications established by this regulation.

WSR 87-13-070

PROPOSED RULES

SPOKANE COMMUNITY COLLEGES

[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the board of trustees, Washington Community College District 17, intends to adopt, amend, or repeal rules concerning student conduct;

that the institution will at 1:30 p.m., Tuesday, July 21, 1987, in the District Office Board Room, North 2000 Greene Street, Spokane, WA 99207, 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 28B.50.140.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution before Friday, July 10, 1987.

Dated: June 15, 1987

By: C. Nelson Grote
Chief Executive Officer

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 28B.50.140.

Amending chapter 132Q-04 WAC, Rules of student conduct and procedures of enforcement.

Purpose of Amending Chapter 132Q-04 WAC: To reflect changes in student conduct policies.

Statutory Authority: RCW 28B.50.140.

Person Responsible for Drafting, Implementation and Enforcement of this Rule: Dr. C. Nelson Grote, Chief Executive Officer, Washington Community College District 17 (the Community Colleges of Spokane), North 2000 Greene Street, Spokane, WA 99207.

These rules are not necessary as a result of federal laws, federal court decisions, or state court decisions.

Chapter 132Q-04 WAC

STUDENT RULES OF ((STUDENT)) CONDUCT AND PROCEDURES ((OF)) FOR ENFORCEMENT

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-010 PURPOSE ((OF)) FOR ADOPTION OF STUDENT RULES. (1) All colleges administered by the board of trustees for Washington State Community College District 17 are maintained by the state of Washington for the accomplishment of certain special purposes; namely, the provision of programs of instruction in higher education, the advancement of knowledge through scholarship and research, and the provision of related community services. Like any other social institution having its own special purpose, a college must maintain conditions conducive to the effective performance of its functions. Consequently, the college has special expectations regarding the conduct of the various participants in the academic community. Student conduct which distracts from or interferes with accomplishment of college purposes is not acceptable.

(2) Admission to a college within the district carries with it the presumption that students will conduct themselves as responsible members of the academic community. This includes an expectation that students will obey the law, will comply with rules and regulations of the college and its departments, will maintain a high standard of integrity and honesty and will respect the rights, privileges and property of other members of the college community.

(3) It is assumed that students are((;)) and wish to be treated as adults. As such, the students will accept responsibility for their own conduct. In order to accomplish educational purposes of the college and also to provide students a full understanding of the rules that will enable the college to maintain conditions conducive to the effective performance of the college's functions, the following rules regarding the conduct of students are hereby adopted. Sanctions for violations of the rules of student conduct herein adopted will be administered by the college in the manner provided by said rules. When violations of laws of the state of Washington and/or the United States are also involved, the college may refer such matters to proper civil authorities. In case of minors, this conduct may be referred to parents or legal guardians.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-020 DEFINITIONS. As used in this chapter, ((chapter 132Q-04 WAC;)) the following words and phrases shall mean:

(1) "Assembly" shall mean any overt activity engaged in by two or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons or group of persons.

(2) "Board" shall mean the board of trustees of Washington State Community College District 17.

(3) "College" shall mean any community college which may be created by the board of trustees of Washington State Community College District 17.

(4) "College facilities" shall mean and include any or all real property owned, rented, leased, or operated by the board of trustees of Washington State Community College District 17, and shall include all buildings and appurtenances affixed thereon or attached thereto.

(5) "College personnel" refers to any person employed on a full-time or part-time basis except those who are faculty ((members)) as defined in ((subparagraph 8 infra)) subsection (8) of this section, by any community college administered by the board of trustees for Washington State Community College District 17.

(6) "Disciplinary action" shall mean and include the expulsion, suspension or admonition of any student by the appropriate college president or college dean of student personnel services for the violation of any designated rule of student conduct for which a student is subject to disciplinary action.

(7) "District" shall mean Washington State Community College District 17.

(8) ((~~"Faculty members" shall mean any employee of any community college administered by the board of trustees of Washington State Community College District 17, who received a probationary faculty appointment or faculty appointment under the terms of the community college tenure law, RCW 28B.50.850 through 28B.50.869, as now law or hereinafter amended.~~)) "Faculty" shall mean any employee of Washington State Community College District 17 which includes full-time and part-time faculty, administrators, counselors, librarians, or department heads who are employed by any community college administered by the board of trustees.

(9) "President" unless otherwise designated shall mean the duly appointed president or chief executive officer of any campus of Washington State Community College District 17.

(10) "Rules of student conduct" shall mean those rules regulating student conduct as herein adopted in this chapter ((132Q-04 WAC)).

(11) ((~~"Student" shall mean and include any person who is enrolled in any community college administered by the board of trustees for Washington State Community College District 17.~~)) A student is defined as any person who is or has been officially registered at any college or instructional unit with Washington State Community College District 17 and with respect to whom the college maintains education records or personally-identifiable information.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-030 JURISDICTION. All rules herein adopted concerning student conduct and discipline shall apply to every student attending a community college within the district whenever said student is engaged in or present at any approved college-related activity occurring on or off college facilities. It shall also mean for enforcement of the rules of conduct to include facilities in which students are engaged in official college training and/or activities including places of training internships, cooperative education, practicums or supervised work experiences.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-050 DRUGS. Any student who shall use, possess, be demonstrably under the influence of, or sell any narcotic drug as defined in RCW 69.50.101(o) as now law or hereinafter amended, or any controlled substance as defined in RCW 69.50.101(d) as now law or hereinafter amended, shall be subject to disciplinary action except when the use or possession of a drug is specifically authorized by a licensed practitioner as defined by RCW 69.50.101 (t)(1), (2), and (3)((;)) as now law or hereinafter amended. For purposes of this

((regulation)) section, "sell" shall include the statutory meaning defined in RCW 69.50.410.

NEW SECTION

WAC 132Q-04-055 FIREARMS. Any student who shall possess a firearm on campus without prior approval of the dean of student personnel services office shall be subject to disciplinary action.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-060 CHEATING. (1) Any student who, for the purpose of fulfilling or partially fulfilling any assignment or task required by ((the)) the faculty ((member)) as part of the student's program of instruction, shall knowingly tender any work product that the student fraudulently represents to the faculty ((member)) as the student's work product, shall be deemed to have cheated. Cheating shall be cause for disciplinary action.

(2) Any student who aids or abets the accomplishment of cheating as defined in subsection (1) of this section, shall also be subject to disciplinary action.

AMENDATORY SECTION (Amending Resolution No. 24, filed 9/12/85)

WAC 132Q-04-095 COMPUTER TRESPASS. Any student who, without authorization, intentionally gains access to a computer system or electronic data owned or used by the ((Community Colleges of Spokane)) Washington State Community College District 17 ((the)) shall be subject both to disciplinary action pursuant to this chapter ((132Q-04-WAC)) and to criminal prosecution pursuant to chapter 273, Laws of 1984, and any or all other statutory laws or regulations pertaining thereto.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-100 RIGHT OF ASSEMBLY. (1) Students shall have the right of "assembly" as defined in WAC 132Q-04-020 upon college facilities that are generally available to the public((provided that)). Such assembly shall:

- (a) Be conducted in an orderly manner; and
- (b) Not unreasonably interfere with vehicular or pedestrian traffic; or
- (c) Not unreasonably interfere with classes, schedules, meetings or ceremonies, or with educational functions of the college; and
- (d) Not unreasonably interfere with college functions.

(2) A student who conducts or participates in an assembly violative of any provision of this ((rule)) section shall be subject to disciplinary action.

(3) Nonstudents who participate in or aid or abet any assembly or assemblies in violation of this section shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the college. Faculty ((members)) and other college personnel who participate in or aid or abet any assembly or assemblies violative of this section shall be subject to appropriate discipline.

((~~(4) Any student who commits any other act on college facilities which is punishable as a gross misdemeanor or a felony under the laws of the state of Washington and which act is not a violation of any other provision of the rules of student conduct, shall be subject to disciplinary action.~~))

NEW SECTION

WAC 132Q-04-105 OTHER PUNISHABLE ACTS. Any student who commits any other act on college facilities which is punishable as a misdemeanor or a felony under the laws of the state of Washington and/or the United States and which act is not a violation of any other provision of the rules of student conduct, shall be subject to disciplinary action.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-110 COMMERCIAL ACTIVITIES. (1) College facilities will not be used for commercial solicitation, advertising or

promotional activities except when such activities clearly serve educational objectives, including but not limited to display of books of interest to the academic community or the display or demonstration of technical or research equipment, and when such commercial activities relate to educational objectives and are conducted under the sponsorship or ((at)) the request of a college department or the office of student activities of the college, provided that such solicitation does not interfere with or operate to the detriment of the conduct of college affairs or the free flow of pedestrian or vehicular traffic.

(2) For the purpose of this regulation, the term "commercial activities" does not include handbills, leaflets, newspapers, and similarly related materials as regulated in WAC 132Q-04-140.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-120 OUTSIDE SPEAKERS. (1) Any recognized campus student organization with the written certification of its advisor, may invite speakers on that campus subject to the legal restraints imposed by the laws of the United States and the state of Washington.

(2) The appearance of an invited speaker on a campus does not represent an endorsement, either implicit or explicit, of views or opinions of the speaker by the college, its students, its faculty, its college personnel, its administration or its board.

(3) The scheduling of facilities for hearing invited speakers shall be made through the student senate or the student activities council of the campus at which the speaker will appear.

(4) The appropriate student senate or student activities council will be notified at least seven days prior to the appearance of an invited speaker, at which time a proper form (available in the office of the director of student activities) must be completed with all particulars regarding speaker, time, place, etc., signed by the sponsoring organization's advisor, and filed with the director of student activities. Exceptions to the seven-day ruling may be made by the director of student activities with the approval of the dean of student personnel services.

(5) The appropriate student senate or student activities council may require a question period or arrange to have views other than those of the invited speakers represented at the meeting, or at a subsequent meeting. The president of the college or a designated representative, may assign ((a)) faculty ((member)) to preside over any meeting where a speaker has been invited.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-130 TRESPASS. (1) The president of the college, or, in such president's absence, the acting president, is authorized in the instance of any event that the president deems to be disruptive of order or which the president deems impedes the movement of persons or vehicles or which the president deems to disrupt or threatens to disrupt the ingress and/or egress of persons from college facilities, and the president acting through the dean of student personnel services or such other person designated by the president, shall have the power and authority to:

(a) Prohibit the entry of, or withdraw the license or privilege of a person or persons or any group of persons to enter onto or remain upon any portion of a college facility; or

(b) To give notice against trespass by any manner provided for by law, to any person, persons, or group of persons against whom the license or privilege has been withdrawn or who have been prohibited from, entering onto or remaining upon all or any portion of a college facility; or

(c) To order any person, persons, or group of persons to leave or vacate all of any portion of a college facility.

(2) Any student who shall disobey a lawful order given by the president, or the president's designee, pursuant to the requirements of ((section 1)) subsection (1) of this ((rule)) section, shall be subject to disciplinary action.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-140 DISTRIBUTION OF MATERIALS. (1) Handbills, leaflets, newspapers, and similarly related matter distributed free of charge by any student or students or by members of recognized student organizations or by college personnel, may be distributed upon college facilities designated by the director of student activities; provided that such distribution does not interfere with the ingress and

gress of persons or interfere with the free flow of vehicle or pedestrian traffic.

(2) Newspapers, leaflets, and similarly related materials offered for sale by any student or nonstudent person or organization may be distributed and sold only through the college book store as are other commercial forms of merchandise, subject to reasonable rules and regulations that may be imposed by the bookstore manager.

(3) All handbills, leaflets, newspapers, and similarly related matter must bear identification as to the publishing agency and distributing organization or individual.

(4) All students and nonstudents shall be required to register with the director of student activities prior to the distribution or sale of any handbill, leaflet, newspaper or related matter, including, but not limited to, posting materials on college bulletin boards and distributing materials in college parking lots.

(5) Any student who violates any provision of this rule relating to the distribution and sale of handbills, leaflets, newspapers or related materials, shall be subject to disciplinary action.

(6) Any distribution of the materials regulated in this section shall not be construed as approval of the same by the college or by the board of trustees of Washington State Community College District 17.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-150 RIGHT TO DEMAND IDENTIFICATION. (1) For the purpose of determining whether probable cause exists for application of any section of the code of student conduct to any conduct by any person on a college facility, any faculty (~~(member)~~) or other college personnel expressly authorized by the president of the college or chief executive officer may demand that any person on college facilities produce evidence of student enrollment at the college, by tender of said person's student identification card (~~(to the faculty member or authorized college personnel)~~).

(2) Refusal by a student to produce a student identification card, as required by subsection (1) of this section, shall be cause for disciplinary action.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-170 INITIATION OF PROSECUTION. (1) Faculty (~~(members)~~), the dean of student personnel services, or the dean's designee, and the president shall have concurrent authority to invoke sanctions for violations of the rules of student conduct and to require the commencement of the disciplinary proceedings provided for in WAC 132Q-04-180 through 132Q-04-270.

(2) Faculty (~~(members)~~) shall have the authority to take such summary actions as may be necessary to maintain order and proper conduct in the classroom in order to assure the effective cooperation of students in the accomplishment of objectives of the course of instruction. Such actions may be appealed to the president of the college at any time before the end of the next succeeding quarter in which the student is enrolled.

(3) A request for the imposition of disciplinary action for a violation of the rules of student conduct shall be referred in writing to the dean of student personnel services within twenty days of the discovery of the facts giving rise to the request. Such a request may be made by any member of the administration, faculty, or college personnel or any student. All such requests must be in writing and signed by the individual making such request.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-180 INITIAL DISCIPLINARY PROCEEDINGS. (1) All disciplinary proceedings will be initiated by the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee, who may also establish advisory panels to advise or act for the office (~~(in)~~) of disciplinary proceedings.

(2) It is the responsibility of the appropriate administrator as designated by the dean of student personnel services to be involved in the gathering of information and documentation relative to disciplinary problems that occur in their areas of responsibilities and submit such in written form.

(3) Any student accused of violating any provisions of the rules of student conduct will be called for an initial conference with the dean of

student personnel services, or (~~(a designated representative)~~) the dean's designee, and will be informed of what provision or provisions of the rules of student conduct the student is charged with violating, and what appears to be maximum penalties which might result from consideration of the disciplinary proceeding.

~~((3))~~ (4) After considering the evidence in the case and interviewing the student or students accused of violating the rules of student conduct, the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee, may take any of the following actions(~~(:)~~):

(a) Terminate the proceeding, exonerating the student or students(~~(:)~~);

(b) Dismiss the case after whatever counseling and advice may be appropriate;

(c) Impose minor sanctions directly (warning, reprimand, disciplinary probation or fine) subject to the student's rights of appeal described below;

(d) Refer the matter to the college disciplinary committee for (~~(a recommendation to the president of the college as to)~~) appropriate action. The student shall be notified in writing when such a (~~(recommendation)~~) referral is made;

(e) Issue an order of dismissal pursuant to the conditions of WAC 132Q-04-260(~~((4))~~) (4).

~~((4))~~ (5) A student accused of violating any provision of the rules of student conduct shall be given written notification of any disciplinary action taken by the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee. In case of an unmarried student under (~~((18))~~) eighteen years of age, written notification of the disciplinary action taken by the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee, shall also be sent to the parents or guardian of the student.

~~((5))~~ (6) No disciplinary action recommended by the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee, is final unless the student fails to exercise his right of appeal as provided in WAC 132Q-04-190.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-190 APPEALS. Any disciplinary action taken by the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee, may be appealed to the college disciplinary committee; and disciplinary action taken by the college disciplinary committee may be appealed by the student to the president of the college. All appeals by a student must be made in writing to the disciplinary committee or the president and presented to the committee or president within seven days after the student has been notified of the action taken by the disciplinary committee or the president.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-200 COMPOSITION OF COLLEGE DISCIPLINARY COMMITTEE. Each campus of Spokane Community College and after July 1, 1970, each college created by the board of trustees (~~(for)~~) of Washington State Community College District 17 shall have a college disciplinary committee composed of six members(~~(:)~~) plus the chairperson who shall be chosen (~~((by))~~) no later than October 15 of each academic year. The membership shall be selected as follows:

(1) The recognized faculty organization (~~(at each college)~~) shall appoint two members and an alternate who are teaching on the appropriate campus or college; such members shall serve a two-year term.

(2) The college president shall appoint two members from the college administration who shall serve at the pleasure of the president.

(3) Student membership shall be appointed by the respective student governments on each college campus. Student membership must include a male and female student and two alternates who shall serve for no more than one year.

(4) The (~~(chairman)~~) chairperson of the college disciplinary committee shall be the dean of student personnel services, or (~~(a designated representative)~~) the dean's designee; provided, however, that no person who personally participates in any disciplinary action reviewed by the disciplinary committee may serve as (~~(chairman)~~) chairperson, nor may said person cast a vote on the merits of the issue decided by the disciplinary committee pursuant to WAC 132Q-04-240.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-210 PROCEDURES FOR HEARING BEFORE THE COLLEGE DISCIPLINARY COMMITTEE. (1) The college disciplinary committee for each campus, and after July 1, 1970 for each college, will hear, de novo, ~~((and make recommendations to the president of the college on))~~ all disciplinary cases referred to it by the dean of student personnel services ~~((or)), the dean's ((designated representative))~~ designee, or cases where the student appeals the dean's decision.

(2) The student has a right to a fair and impartial hearing before the disciplinary committee on any charge of violating the rules of student conduct. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the disciplinary committee from making its findings of fact, conclusions and recommendations as provided hereafter. Failure by the student to cooperate may be taken into consideration by the committee ~~((in recommending to the president the appropriate disciplinary action))~~.

(3) The student shall be given written notice by registered or certified mail of the time and place of the hearing before the college disciplinary committee, and be afforded not less than ~~((20))~~ twenty days notice thereof. Said notice shall contain:

(a) A statement of the time, place and nature of the disciplinary proceeding~~((:));~~

(b) A statement of the charges including reference to the particular sections of the rules of student conduct involved~~((:));~~

(c) A list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the college at the hearing.

(4) The student shall be entitled to hear and examine the evidence brought forward and be informed of the identity of its source and shall be entitled to present evidence in the student's own behalf and to cross-examine witnesses testifying against the student as to factual matters. The student shall have all authority possessed by the college to obtain information provided requests for such information is specifically described, in writing, and tendered to the dean of student personnel services no later than three days prior to the hearings, or to request the presence of witnesses or the production of other evidence relevant to the issues of the hearings.

(5) The student may be represented by counsel of choice at the disciplinary hearing. If the student elects to choose a duly licensed attorney admitted to practice in any state in the United States as counsel, the student must tender three days' notice excluding weekends and holidays thereof to the dean of student personnel services.

(6) In all disciplinary proceedings the college may be represented by a designee appointed by the dean of student personnel services; said designee may then present the college's case against the student accused of violating the rules of student conduct, provided that in those cases in which the student elects to be represented by a licensed attorney, the dean of student personnel services may elect to have the college represented by an assistant attorney general.

(7) An adequate summary of all the evidence and facts presented to the disciplinary committee during the course of the proceedings will be taken. A copy thereof shall be available at the office of the dean of student personnel services.

(8) The ~~((chairman))~~ chairperson of the college disciplinary committee shall preside at the disciplinary hearing and make rulings on all evidentiary procedural matters heard in the course of the disciplinary hearing.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-04-220 CONDUCT OF DISCIPLINARY HEARINGS. (1) Hearings conducted by the college disciplinary committee generally will be held in closed session, except when a student requests that persons other than those directly involved be invited to attend. If at any time during the conduct of a hearing invited guests are disruptive ~~((of the proceedings))~~, the ~~((chairman))~~ chairperson of the committee may exclude such persons from the hearing room.

(2) Any student attending the disciplinary committee hearing as an invited guest who continues to disrupt said proceedings after the ~~((chairman))~~ chairperson of the committee has asked him to cease and desist therefrom, shall be subject to disciplinary action.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-230 EVIDENCE ADMISSIBLE IN HEARINGS. (1) Only those matters presented at the hearing in the presence of the accused student, except where the student fails to attend after receipt of proper notice, will be considered in determining whether the college disciplinary committee had sufficient cause to believe that the accused student is guilty of violating the rules the student is charged with having violated.

(2) In determining whether sufficient cause, as stated in ~~((the foregoing subparagraph--))~~ subsection (1) of this section, does exist, members of the disciplinary committee shall give probative effect to evidence which possesses probative value commonly accepted by reasonable, prudent persons in the conduct of their affairs.

(3) The ~~((chairman))~~ chairperson of the college disciplinary committee shall, in the course of presiding at the disciplinary hearing, give effect to the rules of privilege recognized by law and exclude incompetent, irrelevant, immaterial and unduly repetitious evidence.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-240 DECISION BY THE COMMITTEE. (1) Upon conclusion of the disciplinary hearing, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote ~~((whether to recommend to the president any))~~ of the members of the committee which of the following ((actions)) is to be taken:

(a) That the college terminate the proceedings and exonerate the student or students;

(b) That the college impose minor sanctions directly, such as warning, reprimand or minor fine, subject to the student's right of appeal as hereinafter described;

(c) That the college impose any of the disciplinary actions as provided in WAC 132Q-04-260; or

(d) ~~((Recommend to the president that the student be dismissed from college:))~~ Issue an order to dismiss under the conditions of WAC 132Q-04-260(4).

(2) Upon conclusion of the disciplinary hearing of a student appeal, the college disciplinary committee shall consider all the evidence therein presented and decide by majority vote of the members of the committee to uphold the previous decision, terminate the proceeding and exonerate the student or students, or impose any disciplinary action authorized under WAC 132Q-04-260.

(3) The student will be provided with a copy of the committee's findings of fact and conclusions regarding whether the student did violate any rule or rules of the code of student conduct. The committee shall also advise the student of the right to present, within seven calendar days, a written statement to the president of the college appealing the ~~((recommendation))~~ decision of the college disciplinary committee.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-250 FINAL DECISION REGARDING APPEAL OF DISCIPLINARY COMMITTEE ACTION. (1) The president of the college or any representative designated, except the dean of student personnel services, shall~~((:))~~ after reviewing the record of the case, include in the report of the college disciplinary committee any statement filed by the student, approval of the recommendations of the college disciplinary committee or give directions as to what lesser disciplinary action shall be taken.

(2) If the president decides that discipline is to be imposed or altered after the review provided by ~~((the above))~~ subsection (1) of this section, the president or ~~((a))~~ the president's designee shall notify the student in writing of the discipline imposed. In case of an unmarried student under ~~((legal))~~ eighteen years of age, written notice of any action involving dismissal or disciplinary action shall also be sent to parents or guardian of the student.

AMENDATORY SECTION (Amending Resolution No. 23, filed 9/14/84)

WAC 132Q-04-260 DISCIPLINARY ACTION. The following disciplinary actions are hereby established ~~((and))~~ any of which shall be the sanctions imposed upon violators of the rules of student conduct:

~~((a))~~ (1) Disciplinary warning: Notice to a student, either verbally or in writing, that the student has been in violation of the rules of student conduct or has otherwise failed to satisfy the college's expectations regarding conduct. Such warnings imply that continuation or repetition of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described ~~((below and on the next page))~~ in this section.

~~((b))~~ (2) Reprimand: Formal action censuring a student for violation of the rules of student conduct. Reprimands are always made in writing to the student by the officer or agency taking the action, with copies to the office of student personnel services. A reprimand indicates to the student that continuation or repetition of the specific conduct involved or other misconduct will result in one of the more serious disciplinary actions described ~~((below and on the next page))~~ in this section.

~~((c))~~ (3) Disciplinary probation: Formal action placing conditions upon the student's continued attendance for violation of rules of student conduct. The office placing the student on disciplinary probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in extracurricular activities. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college. Violation of disciplinary probation shall be cause for disciplinary action.

~~((d))~~ (4) Dismissal: Termination of student status for violation of the rules of student conduct. Dismissal may be for a stated or for an indefinite period. The notification dismissing a student will indicate, in writing, the term of the dismissal and any special conditions which must be met before readmission. There is no refund of fees for the quarter in which the action is taken, but fees paid in advance for a subsequent quarter ~~((are to))~~ must be refunded.

~~((e))~~ (5) Fines: The office of student personnel services may assess monetary fines against individual students for violation of the rules of student conduct. Failure to pay such fines promptly will result in the cancellation of the student's registration and will prevent the student from reregistering.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-04-270 READMISSION AFTER DISMISSAL. Any student dismissed from the college for disciplinary reasons may be readmitted only on written petition to the office which initiated the action resulting in ~~((his))~~ the dismissal. Such petitions must indicate how specified conditions have been met and, if the term of the dismissal has not expired, any reasons which support a reconsideration of the matter. Because the president of the college participates in all disciplinary actions dismissing students from the college, decisions on such petitions ~~((for))~~ of readmission must be reviewed and approved by the president before readmission is granted.

Chapter 132Q-05 WAC STUDENT SUMMARY SUSPENSION RULES

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-010 PURPOSE OF SUMMARY SUSPENSION RULES. (1) The board of trustees of Washington State Community College District ~~((No:))~~ 17 recognizes the need to provide the college's administrators with a summary system of student discipline that can swiftly and fairly respond to immediate disorder on campus facilities within the district. The board further desires to create and operate such a system within the framework of fundamental due process as presently embodied in the historic notions embodied in the jurisprudential tool of the temporary restraining order. ~~((Therefore the board adopts the following rules:))~~

(2) It is to be understood, however, that nothing within the rules adopted in this chapter ~~((+132Q-05-WAC))~~ shall be construed to supplant the provisions of the rules of conduct and procedures of enforcement embodied in chapter 132Q-04 WAC and the student disciplinary system created therein. Rather, the provisions of the rules of this chapter shall be deemed to be ~~((supplementary))~~ supplementary to the rules of student conduct by providing a method of suspension during the pendency of the investigation and prosecution for student violations that will be subsequently heard on their merits pursuant to the system embodied in the said rules of student conduct.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-020 DEFINITIONS. As used in this chapter, ~~((+132Q-05-WAC:))~~ the following words and phrases shall mean:

(1) "Board" shall mean the board of trustees of Washington State Community College District ~~((No:))~~ 17 ~~((state of Washington))~~.

(2) "College" shall mean ~~((Spokane Community College and))~~ any ~~((other))~~ community college which may be created by the board of trustees of Washington State Community College District ~~((No:))~~ 17 ~~((state of Washington))~~.

(3) "College facilities" shall mean and include any or all real property owned or operated by the board of trustees of Washington State Community College District ~~((No:))~~ 17, ~~((state of Washington))~~ and shall include all building and appurtenances affixed thereon or attached thereto.

(4) "District" shall mean Washington State Community College District ~~((No:))~~ 17 ~~((state of Washington))~~.

(5) "President", unless otherwise designated, shall mean the duly appointed president or chief executive officer of any campus within Washington State Community College District ~~((No:))~~ 17 ~~((state of Washington))~~.

(6) "Rules of student conduct" shall mean those rules regulating student conduct as adopted in chapter 132Q-04 WAC.

(7) "Student" shall mean and include any person who is enrolled in any community college administered by the board of trustees ~~((for))~~ of Washington State Community College District ~~((No:))~~ 17 ~~((state of Washington))~~.

(8) "Faculty" shall mean any employee of Washington State Community College District 17 which includes full-time and part-time faculty, administrators, counselors, librarians, or department heads who are employed by any community college administered by the board of trustees.

NEW SECTION

WAC 132Q-05-033 CLASSROOM CONDUCT. Each faculty member has the right to suspend up to three class days any student who by any act of misconduct disrupts any college class by engaging in conduct that renders it difficult or impossible to maintain the decorum of the class (see WAC 132Q-04-067; also see WAC 132Q-04-170(2)).

NEW SECTION

WAC 132Q-05-036 CONDUCT AT COLLEGE FUNCTIONS. Each college employee has the right to remove or have removed from a college function and/or the college for up to three class days any student who by an act of misconduct, substantially disrupts any college function by engaging in conduct that renders it difficult, or impossible, to continue such function in any orderly manner (see WAC 132Q-04-068).

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-040 INITIATION OF SUMMARY SUSPENSION PROCEEDINGS. If the president, or ~~((in his absence his))~~ the president's designee, has cause to believe that any student has violated any law of the state or the United States, or any of the rules of student conduct contained in chapter 132Q-04 WAC, and the president, or ~~((his))~~ president's designee, also has further cause to believe that the student's violations involve ~~((s))~~:

~~((a))~~ (1) Participation in any mass protest or demonstration violative of WAC 132Q-04-100, and that immediate disciplinary action is necessary to restore order on any college campus or instructional unit; or

~~((b))~~ Violation of any other rule of student conduct and there also appears to be (2) A significant probability that said violation or violations will continue to ~~((the great injury))~~ disrupt the educational environment of the college, so as to render the disciplinary proceeding process contained in chapter 132Q-04 WAC ineffectual.

Then the president, or ~~((his))~~ president's designee, shall, pursuant to the following rules, have authority to suspend said student for a maximum of ~~((the))~~ ten days prior to any subsequent disciplinary proceeding initiated under the rules of student conduct contained in chapter 132Q-04 WAC.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-050 NOTICE OF SUMMARY PROCEEDINGS. (1) If the president desires to exercise the authority conferred by WAC 132Q-05-040 against any student, he or she shall direct the dean of student personnel services to cause notice thereof to be served upon said student (~~by registered or certified mail at the student's last known address, or by causing personal service of such notice upon said student~~).

(2) The notice shall be entitled "notice of summary suspension proceeding" and shall state:

(a) The charges against the student, including reference to the law and/or rules of student conduct involved and

(b) That the student charged must appear before the dean of student personnel services, or the dean's designee, at a time to be set by the dean, but not later than ~~((24))~~ twenty-four hours from the date and time of receipt of the "notice of summary suspension proceeding."

AMENDATORY SECTION (Amending Order 70-2, filed 9/22/70)

WAC 132Q-05-060 PROCEDURES OF SUMMARY SUSPENSION HEARING. (1) At the summary suspension hearing, the college, through the office of the dean of student personnel services, or the dean's designee, shall make a determination as to whether there is probable cause to believe that the violation stated in the notice of summary suspension proceedings to the student did occur.

(2) The student may offer oral testimony of himself or herself or of any person, submit any statement or affidavit on his or her own behalf, examine any affidavit and cross-examine any witness who may appear against him, and submit any matter in extenuation or mitigation of the offense or offenses charged.

(3) The dean of student personnel services shall at the time of the summary suspension proceeding determine whether there is probable cause to believe that a violation of law or of the rules of student conduct has occurred, pursuant to WAC 132Q-05-040 ~~((a) or (b))~~ (1) or (2). In the course of making such a decision, said dean may only consider the sworn affidavit or oral testimony of persons who have alleged that the student charged has committed a violation of law or of the rules of student conduct and oral testimony and affidavits submitted by the student charged.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-070 DECISION BY DEAN OF STUDENT PERSONNEL SERVICES. If the dean of student personnel services, following the conclusion of the summary suspension proceeding, finds that there is probable cause to believe that:

~~((a))~~ (1) The student against whom specific violations of law or of the rules of student conduct are alleged has committed one or more such violations upon any college facility; and

~~((b))~~ (2) That summary suspension of said student is necessary to attain peace and order on the campus; and

~~((c))~~ (3) Such violation or violations of the law or of the rules of student conduct constitute grounds for disciplinary probation or dismissal pursuant to WAC 132Q-04-260.

Then the dean of student personnel services may, with the written approval of the president, suspend such student from college for a maximum of ten days.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-080 NOTICE OF SUSPENSION. (1) If a student is suspended (~~for ten days~~) pursuant to the above rules, said student will be provided with a written copy of the dean of student personnel services' findings of fact and conclusions, as expressly concurred in by the president, as to whether said dean had probable cause to believe that the conditions for summary suspension (~~outlines~~) outlined in WAC 132Q-05-040 exists and whether immediate suspension of said student should (~~issue~~) be issued.

(2) The student suspended pursuant to the authority of this rule shall be served a copy of the notice of suspension by personal service or by registered mail. Notice by mail shall be sent to said student's last known address. The suspension shall be effective for a ten day period dating from the day the notice of suspension is mailed or personal service accomplished.

(3) During the period of summary suspension, the suspended student shall not enter the campus other than to meet with the dean of student

personnel services or to attend the summary suspension hearing. However, the dean of student personnel services may grant the student special permission to enter for the express purpose of meeting with faculty, college personnel, or students in preparation for the hearing.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-090 SUSPENSION FOR FAILURE TO APPEAR. If the student, against whom specific violations of the rules of student conduct or law have been alleged has been served pursuant to the notice required in WAC 132Q-05-050, fails to appear at the time designated for the summary suspension proceeding, the dean of student personnel services may, with the written concurrence of the president, suspend the student from college for a maximum amount of ten days.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-100 APPEAL. (1) Any student aggrieved by an order issued at the summary suspension proceeding may appeal the same to the board of trustees. No such appeal shall be entertained, however, unless written notice of the appeal, specifically describing alleged errors in the findings of the dean of student personnel services and the president, is tendered at the office of the president within ~~((72))~~ seventy-two hours following the date notice of summary suspension was served or mailed to the student.

(2) The board shall, as soon as reasonably possible, examine the allegations contained within the notice of appeal, along with the findings of the dean and president, the record of the summary suspension proceeding, and determine therefrom whether the summary suspension order is justified. Following such examination, the board of trustees may, at its discretion, suspend the summary suspension pending determination of the merits of the disciplinary proceeding pursuant to the rules of student conduct.

(3) The board shall notify, by registered or certified mail, the appealing student within ~~((48))~~ forty-eight hours following its consideration of the notice of appeal, as to whether the summary suspension shall be maintained or stayed pending disposition of the disciplinary proceeding pursuant to the rules of student conduct.

AMENDATORY SECTION (Amending Order 1-69, filed 12/8/69)

WAC 132Q-05-110 SUMMARY SUSPENSION PROCEEDINGS NOT DUPLICITOUS. (1) As indicated in WAC 132Q-05-010, the summary suspension proceeding shall in no way substitute for the disciplinary proceedings provided for in the rules of student conduct, chapter 132Q-04 WAC. At the end of the ~~((ten day))~~ suspension, the student suspended shall be reinstated to ~~((his))~~ full rights and privileges as a student, subject to whatever sanctions may have been or may be in the future imposed pursuant to the rules of student conduct or these rules of summary suspension.

(2) Any disciplinary proceeding initiated against the student because of violations alleged against any student in the course of the summary suspension proceeding provided for herein, shall be de novo; provided, that the records made and evidence presented during the course of any facet of a summary suspension proceeding brought against the student shall be available for the use of the student and of the college in a disciplinary proceeding initiated under the rules of student conduct.

AMENDATORY SECTION (Amending Order 74-1, filed 9/23/74)

WAC 132Q-05-120 REPORTING, RECORDING AND MAINTENANCE OF RECORDS. (1) Records of all summary suspension ~~((hearings))~~ proceedings shall be kept in the office of student personnel services. Except in proceedings where the student is exonerated, all documentary or other physical evidence produced or considered in summary suspension proceedings and all recorded testimony shall be preserved insofar as possible for at least five years. No record of proceedings wherein the student is exonerated, other than the fact of the exonerated, shall be maintained in the student's file or other college repository after the date of the student's graduation.

(2) The office of student personnel services shall keep accurate records of all summary suspension proceedings taken by that office. All summary suspensions will be entered on the student's record and may be removed at the time of graduation or earlier at the discretion of the office of student personnel services.

(3) In any case in which a student, summarily suspended pursuant to these rules is subsequently exonerated in the course of disciplinary proceedings provided for in the rules of student conduct, all records related to the summary suspension of the student shall be removed

from the student's record. ~~((The office of student personnel services shall be responsible for such removal.))~~

(4) Any failure by the college to remove records of the summary suspension proceeding when such is to be done pursuant to this section, may be ~~((cured))~~ secured by a student petitioning the office of student personnel services for removal of such a notation.

Chapter 132Q-06 WAC

~~((FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT))~~ STUDENT CONFIDENTIAL STUDENT RECORDS

AMENDATORY SECTION (Amending Order 76-1, filed 1/26/76)

WAC 132Q-06-010 CONFIDENTIALITY OF STUDENT RECORDS. The college continually receives requests from outside sources for information about students, both past and present. The ~~((staff))~~ college personnel and faculty of the college are reminded that Public Law 93-380, the Family Educational Rights and Privacy Act of 1974 states that the college adopt a policy on student education records to insure that information contained in such records is treated in a responsible manner with due regard to the personal nature of the information contained in these records. In order to prevent embarrassment or possible legal involvement of the college and its employees because of improper disclosure of information, it is important that college policy be implemented in the release of such information.

AMENDATORY SECTION (Amending Order 76-1, filed 1/26/76)

WAC 132Q-06-015 DEFINITION OF A STUDENT. A student is defined as any person who is or has been officially registered at any college or instructional unit with Washington State Community College District ~~((No.))~~ 17 and with respect to whom the college maintains education records or personally-identifiable information.

AMENDATORY SECTION (Amending Order 76-1, filed 1/26/76)

WAC 132Q-06-020 EDUCATION RECORDS—STUDENT'S RIGHT TO INSPECT. (1) A student has the right to inspect and review his/her education records. A list of the types of education records maintained by the college and the record locations may be obtained by the student at the college's dean of ~~((student's))~~ student personnel services' office.

(a) For purposes of this section the term "education records" means those records, files, documents, and other materials which contain information directly related to a student.

(b) The term "education records" does not include:

(i) Records of instructional, supervisory and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute.

(ii) Records of the campus security department which are kept apart from those records described in ~~((WAC 132Q-06-020 (1)))~~ (a) of this subsection and which are maintained solely for law enforcement purposes and which are not made available to persons other than law enforcement officials of the same jurisdiction.

(iii) In the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose.

(iv) Records on a student which are created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional or paraprofessional capacity, or assisting in that capacity and which are created, maintained or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment; provided, however, that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(2)(a) Recommendations, evaluations or comments concerning a student that are provided in confidence, either expressed or implied, as between the author and the recipient, shall be made available to the student, except as provided in ~~((paragraphs))~~ (b), (c) and (d) of this ~~((section))~~ subsection.

(b) The student may specifically release his or her right to review where the information consists only of confidential recommendations respecting:

(i) Admission to any educational institution; or

(ii) An application for employment; or

(iii) Receipt of an honor or honorary recognition.

(c) A student's waiver of his or her right ~~((of))~~ to access ~~((to))~~ confidential statements shall apply only if:

(i) The student is, upon request, notified of the names of all persons making confidential statements concerning him~~((;))~~ or her; and

(ii) Such confidential statements are used solely for the purpose for which they were originally intended~~((;))~~; and

(iii) Such waivers are not required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from the college.

(d) Recommendations, evaluations or comments concerning a student that have been provided in confidence, either expressed or implied, as between the author and the recipient, prior to January 1, 1975, shall not be subject to release under ~~((WAC 132Q-06-020 (2)))~~ (a) of this subsection. Such records shall remain confidential and shall be released only with the consent of the author. Such records shall be used by the institution only for the purpose for which they were originally intended.

(3) Where requested records or data include information on more than one student, the student shall be entitled to receive or be informed of only that part of the record or data that pertains to the student.

(4) Students have the right to obtain copies of their education records. Charges for the copies shall not exceed the cost normally charged by the college (except in cases where charges have previously been approved by the boards of trustees' action for certain specified services, such as transcripts and grade sheets).

(5) The dean of student~~((s))~~ personnel services is the official custodian of academic records; and, therefore, is the only official who may issue a transcript of the student's official academic record.

(6) Student education records may be destroyed in accordance with a department's routine retention schedule. In no case will any record which is requested by a student for review in accordance with ~~((WAC 132Q-06-020))~~ this section and WAC 132Q-06-025 be removed or destroyed prior to providing the student access.

AMENDATORY SECTION (Amending Order 76-1, filed 1/26/76)

WAC 132Q-06-025 REQUESTS AND APPEAL PROCEDURES. (1) A request by a student for review of information should be made in writing to the college individual(s) or office(s) having custody of the particular record.

(2) An individual(s) or office(s) must respond to a request for education records within a reasonable period of time, but in no case more than forty-five days after the request has been made. A college individual(s) or office(s) which is unable to comply with a student's request within the ~~((above-state))~~ above-stated time period shall inform the student of that fact and the reasons in writing.

(3) (a) A student who feels that his or her request has not been properly answered by a particular individual(s) or office(s) should contact the appropriate dean or director responsible for the individual(s) or office(s) for mediation.

(b) In cases where a student remains dissatisfied after consulting with the appropriate dean or director, the student may then request a hearing by the college records committee. Following the hearing the college's records committee shall render its decision within a reasonable period of time. In all cases the decision of the college's records committee shall be final.

(c) In no case shall any request for review by a student be considered by the college's records committee which has not been filed with that body in writing within ninety days from the date of the initial request to the custodian of the record.

(d) The college's records committee shall not review any matter regarding the appropriateness of official academic grades.

AMENDATORY SECTION (Amending Order 76-1, filed 1/26/76)

WAC 132Q-06-030 RELEASE OF PERSONALLY-IDENTIFIABLE RECORDS. (1) The college shall not permit access to or the release of education records or personally-identifiable information contained therein, other than "directory information," without the written consent of the student, to any party other than the following:

(a) College ~~((staff))~~ personnel, faculty and students when officially appointed to a faculty council or administrative committee, when the information is required for a legitimate educational interest within the performance of their responsibilities to the college, with the understanding that its use will be strictly limited to the performance of those responsibilities.

(b) Federal and state officials requiring access to education records in connection with the audit and evaluation ~~((or))~~ of a federally-supported or state-supported education program or in connection with the enforcement of the federal or state legal requirements which relate to such programs. In such cases the information required shall be protected by the federal or state official in a manner which will not permit the personal identification of students and their parents to other than those officials and such personally-identifiable data shall be destroyed when no longer needed for such audit, evaluation or enforcement of legal requirements.

(c) Agencies or individual's requesting information in connection with a student's application for ~~((;))~~ receipt of financial aid.

(d) Organizations conducting studies for or on behalf of the college for purposes of developing, validating or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than the representatives of such organizations, and such information will be destroyed when no longer needed for the purposes for which it was provided.

(e) Accrediting organizations in order to carry out their accrediting functions.

(f) Any person or entity designated by judicial order or lawfully-issued subpoena, upon condition that the student is notified of all such orders or subpoenas in advance of the compliance therewith. ~~((Any college individual(s)))~~ The college president, the president's designee, or office(s) receiving a subpoena or judicial order for education records should immediately notify the attorney general.

(2) Where the consent of a student is obtained for the release of education records, it shall be in writing, signed and dated by the person giving such consent, and shall include:

- (a) A specification of the records to be released;
- (b) The reasons for such release; and
- (c) The names of the parties to whom such records will be released.

(3) In cases where records are made available without student release as permitted by ~~((WAC 132Q-06-030))~~ subsection (1) (b), (c), (d), (e) and (f) of this section, the college shall maintain a record kept with the education record released which will indicate the parties which have requested or obtained access to a student's records maintained by the college and which will indicate the legitimate interest of the investigating party. Releases in accordance with ~~((WAC 132Q-06-030))~~ subsection (1)(a) of this section need not be recorded.

(4) Personally-identifiable education records released to third parties, with or without student consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally-identifiable form to any other parties without obtaining consent of the student.

(5) The term "directory information" used in ~~((WAC 132Q-06-030))~~ subsection (1) of this section is defined as student's name, ~~((address, telephone number,))~~ date and place of birth, major field of studies, participation in officially-recognized activities ~~((in sports))~~, weight and height of members of athletic teams, dates of ~~((attendance))~~ enrollment, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Students may request that the college not release directory information except through written notice to the dean of ~~((student's office))~~ student personnel services.

(6) Information from education records may be released to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other person(s).

AMENDATORY SECTION (Amending Order 76-1, filed 1/26/76)

WAC 132Q-06-040 RECORDS COMMITTEE. The college's records committee shall be responsible for reviewing unusual requests for information and for assisting in the interpretation of these rules. The committee shall also be responsible for hearing appeals as defined in WAC 132Q-06-025. The committee shall consist of the dean of student ~~((s;))~~ personnel services, or the dean's designee; dean of instruction, or ~~((supervisor))~~ dean of instruction's designee, ~~((two))~~ one faculty, ~~((two))~~ one student ~~((s;))~~, and one faculty or administrator at large. Members shall be appointed by the president of the college.

Chapter 132Q-20 WAC

~~((PARKING AND TRAFFIC CONTROL))~~

FACULTY AND STUDENT TRAFFIC RULES AND REGULATIONS

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-010 PURPOSE FOR ADOPTING RULES. Pursuant to the authority granted by RCW 28B.50.140(10), the board of trustees of Washington State Community College District ((No:)) 17 is granted authority to make rules and regulations for pedestrian and vehicular traffic on property owned, operated or maintained by the college district. The rules and regulations contained in this chapter pertain to all faculty, students, college personnel, and visitors who use district facilities unless exempted by the chief executive officer of the district and are established for the following purposes:

- (1) To protect and control pedestrian and vehicular traffic; and
- (2) To assure access at all times for emergency traffic; and
- (3) To minimize traffic disturbance during class hours; and
- (4) To facilitate the work of the community colleges ~~((of the district by assuring access to their vehicles and to assign the limited parking space for the most efficient use of its vehicles))~~.

AMENDATORY SECTION (Amending Order 72-5, filed 10/9/72)

WAC 132Q-20-020 DEFINITIONS. As used in this chapter the following words and phrases shall mean:

(1) "Board" shall mean the board of trustees of Washington State Community College District ((No:)) 17 ~~((state of Washington))~~.

(2) "Campus" shall mean any or all real property owned, operated or maintained by Washington State Community College District ((No:)) 17 ~~((state of Washington))~~.

(3) "Dean of student ~~((s))~~ personnel services" shall mean the dean of student personnel services of Spokane Community College or Spokane Falls Community College.

(4) "College" shall mean ~~((Spokane Community College or Spokane Falls Community College and))~~ any ~~((other))~~ community college ~~((centers or facilities established within))~~ or separate instructional unit which may be created by the board of trustees of Washington State Community College District ((No:)) 17.

(5) "Faculty ~~((members))~~" shall mean any employee of Washington State Community College District ((No:)) 17 ~~((who is certified to teach in a community college in the state of Washington))~~ which includes full-time and part-time faculty, administrators, counselors, librarians, or department heads who are employed by any community college administered by the board of trustees.

(6) "Campus ~~((patrolman))~~ patrol" shall mean an employee of the college, or a law enforcement student, who is responsible to the dean of student ~~((s))~~ personnel services for campus security.

(7) ~~((Staff))~~ shall mean the classified employees of Washington State Community College District No. 17.

~~((8))~~ "Student" shall mean any person who is enrolled in any community college operated by Washington State Community College District ((No:)) 17.

~~((9))~~ (8) "Vehicle" shall mean an automobile, truck, motor-driven cycle, scooter, or any vehicle empowered by a motor.

~~((10))~~ (9) "Visitors" shall mean any person or persons, excluding students as previously defined ~~((above))~~, who come upon the campus as guests and ~~((any))~~ person or persons who lawfully visit the campus for purposes which are in keeping with the colleges' role as institutions of higher learning in the state of Washington.

~~((11))~~ (10) "Permanent permits" shall mean permits which are valid for a school term.

~~((12))~~ "School term" shall mean, unless otherwise designated, the time period commencing with fall quarter of a community college teaching year and extending through subsequent quarters until the start of the following fall quarter.

~~((13))~~ (11) "Temporary permits" shall mean permits which are valid for a specific period designated on the permit.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-030 APPLICABLE TRAFFIC RULES AND REGULATIONS. The other traffic rules and regulations which ~~((are))~~ may also be applicable upon the campuses are as follows:

- (1) The motor vehicle and other traffic laws of the state of Washington; and
- (2) The ~~((traffic code of the city of Spokane, Washington))~~ Spokane municipal code.

AMENDATORY SECTION (Amending Order 73-4, filed 2/23/73)

WAC 132Q-20-040 PERMITS REQUIRED FOR VEHICLES ON CAMPUS. Students, faculty (~~members, staff members~~), administration, college personnel, guests and visitors shall not stop, park, or leave a vehicle whether attended or unattended upon the campus without a parking permit issued pursuant to WAC 132Q-20-050, except guests and visitors who will be given a reasonable time to secure a temporary permit from the dean of student(s or his) personnel services, or the dean's designee. All students who plan to park on campus and are attending educational programs on campus that meet ten or more times per quarter are required to purchase a valid quarterly permit. Failure to obtain a permit shall be grounds for disciplinary action. The fee for the parking permit shall be established from time to time by the board of trustees of Washington State Community College District ((No.)) 17 and shall be published ((in the student handbook)). Students attending education programs on campus that meet less than ten times are to obtain temporary guest permits.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-050 AUTHORIZATION FOR ISSUANCE OF PERMITS. The ((dean of students, or his designee, is)) colleges are authorized to issue parking permits to students, faculty ((members, staff members)), college personnel, guests and visitors of the college pursuant to the following regulations:

(1) Upon payment of the appropriate fee a student who intends to use college parking facilities may be issued a parking permit upon the registration of his or her vehicle with the college at the beginning of each ((school term)) college quarter (fall quarter, winter quarter, spring quarter, and summer quarter).

(2) Upon payment of the appropriate fee faculty ((and staff members may)), college personnel, and students will be issued parking permits ((upon the registration of)) for their vehicle((s at the beginning of fall quarter. PROVIDED, That new faculty and staff members employed during the regular academic year may be issued parking permits upon the registration of their vehicles at the time they begin their employment at the college)) if they intend to use college parking facilities.

(3) The dean of student ((s, or his)) personnel services, or the dean's designee, may issue temporary and special parking permits when such permits are necessary to enhance the business or operation of the college.

AMENDATORY SECTION (Amending Order 74-1, filed 9/23/74)

WAC 132Q-20-060 VALID PERMIT. A valid parking permit is:

(1) An unexpired parking permit registered and properly displayed; or

(2) A short-term parking permit authorized by the dean of student ((s, or his)) personnel services, or the dean's designee, and properly displayed; or

(3) A special parking permit authorized by the dean of student ((s, or his)) personnel services, or the dean's designee, and properly displayed; or

(4) A ((guest)) guest's permit authorized by the dean of student((s or his)) personnel services, or the dean's designee, and properly displayed; or

(5) A shop permit authorized by a vocational - technical instructor and properly displayed.

AMENDATORY SECTION (Amending Order 74-1, filed 9/23/74)

WAC 132Q-20-070 DISPLAY OF PERMIT. All permanent parking permits shall be permanently affixed to the inside of the rear window on the lower left corner directly behind the driver. For convertibles and pickups with campers, permits must be placed in the lower right-hand corner of the front windshield, and for motorcycles, placed either on front shock absorbers or battery covers (flat surface) or toolbox covers (right-hand side). Temporary permits shall be hung on the rear-view mirror in such a manner that they may be viewed through the front windshield.

(1) Expired permits ((shall)) should be removed before the new permits are attached.

(2) Permits not displayed pursuant to the provisions of this section shall not be valid.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-080 TRANSFER OF PERMITS. Parking permits are not transferable. If a vehicle is sold ((or)), traded, or if there is a new purchase, a new permit will be issued to the permit holder at ((no additional)) a nominal cost if the permit holder does the following:

(1) Records permit number and informs the auto registration clerk;

(2) Scrapes permit off the window;

(3) Brings permit or remnant to appropriate office, which office shall then issue the permit holder a new parking permit registered under a new number.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-090 PERMIT REVOCATION. Parking permits are the property of the college and may be recalled by the dean of student ((s)) personnel services for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists; or

(2) When a permit is used ((by)) for an unregistered vehicle or by an unauthorized individual; or

(3) Falsification on a parking permit application; or

(4) Continued violations of parking regulations; or

(5) Counterfeiting or altering a parking permit.

AMENDATORY SECTION (Amending Order 73-4, filed 2/23/73)

WAC 132Q-20-110 RIGHT TO APPEAL PERMIT REVOCATION OR REFUSAL TO GRANT PERMIT. When a parking permit has been recalled pursuant to WAC 132Q-20-090, or has been refused in accordance with WAC 132Q-20-100, or when a fine or penalty has been levied against a violator of the rules and regulations set forth in this chapter, such action by the dean of student ((s or his)) personnel services, or the dean's designee, may be appealed ((by students)) pursuant to WAC 132Q-04-190; provided, however, that faculty, ((administrative staff)) administrators, and ((classified staff)) college personnel of Washington State Community College District ((No.)) 17 shall appeal permit revocations, refusals to grant permits, and fines or penalties levied for violations by the dean of student personnel services to the respective college presidents whose decision on the matter shall be final. Refusal to pay ((fines)) a fine still existing after exhaustion of the appellate process shall be grounds for disciplinary action. In the case of students, failure to pay fines after the exhaustion of the appellate process shall be grounds for the college, in addition to disciplinary action, to deny admission for subsequent enrollment ((at either of the community colleges within)) with Washington State Community College District ((No.)) 17. In the case of District 17 employees, failure to pay fines could result in the denial of issuing a permit, and/or impounding of vehicles.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-130 DESIGNATION OF PARKING SPACE. The parking space available on campus shall be designated and allocated by the dean of student ((s, or his)) personnel services, or the dean's designee, in such a manner ((as)) which will best effectuate the objectives of the rules and regulations in this chapter.

(1) Faculty and ((staff)) college personnel spaces will be so designated for their use; and

(2) Student spaces will be so designated for their use; provided, physically handicapped students and others designated by the dean of student ((s or his)) personnel services, or the dean's designee, may be granted special permits to park in close proximity to the classrooms used by such students; and

(3) Parking spaces will be designated for use of visitors on campus.

((4) Time controlled parking spaces regulated by either parking meters or number coded coin slot boxes.))

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-150 ((DAY)) PARKING HOURS. ((The rules and regulations pertaining to the use of certain parking permits in specific areas as contained in WAC 132Q-20-140 shall be in force during the hours from 7:00 a.m. to 6:00 p.m.)) Parking is permitted on campus between the hours of 6:30 a.m. to 11:00 p.m. for faculty, college personnel, and students. The rules and regulations pertaining to the use of certain parking permits in specific areas are contained in WAC 132Q-20-140. Students, faculty, and college personnel may park in

any of the spaces or stalls designated in WAC 132Q-20-140 except visitor's areas on a first-come, first-served basis between the hours of 5:00 p.m. and 11:00 p.m. Custodial and other authorized personnel may park on campus from 10:00 p.m. to 6:30 a.m., and are still required to follow regular parking regulations and obtain parking permits.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-160 ((NIGHT)) **OVERNIGHT PARKING.** ((Night students and faculty members may park in any of the spaces or stalls designated in WAC 132Q-20-140 except visitors areas, on a first-come, first-served basis between the hours of 6:00 p.m. and 2:00 a.m.)) Overnight parking is prohibited except when approval is granted by the dean of student personnel services or the dean's designee.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-170 **REGULATORY SIGNS AND DIRECTIONS.** The dean of student((s, or his)) personnel services, or the dean's designee, is authorized to erect signs, barricades and other structures and to paint marks or other directions upon the entry ways and streets on campus and upon the various parking lots owned or operated by the colleges. Such signs, barricades, structures, markings, and directions, shall be so made and placed as in the opinion of the dean of student((s, or his)) personnel services, or dean's designee, which will best effectuate the objectives stated in WAC 132Q-20-010 and will best effectuate the rules and regulations contained in this chapter.

Drivers of vehicles shall observe and obey the signs, barricades, structures, markings and directions erected pursuant to this section. Drivers shall also comply with the directions given them by the campus ((patrolman)) patrol in the control and regulation of traffic.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-180 **SPEED LIMIT.** No vehicle shall be operated on the campuses at a speed in excess of ((twenty)) fifteen miles per hour in parking lots; and fifteen miles per hour on campus roads or such ((lower)) slower speed as is reasonable and prudent in the circumstances. No vehicle of any type shall at any time use the campus parking lots for testing, racing, or other unauthorized activities.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-190 ((PEDESTRIAN'S)) **PEDESTRIANS' RIGHT-OF-WAY.** (1) The operator of a vehicle shall yield the right of way, slowing down or stopping, if need be, to so yield to any pedestrian, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass such a vehicle which has slowed or stopped to yield to pedestrian traffic.

(3) Every pedestrian crossing at any point other than within a marked ((cross walk)) crosswalk or within an unmarked ((cross walk)) crosswalk at an intersection shall yield the right-of-way to all vehicles.

(4) Where a sidewalk is provided, pedestrians shall proceed upon such a sidewalk.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-200 **SPECIAL TRAFFIC AND PARKING REGULATIONS AND RESTRICTIONS AUTHORIZED.** Upon special occasions causing additional and/or heavy traffic and during emergencies, the dean of student((s or his)) personnel services, or the dean's designee, is authorized to impose additional traffic and parking regulations and restrictions for the achievement of the objectives specified in WAC 132Q-20-010.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-210 **TWO-WHEELED MOTOR BIKES OR BICYCLES.** (1) All two-wheeled vehicles empowered by a motor shall park in a space designated for motorcycles only.

(2) No vehicle shall be ridden on the sidewalks on campus at any time unless authorized by the dean of student((s or his)) personnel services, or the dean's designee.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-220 **REPORT OF ACCIDENTS.** The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total of claimed damage to either or both vehicles exceeding ((~~\$100.00~~)) \$300.00 shall immediately report such accident to the dean of student((s)) personnel services, or the dean's designee, and shall within twenty-four hours after such accident, file a state of Washington motor vehicle accident report.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-230 **EXCEPTIONS FROM TRAFFIC AND PARKING RESTRICTIONS.** These rules and regulations shall not apply to ((city, county)) city-owned, county-owned, or state-owned emergency vehicles.

AMENDATORY SECTION (Amending Order 72-5, filed 10/9/72)

WAC 132Q-20-240 **ENFORCEMENT.** (1) Enforcement of the parking rules and regulations will begin the first day of classes of the fall quarter and will continue through subsequent quarters until the start of the following fall quarter.

(2) The dean of student((s, or his)) personnel services, or the dean's designee, shall be responsible for the enforcement of the rules and regulations contained in this chapter. The dean of student((s)) personnel services is hereby authorized to delegate this responsibility to the campus ((patrolman)) patrol or other subordinates.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-250 **ISSUANCE OF TRAFFIC TICKETS.** Upon the violations of any of the rules and regulations contained in this chapter, the dean of student((s, his)) personnel services, or the dean's designee or subordinates, may issue a summons or traffic ticket setting forth the date, the approximate time, permit number, license information, infraction, officer, and schedule of fines. Such summons or traffic tickets may be served by attaching or affixing a copy thereof in some prominent place outside such vehicle or by personally serving the operator or owner.

AMENDATORY SECTION (Amending Order 72-2, filed 2/7/72)

WAC 132Q-20-260 **FINES AND PENALTIES FOR STUDENTS.** The dean of student((s, or his)) personnel services, or the dean's designee, is authorized to impose the following fines and penalties for the violation of the rules and regulations contained in this chapter:

(1) Except as provided under subsection (2) of this section, fines will be levied for all violations of the regulations contained in this chapter.

(2) Community Colleges of Spokane and its recognized instructional units are authorized to:

(a) Place an "administrative hold" in the records;

(b) Deny registration for subsequent quarters; and

(c) Deny graduation from the college to any student that fails to promptly pay any financial obligation due the college including the payment for parking citations.

(3) Vehicles which are parked on any campus within Washington State Community College District ((No:)) 17 and which are in violation of any of the regulations contained in this chapter ((132Q-20 WAC)), may be impounded or detained by use of mechanical devices at the discretion of the dean of student((s)) personnel services. If a vehicle is impounded, it may be taken to such place for storage as the dean of student((s, or his)) personnel services, or the dean's designee, selects. The expenses of such impoundings and storage shall be charged to the owner or operator of the vehicle and paid by him or 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 storage.

((3)) (4) At the discretion of the dean of student((s)) personnel services, an accumulation of traffic violations by a student will be cause for disciplinary action, and the dean of student((s)) personnel services shall initiate disciplinary proceedings against such student pursuant to WAC ((132Q-04-170 and)) 132Q-04-180.

((4)) A schedule of fines shall be set and reviewed annually by a committee of students appointed by the dean of students. This schedule shall be published in the student handbook, quarterly schedule, summary of parking regulations, and traffic summons form. (5) The duly elected associated student government officers of Spokane Falls Community College and Spokane Community College may, in a joint

meeting with the District 17 executive committee, recommend a proposed schedule of fines prior to adoption of a new fine schedule.

NEW SECTION

WAC 132Q-20-265 FINES AND PENALTIES FOR ALL DISTRICT EMPLOYEES. (1) Fines levied for all violations are subject to payment to the district in accordance with the established fine schedule.

(2) Faculty and other district employees have the right of due process and may appeal a decision of the dean of student personnel services to the college president or chief administrator of a recognized institutional unit whose decision shall be final.

AMENDATORY SECTION (Amending Order 71-4, filed 7/26/71)

WAC 132Q-20-270 LIABILITY OF COLLEGE. The college assumes no liability under any circumstances for vehicles parked on campus.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132Q-20-280 DELEGATION OF AUTHORITY.
- WAC 132Q-20-290 EFFECTIVE DATE.
- WAC 132Q-20-300 SEVERABILITY.

Chapter 132Q-94 WAC

FACULTY AND STUDENT HEALTH AND SAFETY REGULATIONS

AMENDATORY SECTION (Amending Order 72-1, filed 1/28/72)

WAC 132Q-94-010 DECLARATION OF PURPOSE. ((The board of trustees of Community College District No. 17 expressly finds by the adoption of the following health and safety regulations that a need exists for the safe operation of equipment and machinery by students in facilities operated by Community College District No. 17. Additionally, the board of trustees finds that certain health regulations are necessary for the successful operation of certain classes and programs operated by Community College District No. 17 and that these rules, chapter 132Q-04 WAC shall apply to all students attending those community colleges operating within Community College District No. 17.)) By adoption of the following health and safety regulations the board of trustees of the Washington State Community College District 17 expresses its firm commitment to the safety and health of its students. The board further recognizes the importance of students developing safe work habits, particularly in the areas of equipment and machinery operation, and in the handling of potentially hazardous chemical substances. This chapter shall apply to all students whether in a work study position or attending classes offered within the Washington State Community College District 17.

AMENDATORY SECTION (Amending Order 72-1, filed 1/28/72)

WAC 132Q-94-020 RATIONALE. ((In adopting the herein-mentioned rules, the board of trustees of Community College District No. 17 specifically finds that the herein-mentioned health and safety rules are based on the following standards:

(1) Accident prevention is a problem of organization and education. It does not rest upon involved theory but consists largely of the desire to institute a common sense safety program and the determination to carry out the program effectively.

(2) Effective accident prevention embodies these five principles:

- (a) Instructor leadership
- (b) Student cooperation
- (c) Effective organization
- (d) Thorough training
- (e) Good supervision

(3) There is no organization too large or too small to enter into accident prevention activities, no place of work is entirely free from occupational hazards and no one is entirely free from the possibility of accidents.

(4) There should be no conflict between the Community College District No. 17 and the students in the field of accident prevention. Both stand to gain by an accident prevention program.

(5) All safety programs are for the benefit of both Community College District No. 17 and individual students enrolled in all programs operated by the district.

(6) The safety problem, therefore, is largely one of education, good supervision and the development of definite and continued interest in safety among students.

(7) There is a direct relationship between an orderly job and accident prevention. A well-kept operation with well-supervised students enhances the prevention of injury.)) Adoption of these health and safety rules by the board of trustees is based on the following standards:

(1) The possibility of accidental injury to an individual exists at all times and in all places and no place of work nor any human activity is exempt from the possibility of accidents.

(2) All community college safety programs are for the benefit of both the Washington State Community College District 17 and the individual students enrolled within the institution. There is no conflict of interests between the students and the college in the area of an accident prevention program; through accident prevention, everyone benefits.

(3) Accident prevention requires both organization and education, consisting largely of the desire to provide and maintain an environment free of hazards through institution of a common-sense safety program and the determination to carry out the program effectively.

(4) Effective accident prevention includes instructor leadership, student cooperation, effective organization, thorough training, and good supervision.

AMENDATORY SECTION (Amending Order 72-1, filed 1/28/72)

WAC 132Q-94-030 STUDENTS' RESPONSIBILITIES.

((Each student attending those community colleges within Community College District No. 17 shall make it his individual responsibility to keep himself, his co-workers and his machine or equipment free from accidents to the best of his ability. In order that each student may be better qualified to cooperate with his fellow students and instructor in preventing accidents, he shall obey these and other safety rules governing his work:

(1) The student shall consider the benefits of accident prevention to himself and to his job and shall act accordingly.

(2) The student shall make an effort to understand his job.

(3) The student shall anticipate every way in which a man might be injured on the job and conduct his own work to avoid accident.

(4) The student shall be on the alert constantly for any unsafe condition or practice.

(5) The student shall report immediately to his supervisor any and all unsafe conditions and practices.

(6) The student shall ascertain from the supervisor where medical help may be obtained if it is needed.

(7) The student shall not engage in practical jokes and "horseplay" while attending classes or on the job.

(8) The student shall keep physically fit and obtain sufficient rest to be able to carry on the job.

(9) The student shall make a prompt report to the supervisor, first aid attendant or person in charge of every accident regardless of the degree of severity in which he is injured.

(10) The student shall be certain that after he has received appropriate instructions that he understands them completely before he starts to work.

(11) The student shall at all times apply the principles of accident prevention in his daily work and shall use proper safety devices and protective equipment and observe safe practice rules.

(12) The student shall not report to the job while he is under the influence of intoxicants or drugs and shall not use same while on the job.)) Students attending Washington State Community College District 17 shall, to the best of their ability, make it their individual responsibility to keep themselves and their fellow students free from accidents. In the interest of accident prevention, students shall obey the approved district safety rules and procedures including those outlined below, as well as other, more specific safety rules, as outlined by their instructors:

(1) Students shall consider the benefits of accident prevention to themselves, to others, and to their work, and shall act accordingly, conducting their work to avoid accidents through observation of safe work practices.

(2) Students shall study and observe all safe practices governing their specific area of work or class assignment, and shall make a concerted effort to understand their job and area of assignment.

(3) Students shall ascertain emergency procedures from their instructor or supervisor.

(4) Students shall remain alert for any unsafe condition(s) or practice(s), immediately reporting any observed to their instructor or supervisor.

(5) Students shall promptly report any accident in which they are injured, regardless of the degree of severity, to their instructor or supervisor.

(6) Students shall not engage in practical jokes or horseplay while attending class or while on the job.

(7) Students shall not report to class or a work study position while under the influence of intoxicants or drugs, nor shall such items be used or consumed while on the premises of the Washington State Community College District 17 or representing the Washington State Community College District 17 at an off-site location.

(8) Students who receive their instructor's or supervisor's permission to operate a state vehicle shall comply with existing fleet policies and procedures of Washington State Community College District 17.

(9) Students shall comply with existing smoking regulations of the Washington State Community College District 17.

AMENDATORY SECTION (Amending Order 72-1, filed 1/28/72)

WAC 132Q-94-120 PROHIBITING UNSAFE ACTS OR UNHEALTHFUL PRACTICES. (~~Nothing contained in this chapter shall prohibit an instructor or supervisor from immediately prohibiting an unsafe practice which is not specifically outlined in this chapter. Additionally, any violation of sound health practices not specifically enumerated in this chapter shall not be permitted, and the instructor or supervisor in charge may prohibit such practices. In the event the instructor terminates any unsafe or unhealthful practice pursuant to this section, he shall immediately notify the dean of instruction of his action.~~) Nothing contained in this chapter shall prohibit an instructor or supervisor from immediately prohibiting an unsafe practice which is not specifically outlined in this chapter.

Any violation of sound health and safety practices not specifically enumerated in this chapter shall not be permitted, and the instructor or supervisor in charge may prohibit such practices.

NEW SECTION

WAC 132Q-94-125 PETS PROHIBITED IN COLLEGE BUILDINGS. For reasons of health, sanitation, and safety, no person shall be permitted to bring or leave any dog, cat, or any other pet in any school building, nor leave such pet unattended on any district property. All dogs, cats, or other pets of any kind shall be and remain on a leash while on any district property.

This section does not apply to the blind, the visually handicapped, the hearing impaired, and the otherwise physically disabled person who requires the services and assistance of a guide dog and/or service dog as defined in chapter 70.84 RCW.

AMENDATORY SECTION (Amending Order 72-1, filed 1/28/72)

WAC 132Q-94-130 VIOLATIONS. Violations of (~~the herein-mentioned~~) these rules and regulations based on health and safety standards within this chapter (~~(+32Q-94-WAC)~~), shall be cause for disciplinary action under the provisions of chapter (~~(+32Q-94)~~) 132Q-04 WAC. Disciplinary proceedings shall be conducted in accordance with chapter 132Q-04 WAC (~~(+32Q-04-070 through 132Q-04-280)~~).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132Q-94-040 PERSONAL PROTECTIVE EQUIPMENT AND CLOTHING.
WAC 132Q-94-050 "BRIDGING" FUSES PROHIBITED.
WAC 132Q-94-060 LEAKAGE OF ELECTRICITY SHALL BE REPORTED.
WAC 132Q-94-070 SAFE STANDING ROOM REQUIRED.
WAC 132Q-94-080 USE OF DISCONNECTED WIRES FOR STARTING MACHINERY PROHIBITED.
WAC 132Q-94-090 STUDENTS WORKING ON MACHINES OR APPLIANCES.
WAC 132Q-94-100 MACHINES SHALL BE STOPPED WHEN MAKING REPAIRS.
WAC 132Q-94-110 HYGIENE.

WSR 87-13-071 NOTICE OF PUBLIC MEETINGS PUBLIC WORKS BOARD (Memorandum—June 17, 1987)

The Public Works Board, by motion at its regular meeting on Tuesday, April 21, 1987, has taken the following actions:

The next regular meeting of the Public Works Board will begin at 8:30 a.m., on Tuesday, August 4, 1987, Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, (206) 246-8600.

WSR 87-13-072 ADOPTED RULES DEPARTMENT OF PERSONNEL (Personnel Board)

[Order 279—Filed June 17, 1987—Eff. August 1, 1987]

Be it resolved by the State Personnel Board, acting at the Department of Personnel, 600 South Franklin, Olympia, WA, that it does adopt the annexed rules relating to:

Amd	WAC 356-26-040	Registers—Name removal for cause—Grounds enumerated—Requirements.
New	WAC 356-30-255	Separations—Immigration Reform and Control Act.

This action is taken pursuant to Notice No. WSR 87-10-041 filed with the code reviser on May 4, 1987. These rules shall take effect at a later date, such date being August 1, 1987.

This rule is promulgated pursuant to RCW 41.06.150 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 June 11, 1987.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-26-040 REGISTERS—NAME REMOVAL FOR CAUSE—GROUNDS ENUMERATED—REQUIREMENTS. (1) The director of personnel or designee may remove the name of an eligible from a register for any of the following reasons:

(a) For any of the causes stipulated in the chapter on appeals (WAC 356-34-010).

(b) On evidence that the eligible cannot be located by the postal authorities.

(c) On receipt of a statement from the eligible declining an appointment and/or future interest in positions in that class.

(d) If a candidate from a reduction in force register or a dual agency reversion register has waived the first offer

of employment, or a candidate from a promotional register has twice waived consideration for a position in the class for which the register was established.

(e) If an eligible fails to reply to a written inquiry as to availability after five days in addition to the time required to receive and return the inquiry.

(f) If an eligible accepts an appointment and fails to report for duty at the time and place specified without giving satisfactory reasons for the delay to the appointing authority.

(g) If an eligible was certified and reported "not satisfactory" on three occasions or if the eligible was certified and the appointing authority reported the eligible "considered but not appointed" on four separate occasions, or if the appointing authority reports either "not satisfactory" or "considered but not appointed" for a total of four times. The director of personnel or designee will monitor all name removals for adverse effect and/or disparate treatment of protected group members.

(h) If an open competitive eligible indicates availability in a specific geographic area and subsequently refuses referral or appointment to a position in that area.

(i) If the appointing authority reports that the eligible was offered employment but could not comply with the personal identification and work authorization requirements of the federal Immigration Reform and Control Act (I.R.C.A.).

(2) The director of personnel or designee shall notify the eligible of this action and the reasons therefore by mail to the last known address, except in those cases in subsection (1)(b) or (c) of this section. The director of personnel or designee will advise the eligible of the right to appeal.

(3) An eligible's name shall be reinstated on the register upon showing of cause satisfactory to the director of personnel or in accordance with the decision of the personnel board upon appeal.

NEW SECTION

WAC 356-30-255 SEPARATIONS—IMMIGRATION REFORM AND CONTROL ACT. Employees must comply with the personal identification and work authorization reporting requirements of the federal Immigration Reform and Control Act ("I.R.C.A."). Upon written notification by the appointing authority that an employee does not appear to be in compliance with those requirements, the employee must provide proof of compliance within five working days. If an employee complies or demonstrates proof of compliance within five working days, no separation from state employment for failure to comply with I.R.C.A. shall occur. If an employee does not comply or demonstrate proof of compliance with I.R.C.A. within five working days, that employee shall be notified in writing by the appointing authority of the employee's separation from state employment, effective one full working day after the date of such notification. Such separations shall be based solely on lack of compliance with I.R.C.A., shall not be considered a separation for disciplinary reasons, and shall not be based on national origin, race, physical characteristics or appearance, or other factors prohibited by law.

WSR 87-13-073
PROPOSED RULES
HOSPITAL COMMISSION
[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Hospital Commission intends to adopt, amend, or repeal rules concerning public records, amending chapter 261-06 WAC;

that the agency will at 10:00 a.m., Thursday, July 23, 1987, in the Seattle Room, Vance Airport Inn, Seattle, 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 through 42.17.340.

The specific statute these rules are intended to implement is chapter 70.39 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 13, 1987.

Dated: June 12, 1987

By: Maurice A. Click
Executive Director

STATEMENT OF PURPOSE

Title and Number of Rule Changes: Chapter 261-06 WAC, Public records.

Statutory Authority: RCW 42.17.250 through 42.17.340.

Summary of the Rule Changes: Revise WAC 261-06-070 Inspection and copying, to incorporate charges for postage connected with mailing of public records, and add two subsections to include charges for manuals, manual revisions, computer-generated tapes or other media on which public data is now available; to revise WAC 261-06-080 Exemptions, to include reference to RCW 70.39.110 which provides for exemption from public disclosure of privileged medical information; to revise WAC 261-06-090 Review of denials of public records requests, to correct errors; and to revise WAC 261-06-110 Records index, to provide for the maintenance of a general index of commission public records due to the volume of records issued, adopted or promulgated by the commission.

Reasons Supporting the Proposed Rule: To incorporate in WAC the variety of media on which public records may now be obtained from the commission. In addition, the increased volume of records subject to public disclosure since legislative expansion of the commission and its responsibilities in 1984 make it necessary for the commission to maintain a more general index containing types and frequency of records issued, adopted or promulgated.

Persons Responsible for Drafting, Implementation and Enforcement of the Rule Changes: Maurice A. Click, Executive Director, and David B. Smith, Deputy Director, Washington State Hospital Commission, Mailstop FJ-21, Olympia, Washington 98504, (206) 753-1990.

These rules are not necessary to comply with a federal law or a federal or state court decision.

Pursuant to RCW 19.85.040, the Hospital Commission submits the following small business economic impact statement: Hospital Commission staff do not believe these rule changes will have an impact on small businesses.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-06-070 INSPECTION AND COPYING. (1) No fee shall be charged for the inspection of public records. The commission shall charge a fee of ten cents per page of copy, plus postage, if any, for providing copies of public records and for use of the commission's copy equipment. This charge is the amount necessary to reimburse the commission for its actual costs incident to such copying.

(2) The charge for manuals and manual revisions shall be the cost to the commission for printing and mailing.

(3) The charge for computer-generated reports, tapes, or other media shall be the cost to the commission for producing and mailing.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-06-080 EXEMPTIONS. (1) The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 261-02-060 is exempt under the provisions of RCW 42.17.310 and 70.39.110.

(2) In addition, pursuant to RCW 42.17.260, the commission reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for withholding the record and a brief explanation of how the exemption applies to the record withheld.

AMENDATORY SECTION (Amending Order 83-02, Resolution No. 83-02, filed 2/28/83)

WAC 261-06-090 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the executive director of the commission. The executive director may request that a special meeting of the commission be called as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision, within two business days following the ~~((original denial))~~ receipt of the petition for review.

(3) Administrative remedies shall not be considered exhausted until the commission has returned the petition with a decision or until the close of the second business day following ~~((denial of inspection))~~ receipt of the petition for review, whichever occurs first.

AMENDATORY SECTION (Amending Order 73-01, filed 1/11/74)

WAC 261-06-110 RECORDS INDEX. (1) ~~((The commission has available to all persons a current index which provides identifying information as to the following records issued, adopted, or promulgated since its inception:~~

(a) ~~Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;~~

(b) ~~Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the commission;~~

(c) ~~Administrative staff manuals and instructions to staff that affect a member of the public;~~

(d) ~~Planning policies and goals, and interim and final planning decisions;~~

~~(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and~~

~~(f) Correspondence, and materials referred to therein, by and with the commission relating to any regulatory, supervisory or enforcement responsibilities of the commission whereby the commission determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.) As a result of the commission's responsibility to regulate the rates of Washington hospitals, the commission has generated and continues to generate an extremely high volume of records. These records include many categories of budget-related documents for each of the approximately one hundred hospitals subject to the commission's regulatory authority; massive data bases for various aspects of hospital rate regulation; and many other related documents necessarily generated by the commission's performance of its statutory functions. Due to the high volume of such records as well as their technical and diverse nature, the commission finds that it would be unduly burdensome and would interfere with commission operations to maintain an index of records as specified in RCW 42.17.260 (2)(a) through (f). The maintenance of such an index would substantially reduce the commission staff's availability to assist the commission in the discharge of its substantive regulatory duties.~~

~~(2) ((The current index promulgated by the commission)) The commission has promulgated a general index of commission records. This index shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.~~

WSR 87-13-074
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 17, 1987]

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 Seattle, city of, amending WAC 173-19-2521;

that the agency will at 7:00 p.m., Tuesday, July 28, 1987, in the Port of Seattle Commissioners Chambers, Pier 66, 2201 Alaskan Way, Seattle, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 16, 1987.

The authority under which these rules are proposed is RCW 90.58.120 and [90.58].200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 4, 1987.

Dated: June 17, 1987

By: Phillip C. Johnson
Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-2521, Seattle, city of.
Description of Purpose: Adoption of a revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: Adopts revisions to the shoreline master program for the city of Seattle.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for

approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Randy Davis, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6762.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendation Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE 85-21 [86-41], filed 10/1/85 [2/11/87])

WAC 173-19-2521 SEATTLE, CITY OF. City of Seattle master program approved June 30, 1976. Revision approved March 11, 1977. Revision approved September 10, 1980. Revision approved February 24, 1981. Revision approved May 14, 1981. Revision approved October 1, 1981. Revision approved January 5, 1982. Revision approved February 24, 1983. Revision approved June 7, 1983. Revision approved July 12, 1983. Revision approved October 13, 1983. Revision approved October 1, 1985. Revision approved September 16, 1987

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

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

WSR 87-13-075
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 17, 1987]

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 Grays Harbor County, amending WAC 173-19-220;

that the agency will at 7:00 p.m., Tuesday, July 21, 1987, in the Grays Harbor County Commissioners Meeting Room, 1st Floor, Administration Building, Montesano, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 21, 1987.

The authority under which these rules are proposed is RCW 90.58.120 and [90.58].200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 28, 1987.

Dated: June 17, 1987
By: Phillip C. Johnson
Deputy Director, Programs

STATEMENT OF PURPOSE

Title: Amending WAC 173-19-220, Grays Harbor County.

Description of Purpose: Adoption of a revised shoreline master program into state master program, chapter 173-19 WAC.

Statutory Authority: RCW 90.58.120 and 90.58.200.

Summary of Rule: Adopts revisions to the shoreline master program for the Grays Harbor County.

Reasons Supporting Proposed Action: Shoreline master programs and revisions thereto are developed by local governments and submitted to the department for approval. The programs do not become effective until adopted by the department in accordance with the Administrative Procedure Act.

Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barry Wenger, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6767.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendation Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE 86-11, filed 6/4/86)

WAC 173-19-220 GRAYS HARBOR COUNTY. Grays Harbor County master program approved August 6, 1975. Revision approved December 2, 1977. Revision approved July 17, 1978. Revision approved March 27, 1980. Revision approved June 3, 1986. Revision approved August 21, 1987.

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

WSR 87-13-076
PROPOSED RULES
COMMITTEE FOR DEFERRED COMPENSATION
[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Committee for Deferred Compensation intends to adopt, amend, or repeal rules concerning the amending of WAC 154-04-040, 154-12-050, 154-12-015, 154-12-060 and 154-12-070; that the agency will at 9:00 a.m., Monday, August 17, 1987, in the Department of Personnel, Learning Center, 1400 Evergreen Park Drive S.W., Olympia, 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 chapter 41.04 RCW.

The specific statute these rules are intended to implement is RCW 41.04.260.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before August 12, 1987.

Dated: June 16, 1987
By: Eileen Moore
Client Service Manager

STATEMENT OF PURPOSE

Amending WAC 154-04-040, 154-12-050, 154-12-015, 154-12-060 and 154-12-070.

Statutory Authority: RCW 41.04.250 and 41.04.260.

WAC 154-04-040, to allow participants that are in plan 2 of the retirement system to utilize the catch-up provision even if their retirement benefit is being actuarially adjusted; 154-12-050, to allow changes in the investment mode to be completed in a shorter time frame; 154-12-015 to allow for transfers from the state 457 plan to another eligible 457 plan; 154-12-060, to allow suspensions in deferrals to be completed in a shorter time frame; and 154-12-070, so that the six month waiting period after cessation of deferrals does not apply to those participants on leave without pay.

The Committee for Deferred Compensation has a staff of nine full-time employees and two half-time employees. Ernie Lahn is the manager. Eileen Moore is Ernie's administrative assistant. The address is 1400 Evergreen Park Drive S.W., Olympia, WA 98504, mailstop FX-11, phone 753-3096 or scan 234-3096.

These rules are proposed by the Committee for Deferred Compensation.

Agency Comments: None.

Not necessary due to federal law or federal/state court action.

AMENDATORY SECTION (Amending Order 84-4, filed 11/13/84)

WAC 154-12-015 ACCEPTANCE OF INTERPLAN TRANSFERS. Pursuant to Section 1.457-(2)(k) of the final regulations promulgated under section 457 of the code, this plan will allow for the acceptance of amounts deferred by participants under plans having met the transfer requirements of section 457 of the code and said regulations, and will also allow for the transfer out to eligible 457 plans of the code having met the transfer requirements of section 457 of the code and said regulations.

AMENDATORY SECTION (Amending Order 86-1, filed 7/30/86)

WAC 154-12-050 MODIFICATION OF DEFERRAL. A participant may modify his/her deferral no more frequently than twice in any calendar year, unless the committee by specific action authorizes a special additional open change period. Such change may be in the decreasing of the amount of deferral specified and/or the investment mode pursuant to WAC 154-12-010(2). An increase in the amount of deferral would not count as a change. A change in the investment mode may apply to the redirection of amounts previously deferred as well as current deferrals. Such change or changes increasing or decreasing the amount of the deferral shall be effective as to any calendar month only if a new participation agreement is executed by the participant and approved by the committee or its designee before the beginning of such calendar month. Changes in the investment mode must be filed with the committee by completing the proper forms no later than fifteen days prior to the payroll date for which the change will occur. The committee reserves the right to defer the effective date of any such change or changes.

AMENDATORY SECTION (Amending Order 82-3, filed 6/11/82)

WAC 154-12-060 REVOCATION OF DEFERRAL. A participant may at any time direct that deferrals under the participant's participation agreement shall cease by completing the proper form and filing it with the committee (~~prior to the first day of the calendar month~~) no later than fifteen days prior to the payroll date for which the deferrals shall cease; however, accrued benefits shall only be paid as provided in chapters 154-16 and 154-20 WAC.

AMENDATORY SECTION (Amending Order 82-3, filed 6/11/82)

WAC 154-12-070 REINSTATEMENT OF DEFERRAL. A participant who has directed the cessation of deferrals under the participant's participation agreement as set forth in WAC 154-12-060, may resume deferrals for any calendar month commencing no sooner than six months after such deferrals ceased by executing a new participation agreement to defer compensation. The six-month waiting period would not apply to those participants who are on leave without pay as pursuant to WAC 154-28-010.

AMENDATORY SECTION (Amending Order 83-2, filed 6/10/83)

WAC 154-04-040 NORMAL RETIREMENT AGE. "Normal retirement age" means the range of ages:

- (1) Ending not later than age seventy and one-half; and
- (2) Beginning not earlier than the earliest age at which the participant has the right to retire under the state's basic pension for which he is eligible without consent of the state and under which he will receive immediate retirement benefits (~~(without actuarial adjustment due to retirement prior to some later specified age in the state's basic pension plan)~~).

In the case of a participant who continues to work beyond the ages specified above, normal retirement age shall be that date or age designated by the participant or the date or age at which the participant separates from service with the state.

WSR 87-13-077
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 2503—Filed June 17, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to consolidated emergency assistance program (CEAP), repealing WAC 388-24-270 and 388-24-276; and amending chapter 388-24 WAC.

This action is taken pursuant to Notice No. WSR 87-10-064 filed with the code reviser on May 6, 1987. 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 74.04.660 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 June 15, 1987.

By Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2284, filed 9/23/85)

WAC 388-24-250 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM—CONDITIONS OF ELIGIBILITY. ~~((Effective July 28, 1985,))~~ The department shall grant assistance under the consolidated emergency assistance program (CEAP) ~~((shall be granted))~~ to families with dependent children ~~((who meet))~~ meeting all of the following eligibility conditions:

(1) Have net monthly income less than fifty percent of the need standard for AFDC households with shelter costs or, if income is above the fifty percent cutoff, demonstrate that they could not have planned to avoid the emergency. The household can demonstrate an inability to plan if funds ordinarily available were expended for:

- (a) Medical bills,
- (b) Emergent child care to avoid abuse,
- (c) Dental care to alleviate pain, or
- (d) Costs incurred in obtaining employment.

(2) Are in financial need.

(3) Are experiencing one or more of the following emergent needs:

- (a) Food((-)),
- (b) Shelter((-)),
- (c) Clothing((-)),
- (d) Minor medical((-)),
- (e) Utilities((-)),
- (f) Household maintenance((-)),

(g) Necessary clothing or transportation costs to accept or maintain a job((-), and

(h) Transportation for a minor, not in foster care, to a home where care will be provided by family members or approved caretakers.

(4) Are taking all steps necessary to make themselves eligible for, or are not under sanction for failure to comply with, the eligibility requirements of AFDC, SSI, GA-U, refugee assistance, medical assistance for CEAP applicants requesting emergent medical care, and food stamps for those CEAP applicants requesting emergent food assistance.

~~((Are not under sanction for failure to comply with the eligibility requirements of AFDC, SSI, GA-U, refugee assistance, medical assistance for CEAP applicants requesting emergent medical care, or food stamps for CEAP applicants requesting emergent food assistance:~~

~~((6)))~~ Are residents of Washington state. A resident is a person ~~((who is))~~ living in the state voluntarily with the intention of making and maintaining his or her home in the state and not for a temporary purpose ~~((; that is, a person who has indicated no intention of presently leaving the state to take up residence))~~ or are:

(a) If not a resident, detained in Washington state for reasons beyond the household's control as a result of events which could not have been reasonably anticipated;

or

(b) Migrants.

~~((7)))~~ (6) Have not transferred property contrary to WAC 388-28-457 through 388-28-465.

~~((8))~~ Are registered for employment with the Washington department of employment security (DES). Persons are exempt from registration if they are:

(a) Ill or incapacitated; or

(b) Needed in the home to care for an incapacitated person in the household; or

(c) A needy caretaker relative or parent of a child under the age of six who is caring for the child; or

(d) Under sixteen; or

(e) AFDC, GA-U applicants who are waiting for an incapacity determination to be made; or

(f) Sixty years of age or older.

~~((9(a)))~~ (7) Have not refused a bona fide job offer or voluntarily terminated employment without good cause within thirty days prior to application or after application.

~~((b))~~ Have not voluntarily terminated employment without good cause within thirty days prior to application or after application.

~~((c)))~~ (a) ~~((Refusal of))~~ Households refusing a bona fide offer of employment or voluntary termination without good cause within thirty days prior to application or after application shall ~~((result in a period of ineligibility of))~~ be ineligible for thirty days or until the person accepts employment, whichever ~~((period))~~ is less((-):

~~((i))~~ (b) The period of ineligibility shall begin on the date of refusal or termination of employment((-):

~~((ii))~~ (c) Conditions ~~((which constitute))~~ constituting good cause for refusal or termination of employment are defined in WAC 388-57-064(7).

~~((10)))~~ (8) Have applied for unemployment compensation if potentially eligible.

~~((11))~~ Have completed an interview with employment and training staff when referred:))

AMENDATORY SECTION (Amending Order 2284, filed 9/23/85)

WAC 388-24-253 EXEMPT INCOME AND RESOURCES FOR CEAP. ~~((In determining financial need and the amount of assistance in CEAP,))~~ The ~~((following))~~ department shall ~~((be disregarded as income and resources))~~ disregard:

(1) A home: WAC 388-28-420 shall apply in determining whether real property is used as a home;

(2) A used and useful vehicle with an equity value not to exceed one thousand five hundred dollars;

(3) Used and useful household furnishings;

(4) Used and useful personal effects;

(5) Tools and equipment used and useful in the person's occupation;

(6) Livestock, the products of which are consumed by the applicants and his or her dependents;

(7) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;

(8) The value of the coupon allotment under the Food Stamp Act of 1977, as amended;

(9) Any compensation provided to volunteers in ACTION programs established by Titles II and III of P.L. 93-113, the Domestic Volunteer Service Act of 1973;

(10) Any compensation provided volunteers in ACTION programs established by Title I of P.L. 93-113, the Domestic Volunteer Service Act;

(11) 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;

(12) Payments made under the Community Services Administration's Emergency Energy Conservation Program of 1979; and

(13) Energy assistance payments.

AMENDATORY SECTION (Amending Order 2284, filed 9/23/85)

WAC 388-24-254 DETERMINING INCOME FOR CEAP. ~~((In determining income for CEAP, the following shall be considered:))~~

~~(1) ((Recurrent income shall be considered available in the month it will be received provided:~~

~~(a) Income not yet received by the time of application, but expected to start during the month, shall be considered as nonrecurrent; and~~

~~(b) The last income from a recurring source shall be counted if it is expected to be received on or after the date of application)) The department shall estimate the expected income and circumstances for the calendar month for which the assistance payment is made. The estimate shall be based on reasonable expectation and knowledge of anticipated income for the household.~~

~~(2) ((Nonrecurrent income shall be considered available in the month it will be received provided the income is received prior to authorization)) The department shall allow the following deductions from income:~~

~~(a) Seventy-five dollars from earned income for work expenses,~~

~~(b) The actual amount paid for child care from earned income up to the maximums in WAC 388-28-570, and~~

~~(c) The current month's verified expenditures for:~~

~~(i) Medical bills,~~

~~(ii) Emergent child care to avoid abuse,~~

~~(iii) Dental care to alleviate pain, or~~

~~(iv) Costs incurred in obtaining employment.~~

AMENDATORY SECTION (Amending Order 2284, filed 9/23/85)

WAC 388-24-255 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM (CEAP)—FINANCIAL NEED AND BENEFIT AMOUNTS. ~~((In determining financial need and benefit amounts, the following shall be considered:))~~

~~(1) The department shall consider all income, cash, marketable securities, and personal and real property not specifically exempted in ((this section shall be considered nonexempt in determination of financial need)) WAC 388-24-253.~~

~~(2) The department shall deduct income, cash on hand (if not already counted as income), and the value~~

~~of other nonexempt resources at the time of grant authorization ((shall be deducted)) from the amount required to meet the emergent need subject to payment maximums.~~

~~((a) If the amount of income, cash on hand, and nonexempt resources are the same as or are greater than the applicant's needs for the certification period, the applicant shall be ineligible:~~

~~(b)) (3) The department shall place a value ((shall be placed)) on all other nonexempt resources available to the applicant at the time of grant authorization in accordance with WAC 388-28-400.~~

~~(4) The department shall deny CEAP if the amount of income, cash on hand, and nonexempt resources are the same as or are greater than the applicant's needs for the certification period.~~

AMENDATORY SECTION (Amending Order 2284, filed 9/23/85)

WAC 388-24-260 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM—~~((CERTIFICATION PERIOD))~~ PAYMENTS. ~~((CEAP may be authorized)) (1) The department shall authorize CEAP for no more than one calendar month in any period of twelve consecutive calendar months.~~

~~((+)) (a) Each certification period cannot exceed one calendar month.~~

~~((2) A specified emergent need or needs must exist for the period of eligibility.~~

~~(3)) (b) CEAP may not be paid to persons who received emergency assistance from the department within the last twelve months.~~

~~(2) The department shall pay CEAP by warrant directly to the household or by vendor payment.~~

AMENDATORY SECTION (Amending Order 2275A, filed 8/30/85)

WAC 388-24-265 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM (CEAP)—~~((ELIGIBLE PERSONS))~~ ASSISTANCE UNITS. ~~((Effective September 1, 1985:))~~

~~(1) The department shall authorize CEAP ((shall be provided when the child)) for the following people provided they are otherwise eligible:~~

~~(a) ((ts)) A pregnant woman in any stage of a verified pregnancy, and~~

~~(b) The child or children under eighteen years of age((-and)) who:~~

~~((b)) (i) Is living with a parent or other relative as specified in WAC 388-24-125 (1)(a)((+)), or~~

~~((c)) (ii) Has lived with such relative within the six months prior to the month in which assistance is requested((-)),~~

~~(c) The parent or parents with whom the child lives. The parental relationship shall be established according to the Uniform Parentage Act, or~~

~~(d) ((Is in emergent need and the need is not due to his or her or such relative's refusal without good cause to accept employment)) One needy caretaker with whom the child lives.~~

~~(2) ((The following may be included in the assistance unit:~~

- ~~(a) The child or children under the age of eighteen.
 (b) Both parents, if married or if paternal relationship has been established (see WAC 388-24-050 (1)(b)). Otherwise, only the mother shall be included.
 (c) The needy caretaker relative or relatives with whom the child or children live.
 (d) Migrant workers with dependent children.
 (e) The pregnant woman, with no other child or children, who is in her third trimester of pregnancy.
 (f) A child under the age of eighteen not currently living in the home of a relative, if he or she qualifies under WAC 388-24-255(3).
 (g) Children and families not eligible for assistance because of their alien status.~~

~~(3) Emergency assistance:~~

- ~~(a) May be paid to the recipient by warrant or by vendor payment.
 (b) Shall be utilized for applicants from another state only when such individuals are:
 (i) Detained in Washington for reasons beyond their control and as a result of events which could not have been reasonably anticipated, or
 (ii) They have decided to become residents)) Individuals receiving supplemental security income (SSI), general assistance or refugee assistance shall not be included in the assistance unit.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-24-270 CONSOLIDATED EMERGENCY ASSISTANCE PROGRAM (CEAP)—GRANT STANDARDS.

WAC 388-24-276 APPLICATION.

WSR 87-13-078
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed June 17, 1987]

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 Protective payee guidelines for general assistance—Unemployable and Alcoholism and Drug Addiction Treatment and Support Act, amending WAC 388-33-400, 388-33-420 and 388-33-455;

that the agency will at 10:00 a.m., Tuesday, July 21, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 22, 1987.

The authority under which these rules are proposed is chapter 406, Laws of 1987.

The specific statute these rules are intended to implement is chapter 406, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 21, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
 Administrative Services
 Department of Social and Health Services
 Mailstop OB 39
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by July 7, 1987. The meeting site is in a location which is barrier free.

Dated: June 16, 1987

By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

The following sections are affected by this revision: Amending WAC 388-33-400, 388-33-420 and 388-33-455.

Main Purpose of this Rule Change: To require protective payees for all general assistance-unemployable (GA-U) recipients who are incapacitated by alcoholism or drug addiction in addition to an incapacitating mental or physical disorder. The rule change also sets forth guidelines for who those protective payees should be and allows the department to pay a fee to those payees for services rendered, not to exceed five percent of the grant amount.

These Rules are Necessary: To be consistent with the payee requirements of the Alcoholism and Drug Addiction Treatment and Support Act which does not allow for direct cash assistance payments to alcoholics and drug addicts.

Statutory Authority: Chapter 406, Laws of 1987.

In summary, the rule change is designed to satisfy in part the legislative intent of SHB 646 by modifying GA-U rules relating to alcoholics and drug addicts.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Cecile Anderson, Community Services Program Manager, Bureau of Alcohol and Substance Abuse, phone 753-5866, 234-5866 scan, mailstop OB-44W.

These rules are not necessary as the result of federal law, federal court decision, or state court decision.

AMENDATORY SECTION (Amending Order 1054, filed 9/25/75)

WAC 388-33-400 PAYEE OF GRANT. (1) Cash payments are made directly to all continuing assistance recipients except as modified in ~~((items))~~ subsection (2)(b)(ii) through (2)(b)((+)) (vi) of this section.

- (2) Grants are paid
 (a) To eligible persons in cash (state warrant), or
 (b) To other persons or agencies in behalf of the eligible persons as
 (i) Cash payments to parents and other relatives in behalf of children eligible for aid to families with dependent children;
 (ii) Cash payments to guardians and agents as described in WAC 388-33-420 through 388-33-430;

- (iii) Protective payment in GAU as specified in WAC 388-33-455;
- (iv) Protective payments in aid to families with dependent children as specified in WAC 388-33-440, 388-33-450, and 388-33-453.
- (v) Payments to vendors of goods and services supplied to eligible persons as described in WAC 388-33-460.
- (vi) Living allowances for recipients of the alcoholism and drug addiction treatment and support program.

(3) In authorizing any payment of assistance the local office shall specify the person or agency to whom the grant is to be paid.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-33-420 PAYMENT OF GRANT TO OTHER PERSON IN BEHALF OF RECIPIENT. (1) Inasmuch as children are legally under the custody of their parents, AFDC payments are usually made to a parent or parents. When a parent is not available, payments are made to other relatives in behalf of the children. See WAC 388-33-430, 388-33-440 and 388-33-450 for AFDC payments other than to the parent or relative payee.

(a) Temporary AFDC payee. The following rule applies to temporary situations when a person other than a parent or specified relative lives with and assumes care and supervision of a child.

(i) When an emergency deprives a child receiving AFDC of the care and supervision of the parent or relative with whom he is living, AFDC may be continued and be paid to a person acting for the parent or relative during a temporary period required to make and carry out new plans for the child's continuing care and support.

(ii) AFDC is continued under this rule for only the period of time actually necessary to carry out active planning for the continuing care of the child and to transfer responsibility for the child under a more permanent arrangement. The emergency payee is not included in the AFDC assistance unit.

(2) ~~((Arrangements for payment to someone other than the individual eligible for continuing general assistance shall be made only when he is definitely unable to make personal decisions for the use of his funds and the assistance of a relative, friend or caseworker is not possible or is not sufficient to continue money payments to him.))~~ The department may direct payment of a general assistance grant to a protective payee when a client has demonstrated an inability to care for himself/herself or his/her money. General assistance recipients who are incapacitated by alcoholism or drug addiction in addition to any other mental or physical condition(s) shall have their grants issued in the form of a protective payment for as long as the alcoholism or drug addiction continues to be incapacitating.

(3) Recipients of the alcoholism and drug addiction treatment and support program shall not be issued a direct cash payment except in those instances where the department opts to pay directly that amount which is designated specifically for clothing and personal incidentals.

~~((3))~~ (4) When a money payment cannot be made directly to an applicant or recipient, a guardian shall be secured or a protective payee shall be designated.

- (a) Guardianship is preferable when the individual
 - (i) Has resources in property, cash or negotiable assets which need management, or
 - (ii) Needs someone to control his private affairs to a greater extent than helping with the use of his assistance grant, for example, moving the recipient to a more desirable living arrangement.
- (b) The designation of a protective payee (person to whom the grant is paid in behalf of the recipient) is preferable when
 - (i) Help with money management is the recipient's essential need, and
 - (ii) The recipient does not have resources requiring legal management, and
 - (iii) Voluntary guidance and assistance is not adequate, and
 - (iv) Guardianship is not feasible, practical or necessary.

AMENDATORY SECTION (Amending Order 933, filed 5/15/74)

WAC 388-33-455 PROTECTIVE PAYMENT—SPECIAL NEEDS OF SSI BENEFICIARY ~~((OR CONTINUING))~~, GENERAL ASSISTANCE RECIPIENT OR RECIPIENT OF THE ALCOHOLISM AND DRUG ADDICTION TREATMENT AND SUPPORT ACT (ADATSA) PROGRAM. (1) Protective payment for a SSI beneficiary or ~~((continuing))~~ general assistance or ADATSA recipient is payment to another individual or agency designated as protective payee.

(2) The objective in making protective payments is to assist in money management or provide management of funds for the individual

who, by reason of physical or mental condition, is incapable of handling his money in a manner conducive to his continuing health, social adjustment and acceptance in the community. Alcoholics and drug addicts whose addiction and compulsion is so severe that they are unable to work are presumed to be incapable of handling money in their own best interests.

(3) Allowances for the cost of chore service or special needs such as restaurant meals may be issued to a protective payee when the individual manifests a persistent inability to manage and use his funds for their intended purposes.

(4) When the local office determines that an SSI beneficiary is unable to manage his award, a referral shall be made to the Social Security administration district office for consideration of the designation of a representative payee.

(5) Protective payment is not used when the basic problem is insufficient funds rather than money management or when a financial problem is due to an emergency situation such as short-term illness.

(6) Assistance funds shall not be ~~((authorized))~~ withheld from a recipient's grant for payment to the protective payee for his costs or services. However the department may authorize an additional service fee, not to exceed five percent of the monthly grant amount, to cover the administrative costs of a protective payee.

(7) The facts supporting a determination of an individual's inability to manage funds must be specific and clearly establish that his misuse of funds threatens his well being, for example:

- (a) Medical or psychological evaluations,
- (b) An alcohol/drug assessment which establishes incapacity due to alcoholism or drug addiction,

~~((c))~~ (c) Observation of gross conditions such as extensive paralysis, serious mental retardation, continued disorientation, or severe memory loss,

~~((c))~~ (d) Continued inability to plan and spread necessary expenditures over the usual payment period,

~~((d))~~ (c) Persistent failure to pay for rent, utilities, food and other essentials.

(8) The individual or agency designated to receive the payment on behalf of a ~~((SSI beneficiary or a continuing))~~ recipient of the ADATSA program or on behalf of a general assistance recipient ~~((must be interested in or concerned with his welfare. The selection of the protective payee is preferably made by the recipient or with his participation and consent to the extent possible. The protective payee may be))~~ who is also incapacitated by alcoholism or drug addiction shall be limited to the following:

(a) ~~((A relative, friend, clergyman, or member of a church.))~~ A department-approved alcohol/drug treatment or assessment agency or designated staff person thereof,

(b) ~~((A member of a community service group, for example, an active participant in a senior citizen's center who takes an interest in being of help to his contemporaries.))~~ A community mental health agency or staff member of that agency,

(c) ~~((An individual who serves with a voluntary social agency or a home economist with a public or private organization,~~

~~(d) A staff member of homemaker services, housekeeping aid program, practical nurse association or other agencies,~~

~~(e) A staff member of a public agency, such as one administering health, rehabilitation and housing programs;~~

~~(f) The superintendent of a public institution for mental disease or for the mentally retarded or his designee.))~~ A social service agency, individual, or corporation who has a written agreement with the department to provide protective payee services,

~~((g))~~ (d) A department employee ~~((when no other suitable person is available)).~~ ~~((The person determining financial eligibility shall not serve as payee.))~~

(9) ~~((To avoid conflict of interest the protective payee may not be~~

~~(a) The local office administrator, special investigative or resource staff, or staff handling fiscal processes related to the recipient;~~

~~(b) A vendor of goods and services dealing directly to the recipient, such as landlord, nursing home operator, operator of social care facility, or grocer.))~~ For other recipients of general assistance or for SSI beneficiaries with special needs, any of the persons or agencies listed in subsection (8) of this section may act as protective payees. However the department may, based on the recipient's special needs and preferences, select a relative, friend, or other interested individual, social service agency or corporation concerned with the well-being of the recipient.

(10) Standards for selecting a protective payee are:

- (a) Interest and concern in the welfare of the individual,

- (b) Ability to help the individual make proper use of the assistance payment when feasible.
- (c) Accessibility to the individual,
- (d) Ability to establish and maintain a positive relationship with the individual,
- (e) Good character and reliability.

(11) The protective payee has the authority and responsibility to make decisions about the expenditure of assistance payments. He should encourage the recipient to participate to the extent of his ability in the decisions.

(a) The payee has responsibility for assuring the department that the assistance is spent on behalf of the recipient. An itemized account is not required, but a record of expenditures for the basic needs of food, shelter, clothing and utilities shall be maintained and kept current for review.

(b) The protective payee may not be qualified as the primary source of information regarding eligibility. His authority extends only to the grants received and not to the other financial affairs of the recipient. In making a review, the local office must continue to consult the recipient, when he can give pertinent information. Other appropriate persons should be consulted when necessary.

(12) The local office shall provide the recipient and payee a written agreement on the respective roles of the protective payee and the department. Copies of the agreement shall be furnished to the payee and the recipient, and a copy retained in the case record. The local office shall undertake and continue special efforts to protect the welfare of the individual in need of protective payment. The local office in cooperation with the payee shall strive to improve the individual's capacity for self-care and money-management to the extent possible.

(13) The social service supervisor or local office administrator makes the decision to establish a protective payment upon recommendation by the worker. The case record must contain the evidence upon which this recommendation is based.

(14) The decision to establish a protective payment plan shall be discussed with the recipient. He shall be notified in writing of the change in payee, the basis of the determination, the name of the protective payee designated and the effective date of the change.

WSR 87-13-079
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed June 17, 1987]

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 general assistance-unemployable (GA-U) eligibility, amending chapter 388-37 WAC;

that the agency will at 10:00 a.m., Tuesday, July 21, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 22, 1987.

The authority under which these rules are proposed is chapter 406, Laws of 1987.

The specific statute these rules are intended to implement is chapter 406, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 22, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
 Administrative Services
 Department of Social and Health Services
 Mailstop OB 39
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by July 7, 1987. The meeting site is in a location which is barrier free.

Dated: June 16, 1987
 By: Leslie F. James, Director
 Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.

The following sections are affected by this revision: Amending WAC 388-37-010, 388-37-020, 388-37-021, 388-37-030, 388-37-032, 388-37-035, 388-37-037, 388-37-038, 388-37-040, 388-37-050, 388-37-120, 388-37-130, 388-37-135 and 388-37-140; and repealing WAC 388-37-060.

Main Purpose of the Rule Change: To modify the policies and programs of the state of Washington for alcoholics and drug addicts and to redirect its resources in the interests of these individuals, the community, and the taxpayers and to focus treatment resources on persons willing to commit to rehabilitation. Another purpose is to allow eligibility for state general assistance only for those individuals who are U.S. citizens or legal aliens and who provide a Social Security number.

Reason These Rules are Necessary: To eliminate alcoholics and drug addicts from eligibility for state-funded general assistance and to establish a referral system for these individuals to assessment by a special substance abuse program. These rules are also necessary to prohibit illegal aliens from receiving general assistance on an exception-to-policy basis and to require all general assistance recipients to provide a Social Security number for identification and tracking purposes. Payment by protective payee may be authorized in certain cases where the individual has demonstrated an inability to care for himself/herself or for his/her funds.

Statutory Authority: Chapter 406, Laws of 1987.

In summary, the rule change removes alcoholics and drug addicts from the state general assistance program and refers them to a separate program of treatment and shelter assistance.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Barbara Hargrave, Community Services Program Manager, Division of Income Assistance, phone 753-3340, 234-3340 scan, mailstop OB-31J.

Person or Organization who Proposed These Rules: Washington State Legislature.

These rules are not necessary as the result of federal law, federal court decision, or state court decision.

Reviser's note: WAC 388-37-130 is referred to in the agency's statement of purpose, however the proposed text of the section was not included with the filing by the agency. cf. RCW 34.08.020 (1)(a).

AMENDATORY SECTION (Amending Order 2374, filed 5/14/86)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—EXCLUSIONS. (1) Continuing general assistance is a state-financed program providing for the needs of some persons not eligible for a federal aid grant who are either pregnant or incapacitated from gainful employment. Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or whose needs are being met by Supplemental Security Income, except as provided in WAC 388-37-010 (2) through (5).

(2) An AFDC parent in need of intensive treatment (thirty days or less) in an approved alcoholic treatment facility may be granted continuing general assistance for the cost of treatment. This payment is made through the vendor billing procedure.

(3) Effective August 23, 1983, an SSI recipient whose need is not being met by SSI because of separation from a spouse may be eligible to receive GA-U in the amount necessary to supplement his or her need up to the level of the existing GA-U payment standard.

(4) An SSI recipient whose SSI check has been lost, stolen, missent, or otherwise delayed, may be granted GA-U provided the recipient agrees in writing to repay the amount of GA-U assistance issued, and the applicant meets all other GA-U eligibility requirements. When an SSI check is lost in the mail system, issuance of GA-U will be held in abeyance for ten working days from the first of the month in which the check was issued to allow the warrant to be returned or delivered. If the recipient has an emergent need, the ten-day period may be waived by the CSO administrator.

(5) An applicant appearing to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:

(a) The applicant applies;

(b) The applicant assigns the initial SSI payment to DSHS up to the amount of the GA-U provided to the applicant pending approval of the SSI application;

(c) The applicant meets all other general assistance eligibility requirements.

(6) When determining the amount of the initial SSI payment, do not include any advance payment or payment based upon presumptive disability or presumptive blindness. These payments are not considered SSI benefit payments for interim assistance purposes. The state cannot be reimbursed for any GA-U authorized during the time period these payments cover.

(7) Any agreement between the department and a Supplemental Security Income applicant providing for the reimbursement of interim assistance to the department shall provide, if the applicant has been represented by an attorney, that twenty-five percent of the reimbursement received shall be withheld by the department and all or such portion thereof as has been approved as a fee by the United States Department of Health and Human Services shall be released directly to the applicant's attorney. Payment is limited to cases where the reimbursement of interim assistance was received by the department on or after August 23, 1983, and the attorney of the applicant for whom reimbursement is received began representing the applicant on or after August 23, 1983. The secretary may maintain such records as are deemed appropriate to measure the cost and effectiveness of such agreements and may make recommendations concerning the continued use of such agreements to the legislature.

(8) Continuing general assistance cannot be granted to an individual eligible for or receiving AFDC or SSI when he or she:

(a) Is currently under sanction for failure to comply with AFDC or SSI requirements, or

(b) Has failed or refused to cooperate in obtaining AFDC or SSI, unless the department has determined there is good cause for failure to cooperate.

(9) Persons who are unemployable due to alcohol or drug addiction are not eligible for general assistance. Such persons shall be referred to the alcoholism and drug addiction treatment and support program. Alcoholics or drug addicted clients who are currently receiving general assistance, may remain on general assistance, if otherwise eligible, until they are assessed for services in accordance with the alcoholism and drug addiction treatment and support program.

AMENDATORY SECTION (Amending Order 2034, filed 10/6/83)

WAC 388-37-020 CONTINUING GENERAL ASSISTANCE—ELIGIBILITY CONDITIONS—GENERAL. (1) An applicant or recipient shall be a resident of the state of Washington as defined in WAC 388-26-055 and be living in an identifiable residence within the local office area.

(2) General assistance may be granted only to persons who are either citizens or aliens who:

(a) Are lawfully admitted for permanent residence;

(b) Are otherwise permanently residing in the United States under color of law; or

(c) Have been granted temporary residency status under the Immigration Reform and Control Act.

(3) An applicant or recipient shall furnish or apply for a Social Security number per WAC 388-37-021.

(4) An applicant or recipient shall not have transferred property contrary to law or rules as specified in WAC 388-28-458 through 388-28-465.

~~((3))~~ (5) If an individual is living in an institution, WAC 388-34-010 through 388-34-020 also apply in eligibility determination.

~~((4))~~ (6) Continuing general assistance follows financial need determination as provided in provisions of chapter 388-28 WAC, except wherever income and resource rules differ for continuing general assistance and AFDC, any individual applying for or receiving continuing general assistance on the basis of pregnancy, shall have her eligibility determined according to AFDC income and resource rules.

NEW SECTION

WAC 388-37-021 PROVISION OF SOCIAL SECURITY NUMBERS. (1) As a condition of eligibility each applicant for or recipient of general assistance shall be required to:

(a) Furnish a Social Security number for all persons whose needs are considered in determining the amount of assistance, or

(b) Apply for Social Security numbers if they are unknown or have not been issued.

(2) The applicant/recipient has the responsibility to report promptly and accurately any new Social Security number within twenty days of its receipt as provided in WAC 388-38-255.

(3) Assistance will not be denied, delayed, or terminated pending issuance of Social Security numbers if the applicant/recipient provides verification that he or she has met the requirement in subsection (1)(b) of this section.

(4) If the applicant or recipient fails to comply with the requirement to furnish or apply for Social Security numbers for each person included in the assistance unit, eligibility for such person or persons cannot be determined and they shall be excluded from the assistance unit.

(5) The department shall assist the applicant in obtaining a Social Security number by referring him or her to the nearest Social Security office and by furnishing to the client from department records any verification requested by the Social Security administration.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility has been established, continuing general assistance shall be granted to:

(1) Incapacitated persons. As used in this section, incapacitated person means a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for at least sixty days from date of application, except as provided in WAC 388-37-038

(1) ~~((through (4)))~~ and (2). Persons incapacitated by alcoholism or drug addiction are not included in this definition, but an alcoholic or drug addict who is incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to the individual's capacity to earn income by employment. It does not refer to the availability or lack of job opportunities.

(a) Eligible individuals are:

(i) An incapacitated single person age eighteen or older.

(ii) A married couple if both persons are incapacitated.

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described in WAC 388-28-500 (2)(a) and (b).

(b) An incapacitated individual must accept and follow through on required available medical treatment, which can reasonably be expected to render him or her able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria in WAC 388-37-037(4).

(c) An incapacitated individual may also receive medical services provided under the state-financed medical care services program as defined in WAC 388-86-120.

(2) ~~((Effective August 23, 1983;))~~ Pregnant women who:

(a) Meet all income and resource eligibility criteria for the federal aid to dependent children program; and

(b) Are in their first or second trimester of pregnancy and categorically eligible for a federal aid medical assistance program; or

(c) Are members of two-parent households during a time when the aid to dependent children-employable program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant and medical assistance under the state-financed medical care services program for the duration of their pregnancy.

AMENDATORY SECTION (Amending Order 2297, filed 10/30/85)

WAC 388-37-032 CONTINUING GENERAL ASSISTANCE—DETERMINATION OF INCAPACITY. (1) Eligibility due to incapacity shall be determined by the department in accordance with the criteria set forth in this chapter.

(2) The department shall:

(a) Consider medical and other related evidence of the incapacitating condition and make a decision confirming or denying the existence of eligibility due to incapacity within forty-five days of the date of application, except in circumstances beyond the control of the agency such as failure or delay in securing necessary information or documentation on the part of the applicant, the examining physician or other source of documentation.

(b) Request additional information when necessary.

(c) Determine probable duration of incapacity. The probable duration shall be related to the prognosis for the condition as predicted by the medical evidence but shall not exceed twelve months without a re-determination of incapacity.

(d) Require available medical treatment which can reasonably be expected to render the client able to work. The department shall provide written notification of these treatment requirements at the time of initial approval and at each redetermination.

(e) Recommend available medical services, provided under the state-financed medical care services program as defined in WAC 388-86-120.

(3) Eligibility cannot be established if an applicant fails to cooperate in obtaining information documenting incapacity. Continued failure to so cooperate during the ten-day period following the mailing of a letter to the applicant's last known address specifically citing the required cooperation shall be grounds for denial of the application for assistance ~~((see WAC 388-38-265))~~.

(4) Redetermination of eligibility for general assistance due to incapacity is based on current medical evidence and other available relevant medical information. If incapacity is not substantiated, then continued eligibility is denied. ~~(See WAC 388-38-265.)~~

(5) Cost of necessary medical reports to determine incapacity shall be paid by the department. Payment for such reports shall not be made to DSHS agencies.

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-035 INCAPACITY—MEDICAL EVIDENCE. (1) The term "incapacity" refers to the existence of a physiological, emotional, or mental impairment (excluding alcohol/drug dependency) rendering the person incapable of gainful employment.

(a) Such incapacity must be verified by medical evidence as specified in WAC 388-37-035(2).

(b) The person must be substantially prevented by reason of the impairment from engaging in gainful employment.

(2) The primary source of evidence for physiological incapacity will be a written report from a physician, a certified registered nurse (CRN) in their area of certification, or the chief of medical administration, or his or her designee, of the Veterans' Administration as authorized in federal law. The primary source of evidence for a mental

incapacity will be a report from a psychiatrist, licensed clinical psychologist, or mental health professional designated by the local community mental health agency as defined in RCW 71.05.020, except that a physician can evaluate a mental condition at the department's discretion. ~~((Any of the aforementioned may be used as primary sources of evidence for incapacity due to alcohol or drug addiction:))~~ When it appears an individual may have a developmental disability, such persons may be referred to a medical professional who is skilled in identifying developmental disabilities. Supplemental medical evidence may be obtained from other treating practitioners, to include a chiropractor, nurse, physician's assistant, or DSHS institutions and agencies from which the individual is receiving or has received services. Such reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to perform work-related activities, along with relevant medical history and sufficient medical documentation to support any conclusions of incapacity.

(3) An individual's report of symptoms will not have a significant effect on an incapacity determination unless medical findings show that a medical condition is present that could reasonably be that expected to produce the symptoms which are reported. Clear, objective medical information, including professional observation and relevant medical history, used to support conclusions about the existence and persistence of the symptom(s) and about its effect on the individual's ability to function, must be present.

(4) The determination of incapacity will be made on the facts of each case. This requires evaluation of the severity of the impairment and its effect on the individual so it can be determined whether there remains a capacity to engage in gainful employment. The primary reason for incapacity must be a medical impairment, but vocational factors, i.e., age, education, and work skills, may also be considered. Reasons for unemployment other than incapacity, such as individual employer preferences, business and economic conditions, etc., are not factors to be considered in determining his or her inability to obtain and continue in employment.

(5) When determining incapacity, the department will take into consideration opinions of the treating or consulting physicians or health care professionals regarding incapacity. Any eligibility decision which rejects uncontradicted medical opinion must set forth clear and convincing reasons for doing so.

(6) The determination of incapacity shall be made solely by the department based on the medical information received. Any decision of incapacity or unemployability made by another agency or person is not binding on the department.

AMENDATORY SECTION (Amending Order 2297, filed 10/30/85)

WAC 388-37-037 CONTINUING GENERAL ASSISTANCE—REFUSAL TO ACCEPT AVAILABLE AND REQUIRED MEDICAL TREATMENT. (1) A continuing general assistance applicant or recipient who refuses without good cause to accept available required medical treatment, which can reasonably be expected to render him or her able to work shall be ineligible. The decision that the client has refused such treatment without good cause is based on the best objective judgment of the department.

(2) "Available medical treatment" shall mean and include medical, surgical, alcoholism, drug or mental health services, or any combination thereof.

(3) "Reasonably be expected to render him or her able to work" shall mean that in the opinion of the department, the required treatment will restore or substantially improve the individual's ability to work for pay in a regular and predictable manner.

(4) Any recipient who disagrees with these treatment requirements may request a fair hearing. Once a request is initiated, the department shall take no adverse action as a result of failure to comply with the treatment at issue pending a decision.

(5) For the purposes of this section, an applicant or recipient has good cause to refuse required medical treatment when such refusal is based upon one or more of the following conditions:

(a) The individual is genuinely fearful of undergoing required treatment. Such fear may appear to be unrealistic or irrational; however, fear exists in such a degree that treatment would be adversely affected;

(b) The individual could lose a faculty, or the remaining use of faculty he or she now has, and refuses to accept the risk;

(c) Because of his or her definitely stated religious scruples, the individual will not accept required medical treatment.

(d) The individual is temporarily unable to participate in required medical treatment, due to an intervening incapacity. The temporary

inability to participate must be documented by medical evidence. The requirement to participate is again imposed as soon as the person is able to participate.

(e) The individual was not properly notified of the treatment required and/or the consequences for failure to comply with these requirements.

(f) The treatment required by previous written notification is subsequently determined to have been inappropriate or unavailable. For example, treatment is considered unavailable when it includes copayments or service charges not covered by the department, and the client is denied access to the treatment due to an inability to pay.

(6) Refusal to follow through with available required medical treatment without good cause shall result in termination until the person agrees to cooperate in accepting such treatment and subject to the following maximum periods of ineligibility after reapplication:

- (a) First refusal – one week;
- (b) Second refusal within six months – one month;
- (c) Third and subsequent refusals within one year – two months.

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

- (a) Has been determined to be eligible for any benefits based on Social Security Administration disability criteria;
- (b) Is eligible for services from the division of developmental disabilities;
- (c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of sixty days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

- (a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;
- (b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;
- (c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and
- (d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

~~((3) Incapacity due to alcoholism will be considered to be established when an individual is admitted as a resident of a licensed alcoholism treatment facility, including intensive inpatient treatment or treatment at a recovery house or extended care recovery house as defined in WAC 275-19-020, according to the time limits in WAC 388-37-060.~~

~~(4) Incapacity due to abuse of drugs other than alcohol will be considered to be established for a designated period when an individual is admitted as a resident into a certified residential drug treatment program, or certified detoxification program or is accepted into a certified methadone (or approved substitute) maintenance program.~~

~~(a) In accordance with the criteria, in subsection (4) of this section incapacity will be considered to be established for the following maximum periods of time:~~

- ~~(i) Detoxification—thirty days.~~
- ~~(ii) Maintenance—sixty days.~~
- ~~(iii) Residential treatment—sixty days.~~

~~(b) Assistance shall not be continued beyond the initial period of time described in subsection (4)(a) of this section without documented medical evidence of incapacity.)~~

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-040 CONTINUING GENERAL ASSISTANCE—STANDARDS FOR REQUIREMENTS—AUTHORIZATION. (1) The rules and procedures for payment of federal aid grants shall apply to continuing general assistance except that vendor payments may be made when payment by warrant is not possible or practical.

(2) The department may direct payment to a protective payee when a client has demonstrated an inability to care for himself/herself or his/her money. Follow procedures in WAC 388-33-455.

(3)(a) When incapacity is established a continuing grant shall be authorized to continue for the probable duration of the incapacity. The recipient shall be notified of the termination date at the time the grant is opened.

(b) If more than forty-five days are required to determine incapacity, and if incapacity is determined to have existed on the date of application, assistance shall be granted effective the forty-fifth day after application, per WAC 388-33-115.

A continuing grant shall not be authorized until incapacity is established by the department.

~~((3)) (4) Continuing assistance shall not be authorized following the termination date specified in subsection ((2)) (3) of this section until continuing incapacity has been redetermined by the department.~~

~~((4)) (5) If a recipient is terminated due to lack or insufficiency of medical evidence to establish incapacity, he/she shall be reinstated the day following the date of termination, if all the following conditions are met:~~

- (a) The lack or insufficiency of medical evidence is not due to failure of the recipient to cooperate in gathering said evidence; and
- (b) Additional medical evidence is provided subsequent to the termination, which establishes that the recipient has been, and continues to be, incapacitated since the date of termination; and
- (c) The additional medical evidence substantiates incapacity as specified in WAC 388-37-010(1) and 388-37-035.

AMENDATORY SECTION (Amending Order 2152, filed 9/17/84)

WAC 388-37-050 CONTINUING GENERAL ASSISTANCE—REDETERMINATION OF ELIGIBILITY. (1) Continuing general assistance recipients shall have their continued financial eligibility for such assistance redetermined at least once every six months of continuous receipt of assistance.

(2) Before a recipient of GAU can be determined ineligible on the basis that he or she is no longer incapacitated, at least one of the following conditions must be met:

(a) New evidence must show a clear improvement in the medical condition. Clear improvement means that, since the last decision, the physical or mental impairment(s) upon which the decision was based has decreased in severity((:)), or the effect of that impairment has been significantly diminished (through therapy, medication, rehabilitation, etc.) to the point where the individual is capable of gainful employment((-); or

(b) It can be established that the previous decision was based on faulty or insufficient information or erroneous procedure based on the WAC in effect at the time.

(3) Whenever a general assistance recipient becomes eligible for AFDC or SSI benefits, he or she becomes ineligible for continuing general assistance.

(4) Acceptance of available medical treatment. WAC 388-37-030 and 388-37-037 apply to a recipient as well as to an applicant.

(5) Recipients of continuing general assistance shall be screened to determine appropriateness of referral to other agencies, i.e., SSA, SSI, DVR, VA, which can reasonably be expected to reduce their need for assistance. A recipient who has been referred and refuses, without good cause to accept referral to other agencies shall be ineligible. Refusal to accept referral to other agencies without good cause shall result in termination until the person agrees to cooperate in accepting such referral and subject to the following periods of ineligibility after reapplication:

- (a) First refusal – one week;
- (b) Second refusal within six months – one month;
- (c) Third and subsequent refusals within one year – two months.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-120 PROGRESSIVE EVALUATION PROCESS STEP II—SEVERITY OF MENTAL IMPAIRMENTS. If a mental impairment is claimed, the severity rating of the mental or emotional disorder shall be determined on the basis of psychosocial and treatment history, clinical findings, results of special tests, and professionally observed symptomatology which indicate impairment of ability to perform basic work-related activities.

(1) A diagnosis of mental retardation shall be assigned a severity rating as follows:

- (a) An IQ of 85 or above will be considered within normal limits and will be rated "01."
- (b) An IQ of 70 to 84 will be considered as borderline intellectual functioning and will be rated "03."

(c) An IQ of 69 or below will be rated "05."

(d) When more than one IQ score (e.g., verbal and performance scores) is reported on a standardized IQ test, the severity rating will be based on the lowest of these scores.

(2) Individuals diagnosed as having organic brain damage shall be assigned a rating based on the most severe of the following three areas of impairment:

(a) Marked memory defect for recent events.

(b) Impoverished, slowed, perseverative thinking, with confusion or disorientation.

(c) Labile, shallow, or coarse affect.

(3) The severity of a functional psychotic or nonpsychotic disorder, excluding alcoholism or drug addiction, shall be based on a clinical assessment of these twelve symptoms: Depressed mood, suicidal trends, expression of anxiety or fear, expression of anger, social withdrawal, motor agitation, motor retardation, paranoid behavior, hallucinations, thought disorder, hyperactivity/elation, and physical complaints; and an overall assessment of the intensity and pervasiveness of these symptoms and their effect on ability to perform work-related activities.

(a) An individual shall be assigned a minimum rating of "03" when at least one of the above symptoms is present and one or more of the following conditions are met:

(i) A diagnosis of psychotic disorder has been made; or

(ii) The individual has been hospitalized for psychiatric reasons two or more times within the preceding two years; or

(iii) The individual has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months duration within the preceding two years; or

(iv) The individual is considered as at least moderately impaired by three or more of the symptoms listed above; or

(v) The individual is considered as at least moderately impaired in the overall assessment of intensity and pervasiveness of these symptoms.

(b) An individual shall be assigned a minimum rating of "04" when the overall assessment of the intensity and pervasiveness of these symptoms is marked, or when it is moderate and three or more of the above symptoms are present to a marked degree or more.

(c) An individual shall be assigned a rating of "05" when the overall assessment of the intensity and pervasiveness of these symptoms is severe or when it is marked and three or more of the above symptoms are present to a severe degree.

(4) When an individual is diagnosed as being impaired in more than one area (i.e., mental retardation, organic brain damage, or functional disorder), one mental rating shall be assigned based on ratings in each of the three areas according to the following:

(a) An individual with at least two moderate impairments or at least one moderate and one marked impairment is considered to have an overall mental severity rating of "04."

(b) An individual with at least two marked impairments is considered to have an overall mental severity rating of "05."

(5) Based on the overall mental severity rating a determination of incapacity may be made as follows:

(a) An individual with no significant claimed physical impairment and an overall mental severity rating of "01" or "02" is not eligible for GAU, provided the overall functioning level appears consistent with this rating.

(b) An individual with an overall mental severity rating of "05," who meets the time limits in WAC 388-37-030(1), is eligible for GAU regardless of whether there is a significant claimed physical impairment, provided the overall functioning level appears consistent with this rating.

(c) An individual with an overall mental severity rating of "03" or "04" and no significant claimed physical impairment must be evaluated to determine how functional capacity is affected by the mental impairment.

(d) An individual with an overall mental severity rating of "01," "02," "03" or "04," who claims a significant physical impairment, must have the severity of the physical impairment evaluated, if necessary to determine incapacity.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-135 ALCOHOLISM/DRUG ADDICTION. ((+)) ~~Unless otherwise exempted by WAC 388-37-038 (3) or (4), individuals claiming incapacity due to alcoholism or drug addiction will be required to provide medical evidence in accordance with WAC 388-37-035 which substantiates impaired ability to perform basic work-related activities. Supplemental evidence from a professional alcohol or drug~~

~~counselor may be requested as needed to further assess the condition(s) and/or to recommend appropriate treatment.~~

~~(2) Severity of physical impairments associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-130.~~

~~(3) Severity of organic brain syndrome associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-120(2).~~

~~(4) Severity of functional nonpsychotic mental and emotional disorders associated with alcoholism or drug addiction shall be assessed according to WAC 388-37-120(3).~~

~~(5) Individuals found to be incapacitated due to alcoholism or drug addiction must participate in an approved alcoholism or certified drug treatment program, unless there is good cause for failure to do so:)~~

~~(1) Persons claiming incapacity based primarily on alcoholism or drug dependency shall be referred for evaluation under the alcoholism and drug addiction treatment and support program.~~

~~(2) Persons who appear to have significant mental or physical impairments resulting from or in addition to alcoholism or drug addiction should also be evaluated for general assistance when:~~

~~(a) The person indicates upon application that other physical or mental impairments may be incapacitating in themselves; or~~

~~(b) The person is rejected for the alcoholism and drug addiction treatment and support program and/or medical evidence obtained by assessment for that program indicates other significant medical impairments may exist.~~

~~(3) Any general assistance applicant or recipient who claims a secondary drinking or drug problem, or whose medical evaluation indicates such a problem appears to exist, may be required to undergo an alcohol/drug assessment.~~

~~(4) A person whose mental, emotional, and/or physical condition(s) is caused or exacerbated by alcoholism or drug addiction must have eligibility for general assistance based solely on the mental, emotional, and/or physical condition(s). The effects of the alcoholism or drug addiction must be differentiated from the other condition(s) in order to determine incapacity. Unless it can be reasonably established that the other condition(s) would remain incapacitating for at least sixty days of abstinence from alcohol or drugs, the individual is not eligible for general assistance.~~

~~(5) When the effects of alcoholism or drug addiction in the individual's mental, emotional, and/or physical condition(s) cannot be clearly differentiated, the department shall refer him or her to the alcoholism and drug addiction treatment and support program for evaluation and/or treatment.~~

~~(6) The department may require the individual to undergo a period of alcohol or drug treatment before reevaluating eligibility for general assistance.~~

~~(7) Persons qualifying for both general assistance and the alcoholism and drug addiction treatment and support program may choose either program.~~

~~(8) Alcoholics or drug addicts who choose general assistance in lieu of the alcoholism and drug addiction treatment and support program:~~

~~(a) Shall have their general assistance grant issued by protective payment in accordance with the criteria in WAC 388-33-420 and 388-33-455; and~~

~~(b) May be required to participate in an approved alcoholism or certified drug treatment program.~~

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-140 PROGRESSIVE EVALUATION PROCESS STEP IV—MULTIPLE IMPAIRMENTS. (1) When an applicant has more than one diagnosed impairment rated "03" or "04," but none rated "05," one overall rating shall be determined as follows:

(a) Each diagnosis shall be classified according to body system based upon International Classification of Diseases (ICD), 9th revision.

(b) If all the diagnosed impairments are classified within the same body system, the overall severity rating will be equal to the highest rated impairment within that system.

(c) Severity ratings assigned for alcoholism or drug addiction shall not be considered in this process.

(2) If more than one body system is involved (including mental disorders), the overall severity will be determined by the following, using the highest rating from each body system:

(a) An individual with at least two moderate impairments or at least one marked and one moderate impairment is considered to have an overall severity rating of "04."

(b) An individual with at least two marked impairments is considered to have an overall severity rating of "05."

(3) Based on the overall severity rating, a determination of incapacity is made as follows:

(a) An individual with an overall severity rating of "05," who meets the time limits in WAC 388-37-030(1) is eligible for GAU.

(b) Individuals with a severity rating of "03" or "04" must be evaluated to determine how their multiple physical and/or mental impairments affect their functional capacity.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-37-060 CONGREGATE CARE—ALCOHOLISM TREATMENT.

**WSR 87-13-080
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 17, 1987]**

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 Alcoholism and Drug Addiction Treatment and Support Act (ADATSA), amending chapter 388-40 WAC;

that the agency will at 10:00, Tuesday, July 21, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 22, 1987.

The authority under which these rules are proposed is chapter 406, Laws of 1987.

The specific statute these rules are intended to implement is chapter 406, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 21, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
Administrative Services
Department of Social and Health Services
Mailstop OB 39
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by July 7, 1987. The meeting site is in a location which is barrier free.

Dated: June 16, 1987
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.

The following sections are affected by this revision: Amending the caption of chapter 388-40 WAC; amending WAC 388-40-010; and new WAC 388-40-020 through 388-40-100.

Purpose of this Rule Change: To establish a program of treatment and shelter services for indigent alcoholics and drug addicts.

These Rules are Necessary: To implement the Alcoholism and Drug Addiction Treatment and Support Act as set forth in chapter 406, Laws of 1987.

Statutory Authority: Chapter 406, Laws of 1987.

In summary, the rule change modifies existing policy on assistance to incapacitated alcoholics and drug addicts by redirecting resources in the interests of these individuals, the community, and the taxpayers, and by focusing treatment resources on persons willing to commit to rehabilitation.

Person Responsible for Drafting, Implementation and Enforcement of the Rule: Cecile Anderson, Community Services Program Manager, Bureau of Alcohol and Substance Abuse, phone 753-5866, 234-5866 scan, mailstop OB-44W.

These rules are not necessary as the result of federal law, federal court decision, or state court decision.

Chapter 388-40 WAC
ALCOHOLISM AND DRUG ADDICTION DETOXIFICATION,
TREATMENT AND SUPPORT PROGRAMS

WAC 388-40-010 388-40-020 388-40-030 388-40-040 388-40-050 388-40-060 388-40-070 388-40-080 388-40-090 388-40-100	<u>Alcoholism detoxification program—Eligible persons.</u> Alcoholism and Drug Addiction Treatment and Support Act (ADATSA)—Program description. ADATSA services. Financial eligibility requirements. Medical eligibility requirements. Eligibility determination and review—Timeframes. SSI referral requirements. ADATSA assessment centers—Role. ADATSA treatment modalities—Description of services, requirements, and limitations. ADATSA shelter services.
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AMENDATORY SECTION (Amending Order 1884, filed 9/29/82)

WAC 388-40-010 ALCOHOLISM DETOXIFICATION PROGRAM—ELIGIBLE PERSONS. (1) Persons eligible for three-day detoxification services for acute alcoholic condition shall be:

(a) All grant, medical, and supplemental security income (SSI) beneficiaries; and

(b) Individual's whose combined nonexempt income and/or resources do not exceed the aid to families with dependent children (AFDC) payment standards, and who have not transferred resources within two years prior to the date of application without having received adequate consideration according to the provisions of WAC 388-28-461.

(2) The following resources shall be exempt for the alcoholism detoxification program:

(a) A home.
(b) Household furnishings and personal clothing essential for daily living.

(c) Other personal property used to reduce need for assistance or for rehabilitation.

(d) A used and useful automobile.

(3) The following resources are not exempt: Cash, marketable securities and any other resource not specifically exempted that can be converted to cash.

(4) The following shall be deducted or exempted from income:
(a) Mandatory deductions of employment.

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

(c) Support payments paid under a court order.

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

(5) Recipients receiving detoxification services shall not be required to incur a deductible as a factor of eligibility for the covered period of detoxification.

(6)(a) Eligibility for the alcoholism detoxification program shall be determined on the basis of information shown on the department's application forms.

(b) Supplemental forms, verification procedures, and/or face-to-face interviews shall be required only in cases where there is a specific reason for requiring further verification of eligibility.

(7) When the department is notified within ten working days of the date detoxification began, certification shall cover this period if all eligibility factors have been met.

(8) The effective period of eligibility shall be continued from the date detoxification treatment began through the end of the month in which the three-day treatment was completed.

(9) Services must meet the following criteria to be paid through the alcoholism detoxification program:

(a) Such services must be directly related to detoxification, and

(b) Such services must be performed in a certified detoxification center or a general hospital with certified detoxification facilities.

NEW SECTION

WAC 388-40-020 ALCOHOLISM AND DRUG ADDICTION TREATMENT AND SUPPORT ACT (ADATSA)—PROGRAM DESCRIPTION. (1) The Alcoholism and Drug Addiction Treatment and Support Act (ADATSA) is a legislative enactment which provides state-financed treatment and support to indigent alcoholics and drug addicts.

(2) The purpose of ADATSA is to assist in the rehabilitation of those alcoholics and drug addicts who can benefit from available community treatment programs, and to provide a minimal but safe and humane level of subsistence for those who cannot.

NEW SECTION

WAC 388-40-030 ADATSA SERVICES. (1) Persons who qualify for the ADATSA program shall be eligible for:

(a) A continuum of alcohol/drug treatment services and support as described in WAC 388-40-090, or

(b) Shelter services as described in WAC 388-40-100.

(2) Recipients of ADATSA are eligible for medical care services as described in WAC 388-86-120.

NEW SECTION

WAC 388-40-040 FINANCIAL ELIGIBILITY REQUIREMENTS. An applicant/recipient of ADATSA shall:

(1) Be at least eighteen years of age,

(2) Be a resident of the state of Washington as defined in WAC 388-26-055 and either a United States citizen or alien who:

(a) Is lawfully admitted for permanent residence; or

(b) Is otherwise permanently residing in the United States under color of law; or

(c) Has been granted temporary residency status under the Immigration Reform and Control Act.

(3) Furnish the department with his or her Social Security number. If the applicant cannot furnish a Social Security number because it has not been issued or is not known, he or she shall apply for a number prior to authorization of assistance, and shall provide the Social Security number to the department upon receipt.

(4) Meet the same income and resource eligibility requirements as for the general assistance-unemployable (GA-U) program. The department shall exempt the first eighty-five dollars plus one-half of the remainder of total gross monthly earned income in determining eligibility and the amount of assistance for ADATSA.

NEW SECTION

WAC 388-40-050 MEDICAL ELIGIBILITY REQUIREMENTS. (1) If otherwise eligible, ADATSA assistance shall be

granted to alcoholics and drug addicts whose chemical dependency is severe enough to render them incapable of gainful employment.

(2) Incapacity based on alcoholism or drug addiction shall be determined by a department designated chemical dependency assessment center. The assessment center is the department's sole source of medical evidence required for the diagnosis and evaluation of alcoholism/drug addiction and its effects on employability.

(a) The department shall require such an assessment in writing for all ADATSA applicants.

(b) The costs of assessments needed to determine eligibility shall be paid for by the department.

NEW SECTION

WAC 388-40-060 ELIGIBILITY DETERMINATION AND REVIEW—TIMEFRAMES. The department shall:

(1) Make a decision confirming or denying eligibility for ADATSA within forty-five days of the date of application, except in circumstances beyond the control of the agency such as failure or delay in securing necessary information or documentation on the part of the applicant.

(2) Redetermine incapacity and financial and medical eligibility for ADATSA at least every six months except that those recipients who are receiving only shelter services may have their incapacity reviewed yearly.

NEW SECTION

WAC 388-40-070 SSI REFERRAL REQUIREMENTS. (1) Any applicant or recipient whom the department determines may be potentially eligible for supplemental security income (SSI) must:

(a) Make application for SSI, and

(b) Assign the initial SSI payment to the department of social and health services up to the amount of ADATSA assistance provided to the individual pending approval of the SSI application.

(2) The department shall assist ADATSA applicants and recipients in making application for SSI and in obtaining the necessary documentation required by the Social Security administration to establish eligibility.

NEW SECTION

WAC 388-40-080 ADATSA ASSESSMENT CENTERS—ROLE. (1) ADATSA assessment centers are responsible for the administration of ADATSA services; they are not responsible for providing direct treatment.

(2) The assessment center shall, in accordance with standards set forth in WAC 275-19-185, conduct a face to face diagnostic assessment of the application to:

(a) Determine incapacity based on alcoholism or drug addiction; and

(b) Determine whether to place the incapacitated applicant on a course of treatment or to provide shelter only.

(3) Once the applicant's financial and medical eligibility is established, the assessment center shall:

(a) Arrange all placements as required into treatment and/or shelter facilities;

(b) Provide ongoing case monitoring of treatment and/or shelter services; and

(c) Notify the community services office promptly of all placement or eligibility status changes.

NEW SECTION

WAC 388-40-090 ADATSA TREATMENT MODALITIES—DESCRIPTION OF SERVICES, REQUIREMENTS, AND LIMITATIONS. (1) Applicants incapacitated by alcoholism or drug addiction shall be offered ADATSA treatment services.

(2) Treatment services are limited to a total of six months in a twenty-four month period. The twenty-four month period begins on the date of initial entry into treatment.

(3) Treatment is provided in a continuum of three phases as follows:

(a) Phase one: Intensive inpatient treatment, not to exceed thirty days;

(b) Phase two: Sixty days of residential recovery house treatment; and

(c) Phase three: Ninety days of outpatient treatment.

(4) Alcohol residential treatment programs that are structured to periods of ninety days of treatment may combine phases one and two for a total of ninety days of residential care.

(5) Drug residential treatment programs that are structured to periods of ninety days or more of treatment may combine phases one, two, and three for a total of one hundred eighty days of residential care.

(6) In order to qualify for outpatient treatment services, the client must have first participated in phases one and two of treatment within the same twenty-four month period.

(7) ADATSA recipients who withdraw from treatment for any reason must apply for readmission to treatment through the assessment center.

(a) Recipients who drop out of treatment in the intensive inpatient phase (phase one) shall be required to repeat this phase.

(b) Recipients who drop out of treatment during the recovery house or outpatient phase (phase two or three) shall be readmitted only to the modality from which they dropped out, for the remainder of the time allotted for that phase.

(c) Recipients who have been absent from phase one inpatient treatment or phase two residential services for less than seventy-two hours may, at full discretion of the providing program director, reenter that program without being considered as having dropped out and without being required to reapply for readmittance through the assessment center.

(8) Recipients in the inpatient or recovery house treatment modality shall be eligible for an allowance based on the department's current payment standard for clothing and personal incidentals.

(9) Recipients in the outpatient treatment modality shall be eligible for a treatment stipend for housing and other living expenses.

(a) The stipend amount shall be based on the current payment standard for public assistance recipients; and

(b) The community services office shall issue this stipend directly to the outpatient facility as custodial payee.

NEW SECTION

WAC 388-40-100 ADATSA SHELTER SERVICES. (1) Shelter services shall be available to otherwise eligible ADATSA applicants or recipients:

(a) Who refuse treatment; or

(b) Who have exhausted their six months of treatment in a twenty-four month period; or

(c) Who are in temporary need of shelter pending placement into a treatment facility, or pending SSI approval.

(2) All shelter placements shall be arranged by the assessment center in shelters contracted for by the department.

WSR 87-13-081
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(General Provisions)
[Filed June 17, 1987]

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 health facility certificate of need review fees, amending WAC 440-44-030;

that the agency will at 10:00 a.m., Tuesday, July 21, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on July 22, 1987.

The authority under which these rules are proposed is RCW 43.20A.055.

The specific statute these rules are intended to implement is RCW 43.20A.055.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 21, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
Administrative Services
Department of Social and Health Services
Mailstop OB 39
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by July 7, 1987. The meeting site is in a location which is barrier free.

Dated: June 15, 1987
By: Leslie F. James, Director
Administrative Services

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.

Re: Amending chapter 440-44 WAC.

Purpose of the Changes: To match the application review fee schedule with the amount of effort required to review each type of project; to recover, through an application fee surcharge, the costs of obtaining actuarial and feasibility consultations from the Insurance Commissioner on continuing care retirement community applications; and to repeal the fee for filing of notifications of intent to acquire existing health care facilities.

Reason These Rules are Necessary: To maintain the fiscal integrity of the certificate of need program.

Statutory Authority: RCW 43.20A.055.

Summary of Rule Change: WAC 440-44-030 Health facility certificate of need review fees, subsection (1)(a), increase the application processing fee; subsection (1)(b), replace the basis for determining the appropriate review fee with a schedule based on the project description as well as the capital expenditure; subsection (1)(c), establishes an actuarial and feasibility review fee surcharge for nursing home applications sponsored by continuing care retirement communities; subsection (2), adds definition of "total capital expenditure"; subsection (5), adjusts processing and review fees relating to amendments to applications; subsection (6), adjusts the amount of refund when an application is abandoned; subsections (7) through (9), adjusts the amount of refund for withdrawn applications; and subsection (10), adjusts processing fees relating to exemption requests, notices, etc.

Person or Persons Responsible for Drafting, Implementation and Enforcement of the Rule: Frank Chestnut, Director, Certificate of Need Program, mailstop OB-43E, phone 753-5354.

AMENDATORY SECTION (Amending Order 2109, filed 6/7/84)

WAC 440-44-030 ((~~HEALTH FACILITY~~)) CERTIFICATE OF NEED REVIEW FEES. (1) An application for a certificate of need under chapter 248-19 WAC shall ((~~be accompanied by~~)) include payment of a fee consisting of the following:

(a) An application processing fee in the amount of ((~~five~~)) seven hundred and fifty dollars which shall not be refundable, ((~~and~~))

(b) A review fee, based on the project description and the total capital expenditure. ((~~associated with the undertaking or project, as follows:~~))

Proposed Capital Expenditure	Review Fee
\$ 0 to 69,999	\$ 1,000
70,000 to 84,999	1,670
85,000 to 99,999	1,930
100,000 to 129,999	2,215
130,000 to 159,999	2,525
160,000 to 204,999	2,875
205,000 to 249,999	3,255
250,000 to 399,999	3,680
400,000 to 549,999	4,145
550,000 to 699,999	4,655
700,000 to 849,999	5,210
850,000 to 999,999	5,830
1,000,000 to 1,299,999	6,515
1,300,000 to 1,599,999	7,260
1,600,000 to 1,999,999	8,085
2,000,000 to 2,499,999	8,990
2,500,000 to 2,999,999	9,975
3,000,000 to 3,999,999	11,060
4,000,000 to 4,999,999	12,255
5,000,000 to 7,499,999	13,570
7,500,000 to 9,999,999	15,015
10,000,000 to 14,999,999	16,650
15,000,000 to 19,999,999	19,260
20,000,000 to 29,999,999	20,545
30,000,000 to 39,999,999	22,865
40,000,000 to 49,999,999	25,285
50,000,000 to 64,999,999	28,015
65,000,000 to 79,999,999	31,060
80,000,000 to 99,999,999	34,485
100,000,000 and over	38,285))

Review Fee	Project Description	Capital Expenditure Range
\$100	Extension of certificate of need validity period (projects involving plans review by construction review unit)	
\$750	Extension of certificate of need validity period (other projects)	
\$2,300	Transfer of a valid certificate of need	
\$3,100	Establishment of a new home health agency, ambulatory surgical facility, end-stage renal dialysis facility, or hospice	\$0
\$3,600	Bed addition of less than 10 beds	\$0 - \$100,000
	Additional end-stage renal dialysis facility stations	\$0 - \$100,000
\$4,500	Replacement of major medical equipment	Exp. min. - \$1,500,000
	Amendment to a certificate of need	\$0 - \$250,000
	Administrative or emergency review	\$0 - \$250,000
\$4,800	Bed addition of less than 10 beds	\$100,001 - \$5,000,000
	Additional end-stage renal dialysis facility stations	\$100,001 - \$250,000
	Establishment of a new home health agency, ambulatory surgical facility, end-stage renal dialysis facility, or hospice	\$1 - \$100,000
	Replacement of an existing health care facility	\$1 - \$2,000,000
\$5,600	Additional major medical equipment	Exp. min. - \$1,500,000
\$5,900	Bed redistribution or bed relocation	\$0 - \$100,000
\$6,100	New institutional health service	

Review Fee	Project Description	Capital Expenditure Range
\$6,400	Capital expenditure over the minimum	Exp. min. - \$5,000,000
	Sale, purchase, or lease of part or all of an existing hospital	\$1 - \$5,000,000
	Bed addition of less than 10 beds	\$5,000,001 or more
	Additional end-stage renal dialysis facility stations	\$250,001 or more
	Establishment of a new home health agency, hospice, ambulatory surgical facility, or end-stage renal dialysis facility	\$100,001 or more
	Replacement of an existing health care facility	\$2,000,001 - \$5,000,000
\$6,800	Replacement of major medical equipment	\$1,500,001 or more
	Administrative or emergency review	\$250,001 or more
	Amendment to a certificate of need	\$250,001 - \$2,000,000
	Bed addition of 10 beds or more	\$0 - \$500,000
	Substantial change in service	\$0 - \$100,000
\$8,100	Additional major medical equipment	\$1,500,001 or more
	Capital expenditure over the minimum	\$5,000,001 - \$10,000,000
	Replacement of an existing health care facility	\$5,000,001 or more
\$8,900	Establishment of a new hospital, rehabilitation facility, or nursing home	\$0 - \$2,000,000
	Substantial change in service	\$100,001 - \$2,000,000
	Bed redistribution or bed relocation	\$100,001 - \$2,000,000
\$9,700	Sale, purchase, or lease of part or all of an existing hospital	\$5,000,001 or more
\$10,000	Bed addition of 10 beds or more	\$500,001 - \$5,000,000
\$11,100	Bed redistribution or bed relocation	\$2,000,001 or more
\$11,200	Amendment to a certificate of need	\$2,000,001 or more
\$11,400	Capital expenditure over the minimum	\$10,000,001 or more
\$13,200	Establishment of a new hospital, rehabilitation facility, or nursing home	\$2,000,001 or more
	Bed addition of 10 beds or more	\$5,000,001 or more
	Substantial change in service	\$2,000,001 or more

(c) A nonrefundable two thousand dollar actuarial review fee surcharge for an application sponsored by an existing or proposed continuing care retirement community (CCRC) as defined in WAC 248-19-328 (3)(b).

(2) ((A request for an amendment to a certificate of need application shall be accepted by the department only when accompanied by a nonrefundable processing fee of two hundred fifty dollars.

(a) When an amendment results in a capital expenditure exceeding the capital expenditure corresponding to the review fee paid at the time the application was first submitted to the department, the amendment shall be accompanied by payment of an additional fee representing the difference between the review fee paid when the application was first submitted to the department and the review fee applicable to the increased capital expenditure.

(b) When an amendment results in a capital expenditure less than the capital expenditure corresponding to the review fee paid at the time the application was first submitted to the department, the department shall refund the difference to the applicant)) For purposes of subsection (1)(b) of this section, "total capital expenditure" means the

total project costs to be capitalized according to generally accepted accounting principles consistently applied, and includes, but is not limited to the following:

- (a) Legal fees,
- (b) Feasibility studies,
- (c) Site development,
- (d) Soil survey and investigation,
- (e) Consulting fees,
- (f) Interest expenses during construction,
- (g) Temporary relocation,
- (h) Architect and engineering fees,
- (i) Construction, renovation, or alteration,
- (j) Total costs of leases of capital assets,
- (k) Labor,
- (l) Materials,
- (m) Equipment,
- (n) Sales taxes,
- (o) Equipment delivery, and
- (p) Equipment installation.

(3) ~~((When an application for an amended or extended certificate of need is submitted to the department subsequent to the issuance of a certificate of need, in accordance with the provisions of WAC 248-19-450 or 248-19-460, such application shall be accompanied by payment of a nonrefundable processing fee in the amount of five hundred dollars and, if the amendment represents an increase in the capital expenditure associated with the project, a review fee representing the difference between the review fee paid when the application was first submitted and the review fee applicable to the increased capital expenditure associated with the application for amendment))~~ The total capital expenditure for the acquisition of a unit of major medical equipment shall be determined as follows:

(a) If the equipment is not presently owned or leased by the applicant, the total capital expenditure shall include all the costs involved in the acquisition, installation, and trial preparation for patient usage.

(b) If the equipment is presently owned or leased by the applicant, the total capital expenditure shall include the fair market value of the unit of major medical equipment at time of application submittal, and all other non-equipment costs listed under subsection (2) of this section that are required to prepare the equipment to serve inpatients.

(4) ~~((When an application is returned to an applicant in accordance with the provisions of WAC 248-19-280 (2)(b) or (c), any review fees paid by the applicant shall be refunded, in full, by the department))~~ Where more than one project description under subsection (1)(b) of this section applies to an application, the applicant shall use the project description and capital expenditure range with the highest review fee in calculating the payment to accompany the application submittal.

(5) ~~((Each notice of intent to acquire a health care facility submitted to the department under the provisions of WAC 248-19-230(2) shall include a nonrefundable processing fee of one hundred dollars))~~ The applicant shall accompany the submittal of an amendment to a certificate of need application with a fee consisting of the following:

(a) A nonrefundable processing fee of five hundred dollars, and

(b) When the amendment increases the capital expenditure, or results in a project description with a larger review fee, an additional review fee based on the difference between the review fee previously paid when the application was submitted and the review fee applicable to the larger capital expenditure.

(c) When the amendment decreases the capital expenditure, or results in a project description with a smaller review fee, the department shall refund to the applicant the difference between the review fee previously paid when the application was submitted and the review fee applicable to the smaller capital expenditure.

(6) ~~((Each notice of intent to acquire major medical equipment submitted to the department under the provisions of WAC 248-19-403 shall include a nonrefundable processing fee of one hundred dollars))~~ When an application for a certificate of need is returned by the department in accordance with the provisions of WAC 248-19-280 (2)(b) or (c), the department shall refund all review fees paid.

(7) ~~((Each request for an exemption from certificate of need review submitted to the department under the provisions of WAC 248-19-405 (which pertains to health maintenance organizations) shall include a nonrefundable processing fee of one hundred dollars))~~ When an applicant submits a written request to withdraw an application prior to the beginning of review, the department shall refund any review fees paid by the applicant.

(8) ~~((Each request for an exemption from certificate of need review submitted to the department under the provisions of RCW 70.38.105~~

~~(4)(d) (which pertains to certain capital expenditure projects which do not substantially affect patient charges) shall include a nonrefundable processing fee of one hundred dollars))~~ When an applicant submits a written request to withdraw an application after the beginning of review, but prior to the close of the advisory review period as determined by the department, the department shall refund one-half of all review fees paid.

(9) When an applicant submits a written request to withdraw an application after the close of the advisory review period as determined by the department, the department shall not refund any of the review fees paid.

(10) Other certificate of need program fees are:

(a) A nonrefundable two hundred fifty dollar processing fee for each notice of intent to acquire major medical equipment submitted to the department under the provisions of WAC 248-19-403,

(b) A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review submitted under the provisions of WAC 248-19-405,

(c) A nonrefundable two hundred fifty dollar processing fee for each request for an exemption from certificate of need review under the provisions of RCW 70.38.105 (4)(d).

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 87-13-082
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(General Provisions)
 [Filed June 17, 1987]

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 labor camp certificate of occupancy fees, amending WAC 440-44-100;

that the agency will at 9:00 a.m., Friday, July 31, Cascade Natural Gas, 614 North Mission, Wenatchee - Auditorium, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on August 3, 1987.

The authority under which these rules are proposed is RCW 43.20A.055.

The specific statute these rules are intended to implement is RCW 43.20A.055.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 30, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director
 Administrative Services
 Department of Social and Health Services
 Mailstop OB 39
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th

and Franklin, Olympia, WA, phone (206) 753-7015 by July 15, 1987. The meeting site is in a location which is barrier free.

This notice is connected to and continues the matter in Notice No. WSR 87-10-015 filed with the code reviser's office on April 28, 1987.

Dated: June 15, 1987
By: Leslie F. James, Director
Administrative Services

WSR 87-13-083
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed June 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning Aircraft—Indicia of registration, repealing WAC 308-79-050;

that the agency will at 9:15 a.m., Tuesday, July 28, 1987, in the Second Floor Conference Room, Highways—Licenses Building, 12th and Franklin, Olympia, Washington 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 47.68.250 as amended by section 3, chapter 220, Laws of 1987.

The specific statute these rules are intended to implement is RCW 47.68.250 as amended by section 3, chapter 220, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 28, 1987.

Dated: June 17, 1987
By: Sandra Brooks
Administrator

STATEMENT OF PURPOSE

Name of Agency: Washington State Department of Licensing.

Purpose: To delete a Department of Licensing administrative rule passed to implement a statute which the director will no longer have statutory authority to implement as of July 26, 1987.

Statutory Authority: RCW 47.68.250 as amended by section 3, chapter 220, Laws of 1987.

Summary of the Rules: Repeal of WAC 308-79-050, Aircraft—Indicia of registration.

Reason Proposed: Effective July 26, 1987, authority for administering the underlying statute, RCW 47.68.250 (as amended by section 3, chapter 220, Laws of 1987), is transferred from the director of licensing to the secretary of transportation.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these

rules: David T. Kirk, Assistant Director, Vehicle Services, Second Floor, Highways—Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6914 comm or 234-6914 scan; Sandra Brooks, Administrator, Vehicle Services, Second Floor, Highways—Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6920 comm or 234-6920 scan; and Jack Lince, Assistant Administrator, Vehicle Services, Second Floor, Highways—Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-7379 comm or 234-7379 scan.

Proponents: State of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: Not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: Not required for this statement.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 308-79-050 AIRCRAFT—INDICIA OF REGISTRATION.

Table of WAC Sections Affected

KEY TO TABLE

Symbols:

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding 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.

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4-25-141	AMD-C	87-10-033	16-104-080	REP-P	87-12-045	16-230-190	AMD-P	87-11-055
4-25-181	AMD-P	87-09-060	16-104-090	REP-P	87-12-045	16-230-470	AMD-P	87-04-060
4-25-181	AMD-C	87-10-034	16-104-100	REP-P	87-12-045	16-230-470	AMD-E	87-08-072
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4-25-181	REP-C	87-10-034	16-104-120	REP-P	87-12-045	16-230-615	AMD-P	87-04-060
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16-231-340	AMD-P	87-04-060	16-319-101	NEW	87-12-006	16-602-005	NEW-P	87-05-053
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16-319-041	AMD-P	87-08-063	16-401-050	NEW-P	87-13-062	30-32-050	NEW	87-11-001
16-319-041	AMD	87-12-006	16-470-500	NEW	87-04-027	30-32-060	NEW	87-11-001
16-319-051	AMD-P	87-08-063	16-470-510	NEW	87-04-027	30-32-070	NEW	87-11-001
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16-319-061	AMD-P	87-08-063	16-470-530	NEW	87-04-027	30-36-010	NEW	87-11-001
16-319-061	AMD	87-12-006	16-516-040	AMD-P	87-12-018	30-36-020	NEW	87-11-001
16-319-081	AMD-P	87-08-063	16-516-040	AMD-P	87-12-019	30-36-030	NEW	87-11-001
16-319-081	AMD	87-12-006	16-532-040	AMD-P	87-04-045	30-36-040	NEW	87-11-001

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30-36-060	NEW	87-11-001	50-52-240	NEW-P	87-10-046	50-52-620	NEW	87-13-030
30-36-070	NEW	87-11-001	50-52-240	NEW	87-13-030	50-52-630	NEW-P	87-10-046
30-36-080	NEW	87-11-001	50-52-250	NEW-P	87-10-046	50-52-630	NEW	87-13-030
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30-40-030	NEW	87-11-001	50-52-280	NEW-P	87-10-046	82-24-130	AMD	87-06-012
30-40-040	NEW	87-11-001	50-52-280	NEW	87-13-030	82-50-021	AMD-P	87-13-066
30-40-050	NEW	87-11-001	50-52-290	NEW-P	87-10-046	100-100-050	AMD-P	87-09-099
30-40-060	NEW	87-11-001	50-52-290	NEW	87-13-030	100-100-070	AMD-E	87-09-100
30-40-070	NEW	87-11-001	50-52-300	NEW-P	87-10-046	100-100-070	AMD-C	87-09-101
30-40-080	NEW	87-11-001	50-52-300	NEW	87-13-030	100-100-070	AMD-E	87-09-102
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30-44-010	NEW	87-11-001	50-52-310	NEW	87-13-030	113-12-087	NEW	87-05-064
30-44-020	NEW	87-11-001	50-52-320	NEW-P	87-10-046	113-12-115	AMD	87-05-064
30-44-030	NEW	87-11-001	50-52-320	NEW	87-13-030	113-12-195	AMD	87-05-064
30-44-040	NEW	87-11-001	50-52-330	NEW-P	87-10-046	113-12-197	NEW	87-05-064
30-44-050	NEW	87-11-001	50-52-330	NEW	87-13-030	114-12-136	AMD-P	87-07-046
30-48-010	NEW	87-11-001	50-52-340	NEW-P	87-10-046	114-12-136	AMD	87-10-028
30-48-020	NEW	87-11-001	50-52-340	NEW	87-13-030	131-08-010	AMD	87-04-025
30-48-030	NEW	87-11-001	50-52-350	NEW-P	87-10-046	132E-136-010	REP-P	87-10-039
30-48-040	NEW	87-11-001	50-52-350	NEW	87-13-030	132E-136-020	REP-P	87-10-039
30-48-050	NEW	87-11-001	50-52-360	NEW-P	87-10-046	132E-136-030	REP-P	87-10-039
30-48-060	NEW	87-11-001	50-52-360	NEW	87-13-030	132E-137-010	NEW-P	87-10-038
30-48-070	NEW	87-11-001	50-52-370	NEW-P	87-10-046	132E-137-020	NEW-P	87-10-038
50-48-100	NEW-P	87-08-071	50-52-370	NEW	87-13-030	132E-137-030	NEW-P	87-10-038
50-48-100	NEW	87-10-047	50-52-380	NEW-P	87-10-046	132E-137-040	NEW-P	87-10-038
50-48-100	AMD-P	87-10-058	50-52-380	NEW	87-13-030	132E-137-050	NEW-P	87-10-038
50-48-100	AMD	87-13-015	50-52-390	NEW-P	87-10-046	132E-137-060	NEW-P	87-10-038
50-52-010	NEW-P	87-10-046	50-52-390	NEW	87-13-030	132E-137-070	NEW-P	87-10-038
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50-52-020	NEW-P	87-10-046	50-52-400	NEW	87-13-030	132F-148-010	AMD	87-08-026
50-52-020	NEW	87-13-030	50-52-410	NEW-P	87-10-046	132F-148-030	AMD-P	87-04-064
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50-52-070	NEW	87-13-030	50-52-460	NEW-P	87-10-046	132L-10-030	NEW-E	87-07-031
50-52-080	NEW-P	87-10-046	50-52-460	NEW	87-13-030	132L-10-030	NEW-P	87-08-017
50-52-080	NEW	87-13-030	50-52-470	NEW-P	87-10-046	132L-10-030	NEW	87-13-026
50-52-090	NEW-P	87-10-046	50-52-470	NEW	87-13-030	132L-10-040	NEW-E	87-07-031
50-52-090	NEW	87-13-030	50-52-480	NEW-P	87-10-046	132L-10-040	NEW-P	87-08-017
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50-52-120	NEW	87-13-030	50-52-510	NEW-P	87-10-046	132L-10-060	NEW-P	87-08-017
50-52-130	NEW-P	87-10-046	50-52-510	NEW	87-13-030	132L-10-070	NEW-E	87-07-031
50-52-130	NEW	87-13-030	50-52-520	NEW-P	87-10-046	132L-10-070	NEW-P	87-08-017
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50-52-140	NEW	87-13-030	50-52-530	NEW-P	87-10-046	132L-10-080	NEW-P	87-08-017
50-52-150	NEW-P	87-10-046	50-52-530	NEW	87-13-030	132L-10-090	NEW-E	87-07-031
50-52-150	NEW	87-13-030	50-52-540	NEW-P	87-10-046	132L-10-090	NEW-P	87-08-017
50-52-160	NEW-P	87-10-046	50-52-540	NEW	87-13-030	132L-10-100	NEW-E	87-07-031
50-52-160	NEW	87-13-030	50-52-550	NEW-P	87-10-046	132L-10-100	NEW-P	87-08-017
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50-52-220	NEW	87-13-030	50-52-610	NEW-P	87-10-046	132L-10-140	NEW-P	87-08-017
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132L-10-160	NEW-P 87-08-017	132L-24-020	AMD-E 87-07-048	132Q-08-070	REP 87-06-014
132L-20	AMD-E 87-07-048	132L-24-020	AMD-P 87-08-018	132Q-08-080	REP 87-06-014
132L-20	AMD-P 87-08-018	132L-24-030	AMD-E 87-07-048	132Q-20	AMD-P 87-13-070
132L-20-010	AMD-E 87-07-048	132L-24-030	AMD-P 87-08-018	132Q-20-010	AMD-P 87-13-070
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132L-20-020	AMD-E 87-07-048	132L-24-040	AMD-P 87-08-018	132Q-20-030	AMD-P 87-13-070
132L-20-020	AMD-P 87-08-018	132L-24-050	AMD-E 87-07-048	132Q-20-040	AMD-P 87-13-070
132L-20-030	AMD-E 87-07-048	132L-24-050	AMD-P 87-08-018	132Q-20-050	AMD-P 87-13-070
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132L-20-070	AMD-E 87-07-048	132N-128-085	NEW-P 87-10-045	132Q-20-160	AMD-P 87-13-070
132L-20-070	AMD-P 87-08-018	132N-128-090	AMD-P 87-10-045	132Q-20-170	AMD-P 87-13-070
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132L-20-090	AMD-E 87-07-048	132N-128-112	NEW-P 87-10-045	132Q-20-200	AMD-P 87-13-070
132L-20-090	AMD-P 87-08-018	132N-128-114	NEW-P 87-10-045	132Q-20-210	AMD-P 87-13-070
132L-20-100	AMD-E 87-07-048	132N-128-116	NEW-P 87-10-045	132Q-20-220	AMD-P 87-13-070
132L-20-100	AMD-P 87-08-018	132N-128-118	NEW-P 87-10-045	132Q-20-230	AMD-P 87-13-070
132L-20-110	AMD-E 87-07-048	132N-128-120	AMD-P 87-10-045	132Q-20-240	AMD-P 87-13-070
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132L-20-140	AMD-E 87-07-048	132Q-04-030	AMD-P 87-13-070	132Q-20-270	AMD-P 87-13-070
132L-20-140	AMD-P 87-08-018	132Q-04-050	AMD-P 87-13-070	132Q-20-280	REP-P 87-13-070
132L-20-150	AMD-E 87-07-048	132Q-04-055	NEW-P 87-13-070	132Q-20-290	REP-P 87-13-070
132L-20-150	AMD-P 87-08-018	132Q-04-060	AMD-P 87-13-070	132Q-20-300	REP-P 87-13-070
132L-20-160	AMD-E 87-07-048	132Q-04-095	AMD-P 87-13-070	132Q-94	AMD-P 87-13-070
132L-20-160	AMD-P 87-08-018	132Q-04-100	AMD-P 87-13-070	132Q-94-010	AMD-P 87-13-070
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132L-21-010	NEW-E 87-07-031	132Q-04-120	AMD-P 87-13-070	132Q-94-040	REP-P 87-13-070
132L-21-010	NEW-P 87-08-017	132Q-04-130	AMD-P 87-13-070	132Q-94-050	REP-P 87-13-070
132L-21-010	NEW 87-13-026	132Q-04-140	AMD-P 87-13-070	132Q-94-060	REP-P 87-13-070
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132L-22-030	AMD-E 87-07-048	132Q-05-033	NEW-P 87-13-070	137-70-040	AMD 87-03-029
132L-22-030	AMD-P 87-08-018	132Q-05-036	NEW-P 87-13-070	137-70-040	AMD-P 87-11-049
132L-22-040	AMD-E 87-07-048	132Q-05-040	AMD-P 87-13-070	137-70-070	AMD 87-03-029
132L-22-040	AMD-P 87-08-018	132Q-05-050	AMD-P 87-13-070	137-75-030	AMD-P 87-11-010
132L-22-050	AMD-E 87-07-048	132Q-05-060	AMD-P 87-13-070	137-75-050	AMD-P 87-11-010
132L-22-050	AMD-P 87-08-018	132Q-05-070	AMD-P 87-13-070	154-04-040	AMD-P 87-13-076
132L-22-060	AMD-E 87-07-048	132Q-05-080	AMD-P 87-13-070	154-12-015	AMD-P 87-13-076
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132L-23-010	NEW-P 87-08-017	132Q-06	AMD-P 87-13-070	172-08-020	REP-P 87-12-022
132L-23-010	NEW 87-13-026	132Q-06-010	AMD-P 87-13-070	172-08-030	REP-P 87-12-022
132L-23-020	NEW-E 87-07-031	132Q-06-015	AMD-P 87-13-070	172-52-010	REP-P 87-12-022
132L-23-020	NEW-P 87-08-017	132Q-06-020	AMD-P 87-13-070	172-52-020	REP-P 87-12-022
132L-23-020	NEW 87-13-026	132Q-06-025	AMD-P 87-13-070	172-52-030	REP-P 87-12-022
132L-23-030	NEW-E 87-07-031	132Q-06-030	AMD-P 87-13-070	172-52-040	REP-P 87-12-022
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172-52-125	REP-P	87-12-022	173-60-110	AMD	87-06-056	173-303-045	AMD-P	87-09-078
172-52-130	REP-P	87-12-022	173-145	AMD-C	87-02-043	173-303-060	AMD-P	87-09-078
172-113-010	REP-P	87-12-022	173-145	AMD-C	87-03-044	173-303-070	AMD-P	87-09-078
172-113-020	REP-P	87-12-022	173-145-010	AMD	87-04-022	173-303-071	AMD-P	87-09-078
172-114-010	REP-P	87-12-022	173-145-020	AMD	87-04-022	173-303-081	AMD-P	87-09-078
172-114-020	REP-P	87-12-022	173-145-030	AMD	87-04-022	173-303-082	AMD-P	87-09-078
172-114-030	REP-P	87-12-022	173-145-040	AMD	87-04-022	173-303-084	AMD-P	87-09-078
172-114-040	REP-P	87-12-022	173-145-050	AMD	87-04-022	173-303-090	AMD-P	87-09-078
172-114-050	REP-P	87-12-022	173-145-060	AMD	87-04-022	173-303-101	AMD-P	87-09-078
172-114-060	REP-P	87-12-022	173-145-070	AMD	87-04-022	173-303-102	AMD-P	87-09-078
172-114-070	REP-P	87-12-022	173-145-080	AMD	87-04-022	173-303-103	AMD-P	87-09-078
172-114-080	REP-P	87-12-022	173-145-090	AMD	87-04-022	173-303-120	AMD-P	87-09-078
172-114-090	REP-P	87-12-022	173-145-100	AMD	87-04-022	173-303-170	AMD-P	87-09-078
172-138-010	REP-P	87-12-022	173-145-110	AMD	87-04-022	173-303-201	AMD-P	87-09-078
172-138-020	REP-P	87-12-022	173-145-120	AMD	87-04-022	173-303-220	AMD-P	87-09-078
172-138-030	REP-P	87-12-022	173-145-130	AMD	87-04-022	173-303-230	AMD-P	87-09-078
172-138-040	REP-P	87-12-022	173-145-140	AMD	87-04-022	173-303-240	AMD-P	87-09-078
172-140-010	REP-P	87-12-022	173-145-150	REP	87-04-022	173-303-280	AMD-P	87-09-078
172-140-015	REP-P	87-12-022	173-145-155	NEW	87-04-022	173-303-360	AMD-P	87-09-078
172-140-020	REP-P	87-12-022	173-201	AMD-P	87-13-069	173-303-400	AMD-P	87-09-078
172-140-030	REP-P	87-12-022	173-201-010	AMD-P	87-13-069	173-303-420	AMD-P	87-09-078
172-140-040	REP-P	87-12-022	173-201-025	AMD-P	87-13-069	173-303-420	AMD	87-03-014
172-140-050	REP-P	87-12-022	173-201-035	AMD-P	87-13-069	173-303-515	AMD-P	87-09-078
172-140-060	REP-P	87-12-022	173-201-045	AMD-P	87-13-069	173-303-550	AMD-P	87-09-078
172-150-010	REP-P	87-12-022	173-201-047	NEW-P	87-13-069	173-303-560	AMD-P	87-09-078
172-150-020	REP-P	87-12-022	173-201-070	AMD-P	87-13-069	173-303-600	AMD-P	87-09-078
172-150-030	REP-P	87-12-022	173-201-080	AMD-P	87-13-069	173-303-610	AMD-P	87-09-078
172-150-035	REP-P	87-12-022	173-201-090	AMD-P	87-13-069	173-303-620	AMD-P	87-09-078
172-150-040	REP-P	87-12-022	173-201-100	AMD-P	87-13-069	173-303-660	AMD-P	87-09-078
172-150-050	REP-P	87-12-022	173-202-020	AMD-P	87-10-060	173-303-801	AMD-P	87-09-078
172-150-060	REP-P	87-12-022	173-221-010	NEW-P	87-13-068	173-303-802	AMD-P	87-09-078
172-150-070	REP-P	87-12-022	173-221-020	NEW-P	87-13-068	173-303-805	AMD-P	87-09-078
172-150-080	REP-P	87-12-022	173-221-030	NEW-P	87-13-068	173-303-806	AMD-P	87-09-078
172-150-090	REP-P	87-12-022	173-221-040	NEW-P	87-13-068	173-303-809	AMD-P	87-09-078
172-150-100	REP-P	87-12-022	173-221-050	NEW-P	87-13-068	173-303-810	AMD-P	87-09-078
172-150-110	REP-P	87-12-022	173-221-100	NEW-P	87-13-068	173-303-830	AMD-P	87-09-078
172-150-120	REP-P	87-12-022	173-245-010	NEW-C	87-02-050	173-303-9901	AMD-P	87-09-078
172-150-130	REP-P	87-12-022	173-245-010	NEW-C	87-04-014	173-303-9904	AMD-P	87-09-078
172-150-140	REP-P	87-12-022	173-245-010	NEW	87-04-020	173-303-9905	AMD-P	87-09-078
172-150-145	REP-P	87-12-022	173-245-015	NEW-C	87-02-050	173-303-9906	AMD-P	87-09-078
172-150-150	REP-P	87-12-022	173-245-015	NEW-C	87-04-014	173-303-9907	AMD-P	87-09-078
172-150-160	REP-P	87-12-022	173-245-015	NEW	87-04-020	173-304-012	NEW-C	87-02-035
172-150-170	REP-P	87-12-022	173-245-020	NEW-C	87-02-050	173-304-012	NEW-C	87-04-019
172-150-180	REP-P	87-12-022	173-245-020	NEW-C	87-04-014	173-304-012	NEW-W	87-04-037
172-150-190	REP-P	87-12-022	173-245-020	NEW	87-04-020	173-304-012	NEW-P	87-04-038
172-158-020	REP-P	87-12-022	173-245-030	NEW-C	87-02-050	173-304-012	NEW-W	87-05-035
172-180-010	REP-P	87-12-022	173-245-030	NEW-C	87-04-014	173-304-012	NEW-P	87-05-054
172-180-020	REP-P	87-12-022	173-245-030	NEW	87-04-020	173-304-012	NEW-C	87-08-060
172-180-030	REP-P	87-12-022	173-245-040	NEW-C	87-02-050	173-304-012	NEW-W	87-11-038
172-180-040	REP-P	87-12-022	173-245-040	NEW-C	87-04-014	173-304-012	NEW-P	87-11-039
173-14-055	AMD-P	87-09-080	173-245-040	NEW	87-04-020	173-304-407	NEW-P	87-13-067
173-14-060	AMD-P	87-09-080	173-245-050	NEW-C	87-02-050	173-304-440	AMD-P	87-04-038
173-14-080	AMD-P	87-09-080	173-245-050	NEW-C	87-04-014	173-304-440	AMD-W	87-05-035
173-14-180	REP-P	87-09-080	173-245-050	NEW	87-04-020	173-304-440	AMD-P	87-05-054
173-15-040	REP-P	87-09-080	173-245-055	NEW-C	87-02-050	173-304-440	AMD-C	87-08-060
173-17-010	NEW-P	87-09-080	173-245-055	NEW-C	87-04-014	173-304-440	AMD-W	87-11-038
173-17-020	NEW-P	87-09-080	173-245-055	NEW	87-04-020	173-304-467	NEW-P	87-13-067
173-17-030	NEW-P	87-09-080	173-245-060	NEW-C	87-02-050	173-326-010	NEW-E	87-05-032
173-17-040	NEW-P	87-09-080	173-245-060	NEW-C	87-04-014	173-326-010	NEW-P	87-11-028
173-17-050	NEW-P	87-09-080	173-245-060	NEW	87-04-020	173-326-010	NEW-E	87-11-029
173-17-060	NEW-P	87-09-080	173-245-070	NEW-C	87-02-050	173-326-020	NEW-E	87-05-032
173-17-070	NEW-P	87-09-080	173-245-070	NEW-C	87-04-014	173-326-020	NEW-P	87-11-028
173-17-080	NEW-P	87-09-080	173-245-070	NEW	87-04-020	173-326-020	NEW-E	87-11-029
173-19-064	AMD-P	87-09-080	173-245-075	NEW-C	87-02-050	173-326-030	NEW-E	87-05-032
173-19-070	AMD-P	87-09-080	173-245-075	NEW-C	87-04-014	173-326-030	NEW-P	87-11-028
173-19-220	AMD-P	87-13-075	173-245-075	NEW	87-04-020	173-326-030	NEW-E	87-11-029
173-19-2515	AMD-P	87-12-069	173-245-080	NEW-C	87-02-050	173-326-040	NEW-E	87-05-032
173-19-2521	AMD	87-05-015	173-245-080	NEW-C	87-04-014	173-326-040	NEW-P	87-11-028
173-19-2521	AMD-P	87-13-074	173-245-080	NEW	87-04-020	173-326-040	NEW-E	87-11-029
173-19-320	AMD-P	87-06-025	173-245-084	NEW-C	87-02-050	173-422-130	AMD	87-02-051
173-19-320	AMD-W	87-11-042	173-245-084	NEW-C	87-04-014	173-434	NEW-C	87-03-045
173-19-3508	AMD	87-08-001	173-245-084	NEW	87-04-020	173-434-010	NEW	87-07-041
173-19-360	AMD-P	87-09-081	173-245-090	NEW-C	87-02-050	173-434-020	NEW	87-07-041
173-19-390	AMD	87-05-015	173-245-090	NEW-C	87-04-014	173-434-030	NEW	87-07-041

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173-434-050	NEW	87-07-041	180-24-112	NEW	87-04-059	180-75-086	NEW	87-09-010
173-434-100	NEW	87-07-041	180-24-115	NEW	87-04-059	180-75-087	AMD-P	87-05-048
173-434-110	NEW	87-07-041	180-24-120	NEW	87-04-059	180-75-087	AMD	87-09-010
173-434-120	NEW	87-07-041	180-24-125	NEW	87-04-059	180-75-199	NEW-P	87-05-048
173-434-130	NEW	87-07-041	180-24-130	NEW	87-04-059	180-75-199	NEW	87-09-010
173-434-160	NEW	87-07-041	180-24-140	NEW	87-04-059	180-78	AMD-P	87-05-049
173-434-170	NEW	87-07-041	180-24-200	AMD	87-04-059	180-78	AMD	87-09-011
173-434-190	NEW	87-07-041	180-24-300	NEW	87-04-059	180-78-003	NEW-P	87-05-049
173-434-200	NEW	87-07-041	180-24-305	NEW	87-04-059	180-78-003	NEW	87-09-011
173-434-210	NEW	87-07-041	180-24-310	NEW	87-04-059	180-78-005	AMD-P	87-05-049
174-107-261	NEW-E	87-03-038	180-24-312	NEW	87-04-059	180-78-005	AMD	87-09-011
174-116	AMD-P	87-10-054	180-24-315	NEW	87-04-059	180-78-010	AMD-P	87-05-049
174-116-010	AMD-P	87-10-054	180-24-320	NEW	87-04-059	180-78-010	AMD	87-09-011
174-116-010	AMD-C	87-13-029	180-24-325	NEW	87-04-059	180-78-025	AMD-P	87-05-049
174-116-020	AMD-P	87-10-054	180-24-327	NEW	87-04-059	180-78-025	AMD	87-09-011
174-116-020	AMD-C	87-13-029	180-24-330	NEW	87-04-059	180-78-191	NEW-P	87-05-049
174-116-030	AMD-P	87-10-054	180-24-335	NEW	87-04-059	180-78-191	NEW	87-09-011
174-116-030	AMD-C	87-13-029	180-24-340	NEW	87-04-059	180-78-192	NEW-P	87-05-049
174-116-040	AMD-P	87-10-054	180-24-345	NEW	87-04-059	180-78-192	NEW	87-09-011
174-116-040	AMD-C	87-13-029	180-24-350	NEW	87-04-059	180-78-193	NEW-P	87-05-049
174-116-041	AMD-P	87-10-054	180-24-355	NEW	87-04-059	180-78-193	NEW	87-09-011
174-116-041	AMD-C	87-13-029	180-24-360	NEW	87-04-059	180-78-194	NEW-P	87-05-049
174-116-042	AMD-P	87-10-054	180-24-365	NEW	87-04-059	180-78-194	NEW	87-09-011
174-116-042	AMD-C	87-13-029	180-24-370	NEW	87-04-059	180-78-195	NEW-P	87-05-049
174-116-043	AMD-P	87-10-054	180-24-375	NEW	87-04-059	180-78-195	NEW	87-09-011
174-116-043	AMD-C	87-13-029	180-24-380	NEW	87-04-059	180-78-197	NEW-P	87-05-049
174-116-044	AMD-P	87-10-054	180-40-235	AMD-P	87-05-047	180-78-197	NEW	87-09-011
174-116-044	AMD-C	87-13-029	180-40-235	AMD	87-09-040	180-78-198	NEW-P	87-05-049
174-116-045	AMD-P	87-10-054	180-75-005	AMD-P	87-09-052	180-78-198	NEW	87-09-011
174-116-045	AMD-C	87-13-029	180-75-005	AMD	87-12-042	180-78-199	NEW-P	87-05-049
174-116-050	AMD-P	87-10-054	180-75-015	AMD-P	87-05-048	180-78-199	NEW	87-09-011
174-116-050	AMD-C	87-13-029	180-75-015	AMD	87-09-010	180-79	AMD-P	87-05-050
174-116-070	REP-P	87-10-054	180-75-018	NEW-P	87-05-048	180-79	AMD	87-09-012
174-116-070	REP-C	87-13-029	180-75-018	NEW	87-09-010	180-79-003	NEW-P	87-05-050
174-116-071	AMD-P	87-10-054	180-75-019	NEW-P	87-05-048	180-79-003	NEW	87-09-012
174-116-071	AMD-C	87-13-029	180-75-019	NEW	87-09-010	180-79-007	NEW-P	87-09-053
174-116-072	AMD-P	87-10-054	180-75-025	AMD-P	87-05-048	180-79-007	NEW	87-12-039
174-116-072	AMD-C	87-13-029	180-75-025	AMD	87-09-010	180-79-010	AMD-P	87-05-050
174-116-091	AMD-P	87-10-054	180-75-026	NEW-P	87-05-048	180-79-010	AMD	87-09-012
174-116-091	AMD-C	87-13-029	180-75-026	NEW	87-09-010	180-79-045	AMD-P	87-05-050
174-116-092	AMD-P	87-10-054	180-75-034	NEW-P	87-05-048	180-79-045	AMD	87-09-012
174-116-092	AMD-C	87-13-029	180-75-034	NEW	87-09-010	180-79-060	AMD-P	87-05-050
174-116-119	AMD-P	87-10-054	180-75-035	AMD-P	87-05-048	180-79-060	AMD	87-09-012
174-116-119	AMD-C	87-13-029	180-75-035	AMD	87-09-010	180-79-065	AMD-P	87-05-050
174-116-121	AMD-P	87-10-054	180-75-037	NEW-P	87-05-048	180-79-065	AMD	87-09-012
174-116-121	AMD-C	87-13-029	180-75-037	NEW	87-09-010	180-79-065	AMD-P	87-09-093
174-116-122	AMD-P	87-10-054	180-75-038	NEW-P	87-05-048	180-79-065	AMD	87-13-044
174-116-122	AMD-C	87-13-029	180-75-038	NEW	87-09-010	180-79-075	AMD-P	87-05-050
174-116-123	AMD-P	87-10-054	180-75-039	NEW-P	87-05-048	180-79-075	AMD	87-09-012
174-116-123	AMD-C	87-13-029	180-75-039	NEW	87-09-010	180-79-075	AMD-P	87-09-093
174-116-126	AMD-P	87-10-054	180-75-040	AMD-P	87-05-048	180-79-075	AMD	87-13-044
174-116-126	AMD-C	87-13-029	180-75-040	AMD	87-09-010	180-79-075	AMD-P	87-05-050
174-116-127	AMD-P	87-10-054	180-75-042	NEW-P	87-05-048	180-79-080	AMD-P	87-05-050
174-116-127	AMD-C	87-13-029	180-75-042	NEW	87-09-010	180-79-080	AMD	87-09-012
174-116-190	REP-P	87-10-054	180-75-043	NEW-P	87-05-048	180-79-086	AMD-P	87-05-050
180-16-210	AMD-P	87-09-051	180-75-043	NEW	87-09-010	180-79-086	AMD	87-09-012
180-16-210	AMD	87-12-043	180-75-044	NEW-P	87-05-048	180-79-115	AMD-P	87-05-050
180-16-221	AMD-P	87-09-092	180-75-044	NEW	87-09-010	180-79-115	AMD	87-09-012
180-16-221	AMD	87-12-040	180-75-065	AMD-P	87-05-048	180-79-230	AMD-P	87-05-050
180-24-003	NEW	87-04-059	180-75-065	AMD	87-09-010	180-79-230	AMD	87-09-012
180-24-005	REP	87-04-059	180-75-070	AMD-P	87-05-048	180-79-300	NEW-P	87-05-050
180-24-007	NEW	87-04-059	180-75-070	AMD	87-09-010	180-79-300	NEW	87-09-012
180-24-008	NEW	87-04-059	180-75-075	AMD-P	87-05-048	180-79-305	NEW-P	87-05-050
180-24-010	REP	87-04-059	180-75-075	AMD	87-09-010	180-79-305	NEW	87-09-012
180-24-013	NEW	87-04-059	180-75-080	AMD-P	87-05-048	180-79-310	NEW-P	87-05-050
180-24-015	REP	87-04-059	180-75-080	AMD	87-09-010	180-79-310	NEW	87-09-012
180-24-016	NEW	87-04-059	180-75-080	AMD	87-09-010	180-79-312	NEW-P	87-05-050
180-24-017	NEW	87-04-059	180-75-081	NEW-P	87-05-048	180-79-312	NEW	87-09-012
180-24-020	REP	87-04-059	180-75-082	NEW-P	87-05-048	180-79-315	NEW-P	87-05-050
180-24-021	NEW	87-04-059	180-75-082	NEW	87-09-010	180-79-315	NEW	87-09-012
180-24-025	REP	87-04-059	180-75-083	NEW-P	87-05-048	180-79-317	NEW-P	87-05-050
180-24-030	REP	87-04-059	180-75-083	NEW	87-09-010	180-79-317	NEW	87-09-012
180-24-080	NEW	87-04-059	180-75-084	NEW-P	87-05-048	180-79-320	NEW-P	87-05-050
180-24-100	REP	87-04-059	180-75-084	NEW	87-09-010	180-79-320	NEW	87-09-012
180-24-101	NEW	87-04-059	180-75-085	AMD-P	87-05-048	180-79-322	NEW-P	87-05-050
180-24-102	NEW	87-04-059	180-75-085	AMD	87-09-010	180-79-322	NEW	87-09-012
180-24-110	NEW	87-04-059	180-75-086	NEW-P	87-05-048	180-79-324	NEW-P	87-05-050
						180-79-324	NEW	87-09-012

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180-79-326	NEW-P	87-05-050	180-85-045	AMD	87-09-013	204-08-010	AMD-P	87-13-034
180-79-326	NEW	87-09-012	180-85-220	AMD-P	87-05-051	204-65-010	NEW	87-04-065
180-79-328	NEW-P	87-05-050	180-85-220	AMD	87-09-013	204-65-020	NEW	87-04-065
180-79-328	NEW	87-09-012	180-85-225	AMD-P	87-05-051	204-65-030	NEW	87-04-065
180-79-330	NEW-P	87-05-050	180-85-225	AMD	87-09-013	204-65-040	NEW	87-04-065
180-79-330	NEW	87-09-012	180-90-125	NEW-P	87-05-052	204-65-050	NEW	87-04-065
180-79-332	NEW-P	87-05-050	180-90-125	NEW	87-09-039	204-65-060	NEW	87-04-065
180-79-332	NEW	87-09-012	180-90-141	NEW-P	87-05-052	204-91-050	AMD-P	87-13-048
180-79-334	NEW-P	87-05-050	180-90-141	NEW	87-09-039	204-91-060	AMD-P	87-13-048
180-79-334	NEW	87-09-012	180-90-160	AMD-P	87-05-052	212-51-001	NEW-P	87-03-053
180-79-336	NEW-P	87-05-050	180-90-160	AMD	87-09-039	212-51-001	NEW	87-06-044
180-79-336	NEW	87-09-012	182-08-060	AMD-E	87-11-003	212-51-005	NEW-P	87-03-053
180-79-338	NEW-P	87-05-050	182-12-126	REP-E	87-11-003	212-51-005	NEW	87-06-044
180-79-338	NEW	87-09-012	182-12-127	NEW-E	87-11-003	212-51-010	NEW-P	87-03-053
180-79-340	NEW-P	87-05-050	182-12-210	AMD-E	87-04-016	212-51-010	NEW	87-06-044
180-79-340	NEW	87-09-012	182-12-210	AMD-P	87-04-039	212-51-015	NEW-P	87-03-053
180-79-342	NEW-P	87-05-050	182-12-210	AMD	87-07-034	212-51-015	NEW	87-06-044
180-79-342	NEW	87-09-012	192-12-005	NEW-P	87-08-049	212-51-020	NEW-P	87-03-053
180-79-344	NEW-P	87-05-050	192-12-005	NEW	87-12-021	212-51-020	NEW	87-06-044
180-79-344	NEW	87-09-012	192-12-011	NEW-P	87-08-049	212-51-025	NEW-P	87-03-053
180-79-346	NEW-P	87-05-050	192-12-011	NEW	87-12-021	212-51-025	NEW	87-06-044
180-79-346	NEW	87-09-012	192-12-012	NEW-P	87-08-049	212-51-030	NEW-P	87-03-053
180-79-348	NEW-P	87-05-050	192-12-012	NEW	87-12-021	212-51-030	NEW	87-06-044
180-79-348	NEW	87-09-012	192-12-141	AMD-P	87-08-049	212-51-035	NEW-P	87-03-053
180-79-350	NEW-P	87-05-050	192-12-141	AMD	87-12-021	212-51-035	NEW	87-06-044
180-79-350	NEW	87-09-012	192-12-158	NEW	87-03-006	212-51-040	NEW-P	87-03-053
180-79-352	NEW-P	87-05-050	192-23	AMD-P	87-08-049	212-51-040	NEW	87-06-044
180-79-352	NEW	87-09-012	192-23	AMD	87-12-021	212-51-045	NEW-P	87-03-053
180-79-354	NEW-P	87-05-050	192-23-011	AMD-P	87-08-049	212-51-045	NEW	87-06-044
180-79-354	NEW	87-09-012	192-23-011	AMD	87-12-021	212-51-050	NEW-P	87-03-053
180-79-356	NEW-P	87-05-050	192-23-012	AMD-P	87-08-049	212-51-050	NEW	87-06-044
180-79-356	NEW	87-09-012	192-23-012	AMD	87-12-021	220-16-075	AMD-P	87-09-082
180-79-358	NEW-P	87-05-050	192-23-014	AMD-P	87-08-049	220-16-075	AMD-C	87-12-086
180-79-358	NEW	87-09-012	192-23-014	AMD	87-12-021	220-16-38500A	NEW-E	87-08-034
180-79-360	NEW-P	87-05-050	192-23-015	AMD-W	87-08-049	220-16-395	NEW-P	87-03-056
180-79-360	NEW	87-09-012	192-23-016	AMD-P	87-08-049	220-16-395	NEW	87-09-066
180-79-362	NEW-P	87-05-050	192-23-016	AMD	87-12-021	220-20-018	NEW-P	87-13-010
180-79-362	NEW	87-09-012	192-23-018	NEW-P	87-08-049	220-20-050	NEW-P	87-13-010
180-79-364	NEW-P	87-05-050	192-23-018	NEW	87-12-021	220-20-055	NEW-P	87-13-010
180-79-364	NEW	87-09-012	192-23-051	AMD-P	87-08-049	220-22-030	AMD-P	87-09-082
180-79-366	NEW-P	87-05-050	192-23-051	AMD	87-12-021	220-22-030	AMD-C	87-12-086
180-79-366	NEW	87-09-012	192-23-800	AMD-P	87-08-049	220-24-02000S	NEW-E	87-10-003
180-79-368	NEW-P	87-05-050	192-23-800	AMD	87-12-021	220-24-02000S	REP-E	87-11-006
180-79-368	NEW	87-09-012	192-23-810	AMD-P	87-08-049	220-24-02000T	NEW-E	87-11-006
180-79-370	NEW-P	87-05-050	192-23-810	AMD	87-12-021	220-24-02000T	REP-E	87-11-023
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180-79-372	NEW	87-09-012	196-12-010	AMD-P	87-08-052	220-28-625	NEW-E	87-03-008
180-79-374	NEW-P	87-05-050	196-12-010	AMD	87-13-005	220-28-625	REP-E	87-05-002
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180-79-376	NEW	87-09-012	196-16-007	AMD-P	87-08-052	220-32-03000E	REP-E	87-06-037
180-79-378	NEW-P	87-05-050	196-16-007	AMD	87-13-005	220-32-04100J	NEW-E	87-11-059
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180-79-380	NEW	87-09-012	196-20-020	AMD-P	87-08-052	220-32-05900K	NEW-E	87-09-065
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180-79-382	NEW	87-09-012	196-20-030	AMD-P	87-08-052	220-32-05900M	NEW-E	87-13-011
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180-79-392	NEW-P	87-05-050	196-24-100	NEW	87-13-005	220-44-05000D	REP-E	87-09-030
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180-79-396	NEW-P	87-05-050	196-24-110	NEW	87-13-005	220-44-060	REP	87-04-003
180-79-396	NEW	87-09-012	196-26-010	REP-P	87-07-046	220-44-070	REP	87-04-003
180-79-398	NEW-P	87-05-050	196-26-010	REP-P	87-13-057	220-47-301	AMD-P	87-09-082
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220-47-401	AMD-C	87-12-086	220-56-195	AMD	87-09-066	220-57-415	AMD	87-09-066
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220-47-403	AMD-C	87-12-086	220-56-295	AMD-P	87-03-056	220-57-460	AMD	87-09-066
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220-47-414	AMD-C	87-12-086	220-56-32000A	NEW-E	87-08-048	220-57-495	AMD	87-09-066
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220-47-50201	REP-C	87-12-086	220-56-350	AMD	87-09-066	220-57-50500L	NEW-E	87-08-048
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220-48-01500Y	NEW-E	87-07-007	220-56-37200A	NEW-E	87-08-048	220-57-525	AMD	87-09-066
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220-48-056	REP	87-04-003	220-57-155	AMD-P	87-03-056	220-77-020	NEW	87-08-033
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220-49-02000A	REP-E	87-10-004	220-57-160	AMD	87-09-066	220-77-040	NEW-P	87-04-071
220-49-02000U	NEW-E	87-10-004	220-57-16000F	NEW-E	87-07-011	220-77-040	NEW	87-08-033
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220-49-02000V	NEW-E	87-11-002	220-57-175	AMD	87-09-066	220-77-050	NEW	87-08-033
220-49-02000V	REP-E	87-13-028	220-57-215	AMD-P	87-03-056	220-77-060	NEW-P	87-04-071
220-49-02000W	NEW-E	87-13-028	220-57-215	AMD	87-09-066	220-77-060	NEW	87-08-033
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220-52-071	AMD-P	87-12-063	220-57-250	AMD-P	87-03-056	220-110-040	AMD-P	87-08-062
220-52-07100B	NEW-E	87-08-047	220-57-250	AMD	87-09-066	220-110-050	AMD-P	87-08-062
220-52-07100B	REP-E	87-09-025	220-57-270	AMD-P	87-03-056	220-110-060	AMD-P	87-08-062
220-52-07100C	NEW-E	87-09-025	220-57-270	AMD	87-09-066	220-110-080	AMD-P	87-08-062
220-52-07200A	NEW-E	87-04-004	220-57-280	AMD-P	87-03-056	220-110-090	AMD-P	87-08-062
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220-52-35000B	NEW-E	87-08-047	220-57-290	AMD	87-09-066	220-110-120	AMD-P	87-08-062
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220-55-025	AMD	87-09-066	220-57-300	AMD-P	87-03-056	220-110-190	AMD-P	87-08-062
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220-55-065	AMD	87-09-066	220-57-310	AMD	87-09-066	220-110-220	AMD-P	87-08-062
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220-56-115	AMD	87-09-066	220-57-315	AMD-P	87-03-056	220-110-340	AMD-P	87-08-062
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222-20-040	AMD-P 87-10-018	232-12-169	NEW-P 87-05-030	248-100-016	NEW-P 87-07-039
222-20-060	AMD-P 87-10-018	232-12-169	NEW 87-09-026	248-100-016	NEW 87-11-047
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222-20-100	AMD-P 87-10-018	232-14-010	AMD-P 87-08-070	248-100-020	REP 87-11-047
222-20-120	NEW-P 87-10-018	232-28-109	REP-P 87-12-076	248-100-021	NEW-P 87-07-039
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222-24-050	AMD-P 87-10-018	232-28-509	REP-P 87-12-079	248-100-031	NEW 87-11-047
222-24-060	AMD-P 87-10-018	232-28-510	NEW-P 87-12-079	248-100-035	REP-P 87-07-039
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222-30-060	AMD-P 87-10-018	232-28-61604	NEW-E 87-13-049	248-100-041	NEW 87-11-047
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222-30-100	AMD-P 87-10-018	232-28-70901	NEW-E 87-06-029	248-100-045	REP 87-11-047
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230-04-020	AMD 87-10-017	248-18-320	REP 87-03-030	248-100-070	REP-P 87-07-039
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230-04-145	AMD-P 87-03-024	248-19-230	AMD-P 87-06-048	248-100-076	NEW-P 87-07-039
230-04-145	AMD-P 87-06-008	248-19-230	AMD 87-10-023	248-100-076	NEW 87-11-047
230-04-145	AMD 87-07-038	248-19-270	AMD-P 87-06-048	248-100-080	REP-P 87-07-039
230-04-145	AMD 87-09-043	248-19-270	AMD 87-10-023	248-100-080	REP 87-11-047
230-04-145	AMD-P 87-11-016	248-19-327	AMD-P 87-06-048	248-100-081	NEW-P 87-07-039
230-04-201	AMD-P 87-03-024	248-19-327	AMD 87-10-023	248-100-081	NEW 87-11-047
230-04-201	AMD-C 87-07-037	248-19-328	NEW-P 87-06-048	248-100-085	REP-P 87-07-039
230-08-010	AMD-P 87-13-047	248-19-328	NEW 87-10-023	248-100-085	REP 87-11-047
230-08-170	AMD-P 87-11-011	248-97-010	NEW-P 87-12-088	248-100-086	NEW-P 87-07-039
230-08-170	AMD-P 87-13-047	248-97-020	NEW-P 87-12-088	248-100-086	NEW 87-11-047
230-12-305	NEW-P 87-06-008	248-97-030	NEW-P 87-12-088	248-100-090	REP-P 87-07-039
230-12-305	NEW 87-09-043	248-97-040	NEW-P 87-12-088	248-100-090	REP 87-11-047
230-20-064	AMD-P 87-03-024	248-97-050	NEW-P 87-12-088	248-100-091	NEW-P 87-07-039
230-20-064	AMD-C 87-07-037	248-97-060	NEW-P 87-12-088	248-100-091	NEW 87-11-047
230-20-064	AMD-P 87-09-041	248-97-070	NEW-P 87-12-088	248-100-095	REP-P 87-07-039
230-20-064	AMD-E 87-09-042	248-97-080	NEW-P 87-12-088	248-100-095	REP 87-11-047
230-20-064	AMD 87-13-045	248-97-090	NEW-P 87-12-088	248-100-100	REP-P 87-07-039
230-20-380	AMD-P 87-03-024	248-97-100	NEW-P 87-12-088	248-100-100	REP 87-11-047
230-20-380	AMD 87-07-038	248-97-110	NEW-P 87-12-088	248-100-105	REP-P 87-07-039
230-20-380	AMD-P 87-11-011	248-97-120	NEW-P 87-12-088	248-100-105	REP 87-11-047
230-30-050	AMD-P 87-11-011	248-97-130	NEW-P 87-12-088	248-100-110	REP-P 87-07-039
230-30-050	AMD-P 87-13-047	248-97-140	NEW-P 87-12-088	248-100-110	REP 87-11-047
230-30-060	AMD 87-03-023	248-97-150	NEW-P 87-12-088	248-100-115	REP-P 87-07-039
230-30-070	AMD 87-03-023	248-97-160	NEW-P 87-12-088	248-100-115	REP 87-11-047
230-30-070	AMD-P 87-11-011	248-97-170	NEW-P 87-12-088	248-100-120	REP-P 87-07-039
230-30-070	AMD-P 87-13-047	248-97-180	NEW-P 87-12-088	248-100-120	REP 87-11-047
230-30-075	AMD-P 87-11-011	248-100-001	REP-P 87-07-039	248-100-125	REP-P 87-07-039
230-30-075	AMD-P 87-13-047	248-100-001	REP 87-11-047	248-100-125	REP 87-11-047
230-30-103	AMD-P 87-11-011	248-100-002	REP-P 87-07-039	248-100-130	REP-P 87-07-039
230-30-106	AMD-P 87-11-011	248-100-002	REP 87-11-047	248-100-130	REP 87-11-047
230-30-106	AMD-P 87-11-017	248-100-003	REP-P 87-07-039	248-100-135	REP-P 87-07-039
230-30-999	REP-P 87-11-011	248-100-003	REP 87-11-047	248-100-135	REP 87-11-047
248-40-401	NEW-P 87-13-046	248-100-006	NEW-P 87-07-039	248-100-140	REP-P 87-07-039
232-12-024	AMD-P 87-08-066	248-100-006	NEW 87-11-047	248-100-140	REP 87-11-047
232-12-024	AMD-W 87-12-072	248-100-010	REP-P 87-07-039	248-100-145	REP-P 87-07-039
232-12-131	AMD-P 87-08-067	248-100-010	REP 87-11-047	248-100-145	REP 87-11-047
232-12-131	AMD 87-12-034	248-100-011	NEW-P 87-07-039	248-100-150	REP-P 87-07-039
				248-100-150	REP 87-11-047

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
248-100-155	REP-P	87-07-039	248-100-320	REP	87-11-047	248-100-520	REP-P	87-07-039
248-100-155	REP	87-11-047	248-100-325	REP-P	87-07-039	248-100-520	REP	87-11-047
248-100-160	REP-P	87-07-039	248-100-325	REP	87-11-047	248-100-525	REP-P	87-07-039
248-100-160	REP	87-11-047	248-100-330	REP-P	87-07-039	248-100-525	REP	87-11-047
248-100-170	REP-P	87-07-039	248-100-330	REP	87-11-047	248-100-530	REP-P	87-07-039
248-100-170	REP	87-11-047	248-100-335	REP-P	87-07-039	248-100-530	REP	87-11-047
248-100-180	REP-P	87-07-039	248-100-335	REP	87-11-047	248-100-532	REP-P	87-07-039
248-100-180	REP	87-11-047	248-100-340	REP-P	87-07-039	248-100-532	REP	87-11-047
248-100-195	REP-P	87-07-039	248-100-340	REP	87-11-047	248-100-535	REP-P	87-07-039
248-100-195	REP	87-11-047	248-100-345	REP-P	87-07-039	248-100-535	REP	87-11-047
248-100-200	REP-P	87-07-039	248-100-345	REP	87-11-047	248-100-540	REP-P	87-07-039
248-100-200	REP	87-11-047	248-100-350	REP-P	87-07-039	248-100-540	REP	87-11-047
248-100-205	REP-P	87-07-039	248-100-350	REP	87-11-047	248-100-545	REP-P	87-07-039
248-100-205	REP	87-11-047	248-100-355	REP-P	87-07-039	248-100-545	REP	87-11-047
248-100-206	NEW-P	87-07-039	248-100-355	REP	87-11-047	248-100-550	REP-P	87-07-039
248-100-206	NEW	87-11-047	248-100-360	REP-P	87-07-039	248-100-550	REP	87-11-047
248-100-210	REP-P	87-07-039	248-100-360	REP	87-11-047	248-100-555	REP-P	87-07-039
248-100-210	REP	87-11-047	248-100-365	REP-P	87-07-039	248-100-555	REP	87-11-047
248-100-211	NEW-P	87-07-039	248-100-365	REP	87-11-047	248-100-560	REP-P	87-07-039
248-100-211	NEW	87-11-047	248-100-370	REP-P	87-07-039	248-100-560	REP	87-11-047
248-100-215	REP-P	87-07-039	248-100-370	REP	87-11-047	248-100-565	REP-P	87-07-039
248-100-215	REP	87-11-047	248-100-375	REP-P	87-07-039	248-100-565	REP	87-11-047
248-100-216	NEW-P	87-07-039	248-100-375	REP	87-11-047	248-102-010	REP-E	87-07-033
248-100-216	NEW	87-11-047	248-100-380	REP-P	87-07-039	248-102-010	REP-P	87-07-040
248-100-220	REP-P	87-07-039	248-100-380	REP	87-11-047	248-102-010	REP	87-11-040
248-100-220	REP	87-11-047	248-100-385	REP-P	87-07-039	248-102-020	REP-E	87-07-033
248-100-221	NEW-P	87-07-039	248-100-385	REP	87-11-047	248-102-020	REP-P	87-07-040
248-100-221	NEW	87-11-047	248-100-390	REP-P	87-07-039	248-102-020	REP	87-11-040
248-100-225	REP-P	87-07-039	248-100-390	REP	87-11-047	248-102-040	REP-E	87-07-033
248-100-225	REP	87-11-047	248-100-395	REP-P	87-07-039	248-102-040	REP-P	87-07-040
248-100-226	NEW-P	87-07-039	248-100-395	REP	87-11-047	248-102-040	REP	87-11-040
248-100-226	NEW	87-11-047	248-100-400	REP-P	87-07-039	248-102-070	REP-E	87-07-033
248-100-230	REP-P	87-07-039	248-100-400	REP	87-11-047	248-102-070	REP-P	87-07-040
248-100-230	REP	87-11-047	248-100-405	REP-P	87-07-039	248-102-070	REP	87-11-040
248-100-231	NEW-P	87-07-039	248-100-405	REP	87-11-047	248-102-999	REP-E	87-07-033
248-100-231	NEW	87-11-047	248-100-410	REP-P	87-07-039	248-102-999	REP-P	87-07-040
248-100-235	REP-P	87-07-039	248-100-410	REP	87-11-047	248-102-999	REP	87-11-040
248-100-235	REP	87-11-047	248-100-415	REP-P	87-07-039	248-103-001	NEW-E	87-07-033
248-100-236	NEW-P	87-07-039	248-100-415	REP	87-11-047	248-103-001	NEW-P	87-07-040
248-100-236	NEW	87-11-047	248-100-420	REP-P	87-07-039	248-103-001	NEW	87-11-040
248-100-240	REP-P	87-07-039	248-100-420	REP	87-11-047	248-103-010	NEW-E	87-07-033
248-100-240	REP	87-11-047	248-100-425	REP-P	87-07-039	248-103-010	NEW-P	87-07-040
248-100-241	NEW-P	87-07-039	248-100-425	REP	87-11-047	248-103-010	NEW	87-11-040
248-100-241	NEW	87-11-047	248-100-430	REP-P	87-07-039	248-103-020	NEW-E	87-07-033
248-100-246	REP-P	87-07-039	248-100-430	REP	87-11-047	248-103-020	NEW-P	87-07-040
248-100-246	REP	87-11-047	248-100-435	REP-P	87-07-039	248-103-020	NEW	87-11-040
248-100-249	REP-P	87-07-039	248-100-435	REP	87-11-047	248-103-030	NEW-E	87-07-033
248-100-249	REP	87-11-047	248-100-445	REP-P	87-07-039	248-103-030	NEW-P	87-07-040
248-100-250	REP-P	87-07-039	248-100-445	REP	87-11-047	248-103-030	NEW	87-11-040
248-100-250	REP	87-11-047	248-100-451	REP-P	87-07-039	250-18-020	AMD-P	87-12-060
248-100-255	REP-P	87-07-039	248-100-451	REP	87-11-047	250-18-060	AMD-P	87-12-060
248-100-255	REP	87-11-047	248-100-455	REP-P	87-07-039	250-20-011	AMD-P	87-12-046
248-100-260	REP-P	87-07-039	248-100-455	REP	87-11-047	250-20-015	AMD-P	87-12-046
248-100-260	REP	87-11-047	248-100-460	REP-P	87-07-039	250-20-021	AMD-P	87-04-076
248-100-265	REP-P	87-07-039	248-100-460	REP	87-11-047	250-20-021	AMD-P	87-12-046
248-100-265	REP	87-11-047	248-100-465	REP-P	87-07-039	250-20-031	AMD-P	87-12-046
248-100-270	REP-P	87-07-039	248-100-465	REP	87-11-047	250-20-041	AMD-P	87-12-046
248-100-270	REP	87-11-047	248-100-470	REP-P	87-07-039	250-20-051	AMD-P	87-12-046
248-100-275	REP-P	87-07-039	248-100-470	REP	87-11-047	250-20-061	AMD-P	87-12-046
248-100-275	REP	87-11-047	248-100-475	REP-P	87-07-039	250-20-071	AMD-P	87-12-046
248-100-280	REP-P	87-07-039	248-100-475	REP	87-11-047	250-20-081	AMD-P	87-12-046
248-100-280	REP	87-11-047	248-100-480	REP-P	87-07-039	250-40-030	AMD-P	87-12-047
248-100-285	REP-P	87-07-039	248-100-480	REP	87-11-047	250-40-040	AMD-P	87-12-047
248-100-285	REP	87-11-047	248-100-485	REP-P	87-07-039	250-40-050	AMD-P	87-04-077
248-100-290	REP-P	87-07-039	248-100-485	REP	87-11-047	250-40-050	AMD-P	87-12-047
248-100-290	REP	87-11-047	248-100-490	REP-P	87-07-039	250-40-060	AMD-P	87-12-047
248-100-295	REP-P	87-07-039	248-100-490	REP	87-11-047	250-40-070	AMD-P	87-12-047
248-100-295	REP	87-11-047	248-100-495	REP-P	87-07-039	250-44-010	AMD-P	87-12-066
248-100-300	REP-P	87-07-039	248-100-495	REP	87-11-047	250-44-020	AMD-P	87-12-066
248-100-300	REP	87-11-047	248-100-500	REP-P	87-07-039	250-44-030	AMD-P	87-12-066
248-100-305	REP-P	87-07-039	248-100-500	REP	87-11-047	250-44-040	AMD-P	87-12-066
248-100-305	REP	87-11-047	248-100-505	REP-P	87-07-039	250-44-050	AMD-P	87-12-066
248-100-310	REP-P	87-07-039	248-100-505	REP	87-11-047	250-44-060	AMD-P	87-12-066
248-100-310	REP	87-11-047	248-100-510	REP-P	87-07-039	250-44-080	AMD-P	87-12-066
248-100-315	REP-P	87-07-039	248-100-510	REP	87-11-047	250-44-090	AMD-P	87-12-066
248-100-315	REP	87-11-047	248-100-515	REP-P	87-07-039	250-44-100	AMD-P	87-12-066
248-100-320	REP-P	87-07-039	248-100-515	REP	87-11-047	250-44-110	AMD-P	87-12-066

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
250-44-120	AMD-P	87-12-066	251-23-015	NEW-C	87-10-049	284-07-010	NEW	87-05-011
250-44-130	AMD-P	87-12-066	251-23-040	AMD	87-02-036	284-07-014	NEW-P	87-02-065
250-44-140	AMD-P	87-12-066	251-23-050	AMD	87-02-036	284-07-014	NEW	87-05-011
250-44-150	AMD-P	87-12-066	251-23-060	AMD	87-02-036	284-07-024	NEW-P	87-02-065
250-44-160	AMD-P	87-12-066	254-20-090	AMD	87-03-039	284-07-024	NEW	87-05-011
250-44-170	AMD-P	87-12-066	260-24-280	AMD-P	87-08-029	284-12-080	NEW	87-03-055
250-44-180	AMD-P	87-12-066	260-24-280	AMD-E	87-09-031	284-13-110	NEW-P	87-06-049
250-44-190	AMD-P	87-12-066	260-36-040	AMD-P	87-08-029	284-13-110	NEW	87-09-056
250-44-200	AMD-P	87-12-066	260-36-040	AMD-E	87-09-031	284-13-120	NEW-P	87-06-049
250-44-210	AMD-P	87-12-066	260-40-100	AMD-P	87-08-029	284-13-120	NEW	87-09-056
251-01-040	AMD-P	87-06-053	260-44-080	AMD-P	87-08-029	284-13-130	NEW-P	87-06-049
251-01-040	AMD-P	87-10-050	260-44-080	AMD-E	87-09-031	284-13-130	NEW	87-09-056
251-01-040	AMD-P	87-12-081	260-70-010	AMD-P	87-08-029	284-13-140	NEW-P	87-06-049
251-01-057	NEW-P	87-10-053	260-70-010	AMD-W	87-09-076	284-13-140	NEW	87-09-056
251-01-077	NEW-P	87-12-085	260-70-010	AMD-P	87-09-077	284-13-150	NEW-P	87-06-049
251-01-190	AMD	87-02-036	260-70-021	AMD-P	87-08-029	284-13-150	NEW	87-09-056
251-01-208	NEW-P	87-10-053	260-70-021	AMD-W	87-09-076	284-23-400	AMD-P	87-09-098
251-01-300	AMD	87-02-036	260-70-021	AMD-P	87-09-077	284-23-410	AMD-P	87-09-098
251-01-400	AMD	87-02-036	260-70-025	AMD-P	87-08-029	284-23-420	AMD-P	87-09-098
251-04-040	AMD	87-02-036	260-70-025	AMD-W	87-09-076	284-23-430	AMD-P	87-09-098
251-05-060	AMD	87-02-036	260-70-025	AMD-P	87-09-077	284-23-440	AMD-P	87-09-098
251-07-010	NEW-P	87-04-055	260-70-026	AMD-P	87-08-029	284-23-450	AMD-P	87-09-098
251-07-010	NEW	87-08-056	260-70-026	AMD-W	87-09-076	284-23-455	NEW-P	87-09-098
251-07-020	NEW-P	87-04-055	260-70-026	AMD-P	87-09-077	284-23-460	AMD-P	87-09-098
251-07-020	NEW	87-08-056	260-70-050	AMD-P	87-08-029	284-23-470	REP-P	87-09-098
251-07-030	NEW-P	87-04-055	260-70-050	AMD-W	87-09-076	284-23-480	AMD-P	87-09-098
251-07-030	NEW	87-08-056	260-70-050	AMD-P	87-09-077	284-23-490	REP-P	87-09-098
251-07-040	NEW-P	87-04-055	260-70-090	AMD-P	87-08-029	284-23-485	NEW-P	87-09-098
251-07-040	NEW	87-08-056	260-70-090	AMD-W	87-09-076	284-23-500	REP-P	87-09-098
251-07-050	NEW-P	87-04-055	260-70-090	AMD-P	87-09-077	284-23-510	REP-P	87-09-098
251-07-050	NEW	87-08-056	260-70-100	AMD-P	87-08-029	284-23-520	REP-P	87-09-098
251-07-060	NEW-P	87-04-055	260-70-100	AMD-W	87-09-076	284-23-530	REP-P	87-09-098
251-07-060	NEW	87-08-056	260-70-100	AMD-P	87-09-077	284-30-330	AMD-P	87-06-039
251-08-005	AMD-P	87-04-056	260-70-120	AMD-P	87-08-029	284-30-330	AMD	87-09-071
251-08-005	AMD	87-08-056	260-70-120	AMD-W	87-09-076	284-30-350	AMD-P	87-06-039
251-08-021	AMD-P	87-04-056	260-70-120	AMD-P	87-09-077	284-30-350	AMD	87-09-071
251-08-021	AMD	87-08-056	260-70-170	AMD-P	87-08-029	284-30-390	AMD-P	87-06-039
251-08-040	AMD-P	87-04-056	260-70-170	AMD-W	87-09-076	284-30-390	AMD	87-09-071
251-08-040	AMD	87-08-056	260-70-170	AMD-P	87-09-077	284-30-500	AMD-P	87-06-039
251-08-100	AMD-P	87-04-056	261-06-070	AMD-P	87-13-073	284-30-500	AMD	87-09-071
251-08-100	AMD-P	87-10-051	261-06-080	AMD-P	87-13-073	284-30-572	NEW-P	87-06-039
251-09-090	AMD-P	87-04-056	261-06-090	AMD-P	87-13-073	284-30-572	NEW	87-09-071
251-10-020	AMD-P	87-08-054	261-06-110	AMD-P	87-13-073	284-30-574	NEW-P	87-06-039
251-10-020	AMD-P	87-08-055	261-50-030	AMD	87-04-008	284-30-574	NEW	87-09-071
251-10-020	AMD-P	87-12-082	261-50-030	AMD-P	87-05-007	284-30-590	NEW-P	87-06-039
251-10-020	AMD-P	87-12-083	261-50-030	AMD	87-08-037	284-30-590	NEW	87-09-071
251-10-030	AMD	87-02-036	261-50-035	NEW-P	87-05-007	284-30-620	NEW-P	87-06-039
251-10-055	AMD	87-02-036	261-50-040	AMD	87-04-008	284-30-620	NEW	87-09-071
251-10-108	NEW-P	87-02-054	261-50-040	AMD-P	87-05-007	284-30-630	NEW-P	87-06-039
251-10-108	NEW-P	87-04-057	261-50-045	REP	87-04-008	284-30-630	NEW	87-09-071
251-10-108	NEW-P	87-06-054	261-50-050	AMD	87-04-008	284-30-650	NEW-P	87-06-039
251-10-108	NEW	87-08-056	261-50-050	AMD-P	87-05-007	284-30-650	NEW	87-09-071
251-10-115	NEW-W	87-02-055	261-50-060	AMD	87-04-008	284-30-750	NEW-P	87-06-039
251-10-120	AMD-P	87-04-057	261-50-060	AMD-P	87-05-007	284-30-750	NEW	87-09-071
251-10-120	AMD	87-08-056	261-50-070	NEW-P	87-05-007	284-50-305	AMD-P	87-11-057
251-10-140	AMD-P	87-04-057	261-50-075	NEW	87-08-037	284-54-010	NEW-P	87-11-056
251-10-140	AMD	87-08-056	261-50-090	AMD	87-04-008	284-54-015	NEW-P	87-11-056
251-10-195	AMD	87-02-036	261-50-090	AMD-P	87-05-007	284-54-020	NEW-P	87-11-056
251-12-096	NEW-P	87-12-084	261-50-090	AMD	87-08-037	284-54-030	NEW-P	87-11-056
251-12-097	NEW-P	87-12-084	275-19-030	AMD-P	87-05-021	284-54-050	NEW-P	87-11-056
251-12-240	AMD	87-02-036	275-19-030	AMD	87-09-035	284-54-060	NEW-P	87-11-056
251-14-030	AMD-P	87-12-084	275-19-040	AMD-P	87-05-021	284-54-100	NEW-P	87-11-056
251-14-030	AMD-P	87-12-085	275-19-040	AMD	87-09-035	284-54-150	NEW-P	87-11-056
251-14-035	AMD-P	87-12-085	275-19-050	AMD-P	87-05-021	284-54-160	NEW-P	87-11-056
251-14-050	AMD	87-02-036	275-19-050	AMD	87-09-035	284-54-250	NEW-P	87-11-056
251-18-176	AMD	87-02-036	275-19-075	AMD	87-03-016	284-54-300	NEW-P	87-11-056
251-18-350	AMD	87-02-036	275-19-110	AMD-P	87-05-021	284-54-310	NEW-P	87-11-056
251-22-040	AMD	87-02-036	275-19-110	AMD	87-09-035	284-54-350	NEW-P	87-11-056
251-22-045	AMD	87-02-036	275-30-010	NEW-P	87-04-023	284-54-500	NEW-P	87-11-056
251-22-070	AMD-P	87-10-052	275-30-020	NEW-P	87-04-023	284-54-600	NEW-P	87-11-056
251-22-110	AMD-P	87-10-052	275-30-030	NEW-P	87-04-023	284-54-610	NEW-P	87-11-056
251-22-110	AMD-P	87-10-053	275-30-040	NEW-P	87-04-023	284-54-620	NEW-P	87-11-056
251-22-112	AMD-P	87-10-053	275-30-050	NEW-P	87-04-023	284-54-630	NEW-P	87-11-056
251-22-117	NEW-P	87-10-052	275-30-060	NEW-P	87-04-023	284-54-650	NEW-P	87-11-056
251-22-117	NEW-P	87-10-053	275-30-070	NEW-P	87-04-023	284-54-660	NEW-P	87-11-056
251-22-200	AMD-P	87-10-053	275-56-135	AMD	87-06-026	284-54-680	NEW-P	87-11-056
251-23-015	NEW-P	87-06-053	284-07-010	NEW-P	87-02-065	284-54-700	NEW-P	87-11-056

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284-54-900	NEW-P	87-11-056	296-17-600	AMD	87-12-032	296-20-035	AMD-P	87-02-057
284-74-010	NEW-P	87-02-066	296-17-603	AMD-P	87-07-047	296-20-035	AMD	87-08-004
284-74-010	NEW	87-05-046	296-17-603	AMD	87-12-032	296-20-125	AMD-P	87-11-050
284-74-100	NEW-P	87-02-066	296-17-612	AMD-P	87-07-047	296-20-125	AMD-E	87-12-044
284-74-100	NEW	87-05-046	296-17-612	AMD	87-12-032	296-20-135	AMD	87-03-004
286-16-035	AMD-P	87-05-026	296-17-615	AMD-P	87-07-047	296-20-140	AMD	87-03-004
286-16-035	AMD	87-08-032	296-17-615	AMD	87-12-032	296-20-145	AMD	87-03-004
289-15-225	AMD	87-05-040	296-17-619	AMD-P	87-07-047	296-20-150	AMD	87-03-004
289-15-225	AMD-P	87-10-061	296-17-619	AMD	87-12-032	296-20-155	AMD	87-03-004
289-15-225	AMD-C	87-13-014	296-17-620	AMD-P	87-07-047	296-21-011	AMD-E	87-02-042
296-08-025	NEW	87-02-037	296-17-620	AMD	87-12-032	296-21-011	AMD	87-03-005
296-15-030	AMD	87-05-008	296-17-622	AMD-P	87-07-047	296-21-013	AMD-P	87-11-050
296-17-310	AMD-P	87-07-047	296-17-622	AMD	87-12-032	296-21-013	AMD-E	87-11-051
296-17-310	AMD	87-12-032	296-17-643	AMD-P	87-07-047	296-21-013	AMD-E	87-12-044
296-17-340	AMD-P	87-07-047	296-17-643	AMD	87-12-032	296-21-015	AMD-P	87-11-050
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296-17-542	AMD-P	87-07-047	296-17-765	AMD	87-12-032	296-22-024	AMD-P	87-11-050
296-17-542	AMD	87-12-032	296-17-850	AMD-P	87-07-047	296-22-024	AMD-E	87-12-044
296-17-544	AMD-P	87-07-047	296-17-850	AMD	87-12-032	296-22-025	AMD-P	87-11-050
296-17-544	AMD	87-12-032	296-17-87309	REP-P	87-07-047	296-22-025	AMD-E	87-12-044
296-17-54401	NEW-P	87-07-047	296-17-87309	REP	87-12-032	296-22-031	AMD-P	87-11-050
296-17-54401	NEW	87-12-032	296-17-885	AMD-P	87-07-047	296-22-031	AMD-E	87-12-044
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296-17-56601	NEW	87-12-032	296-17-917	AMD	87-12-033	296-22-042	AMD-E	87-12-044
296-17-568	AMD-P	87-07-047	296-17-920	AMD	87-04-006	296-22-051	AMD-P	87-11-050
296-17-568	AMD	87-12-032	296-18A-450	AMD-P	87-02-057	296-22-051	AMD-E	87-12-044
296-17-56901	NEW-P	87-07-047	296-18A-450	AMD	87-08-004	296-22-053	AMD-P	87-11-050
296-17-56901	NEW	87-12-032	296-18A-460	AMD-P	87-05-060	296-22-053	AMD-E	87-12-044
296-17-57001	NEW-P	87-07-047	296-18A-460	AMD	87-10-070	296-22-061	AMD-P	87-11-050
296-17-57001	NEW	87-12-032	296-18A-465	NEW-P	87-05-056	296-22-061	AMD-E	87-12-044
296-17-57003	NEW-P	87-07-047	296-18A-465	NEW	87-10-071	296-22-063	AMD-P	87-11-050
296-17-57003	NEW	87-12-032	296-18A-470	AMD-P	87-05-060	296-22-063	AMD-E	87-12-044
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296-17-57602	AMD-P	87-07-047	296-18A-480	AMD	87-08-004	296-22-071	AMD-P	87-11-050
296-17-57602	AMD	87-12-032	296-18A-490	AMD-P	87-05-057	296-22-071	AMD-E	87-12-044
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296-17-579	AMD-P	87-07-047	296-18A-510	AMD-P	87-05-059	296-22-079	AMD-P	87-11-050
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296-23A-235	NEW-E	87-02-042	296-23A-350	NEW	87-03-005	296-46-910	AMD	87-10-030
296-23A-235	NEW	87-03-005	296-23A-355	NEW-E	87-02-042	296-46-920	AMD-P	87-06-047
296-23A-240	NEW-E	87-02-042	296-23A-355	NEW	87-03-005	296-46-920	AMD	87-10-030
296-23A-240	NEW	87-03-005	296-23A-355	AMD-P	87-11-050	296-46-940	AMD-P	87-06-047
296-23A-242	NEW-E	87-02-042	296-23A-355	AMD-E	87-12-044	296-62-05405	AMD-P	87-05-055
296-23A-242	NEW	87-03-005	296-23A-360	NEW-E	87-02-042	296-62-05405	AMD	87-10-008
296-23A-244	NEW-E	87-02-042	296-23A-360	NEW	87-03-005	296-62-05427	AMD-P	87-05-055
296-23A-244	NEW	87-03-005	296-23A-360	AMD-P	87-11-050	296-62-05427	AMD	87-10-008
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296-23A-244	AMD-E	87-12-044	296-23A-400	NEW-E	87-02-042	296-62-07353	AMD	87-07-022
296-23A-246	NEW-E	87-02-042	296-23A-400	NEW	87-03-005	296-62-07517	AMD-P	87-05-055
296-23A-246	NEW	87-03-005	296-23A-410	NEW-E	87-02-042	296-62-07517	AMD	87-10-008
296-23A-246	AMD-P	87-11-050	296-23A-410	NEW	87-03-005	296-62-077	NEW-P	87-05-055
296-23A-246	AMD-E	87-12-044	296-23A-415	NEW-E	87-02-042	296-62-077	NEW	87-10-008
296-23A-248	NEW-E	87-02-042	296-23A-415	NEW	87-03-005	296-62-07701	NEW-P	87-05-055
296-23A-248	NEW	87-03-005	296-23A-420	NEW-E	87-02-042	296-62-07701	NEW	87-10-008
296-23A-250	NEW-E	87-02-042	296-23A-420	NEW	87-03-005	296-62-07703	NEW-P	87-05-055
296-23A-250	NEW	87-03-005	296-23A-425	NEW-E	87-02-042	296-62-07703	NEW	87-10-008
296-23A-252	NEW-E	87-02-042	296-23A-425	NEW	87-03-005	296-62-07705	NEW-P	87-05-055
296-23A-252	NEW	87-03-005	296-23A-425	AMD-P	87-11-050	296-62-07705	NEW	87-10-008
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296-23A-252	AMD-E	87-12-044	296-24-14011	AMD-P	87-02-058	296-62-07707	NEW	87-10-008
296-23A-254	NEW-E	87-02-042	296-24-14011	AMD	87-07-022	296-62-07709	NEW-P	87-05-055
296-23A-254	NEW	87-03-005	296-27-160	AMD	87-03-011	296-62-07709	NEW	87-10-008
296-23A-254	AMD-P	87-11-050	296-27-16001	AMD	87-03-011	296-62-07711	NEW-P	87-05-055
296-23A-254	AMD-E	87-12-044	296-27-16002	NEW	87-03-011	296-62-07711	NEW	87-10-008
296-23A-256	NEW-E	87-02-042	296-27-16003	AMD	87-03-011	296-62-07713	NEW-P	87-05-055
296-23A-256	NEW	87-03-005	296-27-16004	NEW	87-03-011	296-62-07713	NEW	87-10-008
296-23A-256	AMD-P	87-11-050	296-27-16005	REP	87-03-011	296-62-07715	NEW-P	87-05-055
296-23A-256	AMD-E	87-12-044	296-27-16007	AMD	87-03-011	296-62-07715	NEW	87-10-008
296-23A-258	NEW-E	87-02-042	296-27-16009	REP	87-03-011	296-62-07717	NEW-P	87-05-055
296-23A-258	NEW	87-03-005	296-27-16011	AMD	87-03-011	296-62-07717	NEW	87-10-008
296-23A-258	AMD-P	87-11-050	296-27-16013	REP	87-03-011	296-62-07719	NEW-P	87-05-055
296-23A-258	AMD-E	87-12-044	296-27-16015	REP	87-03-011	296-62-07719	NEW	87-10-008
296-23A-260	NEW-E	87-02-042	296-27-16017	REP	87-03-011	296-62-07721	NEW-P	87-05-055
296-23A-260	NEW	87-03-005	296-27-16018	NEW	87-03-011	296-62-07721	NEW	87-10-008
296-23A-260	AMD-P	87-11-050	296-27-16019	REP	87-03-011	296-62-07723	NEW-P	87-05-055
296-23A-260	AMD-E	87-12-044	296-27-16020	NEW	87-03-011	296-62-07723	NEW	87-10-008
296-23A-262	NEW-E	87-02-042	296-27-16021	REP	87-03-011	296-62-07725	NEW-P	87-05-055
296-23A-262	NEW	87-03-005	296-27-16022	NEW	87-03-011	296-62-07725	NEW	87-10-008
296-23A-262	AMD-P	87-11-050	296-27-16023	REP	87-03-011	296-62-07727	NEW-P	87-05-055
296-23A-262	AMD-E	87-12-044	296-27-16026	NEW	87-03-011	296-62-07727	NEW	87-10-008
296-23A-264	NEW-E	87-02-042	296-46-110	AMD-P	87-06-047	296-62-07729	NEW-P	87-05-055
296-23A-264	NEW	87-03-005	296-46-110	AMD	87-10-030	296-62-07729	NEW	87-10-008
296-23A-266	NEW-E	87-02-042	296-46-130	AMD-P	87-06-047	296-62-07731	NEW-P	87-05-055
296-23A-266	NEW	87-03-005	296-46-130	AMD	87-10-030	296-62-07731	NEW	87-10-008
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296-23A-266	AMD-E	87-12-044	296-46-140	AMD	87-10-030	296-62-07733	NEW	87-10-008
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296-23A-268	NEW	87-03-005	296-46-150	AMD	87-10-030	296-62-07735	NEW	87-10-008
296-23A-300	NEW-E	87-02-042	296-46-160	AMD-P	87-06-047	296-62-07737	NEW-P	87-05-055
296-23A-300	NEW	87-03-005	296-46-160	AMD	87-10-030	296-62-07737	NEW	87-10-008
296-23A-310	NEW-E	87-02-042	296-46-180	AMD-P	87-06-047	296-62-07739	NEW-P	87-05-055
296-23A-310	NEW	87-03-005	296-46-180	AMD	87-10-030	296-62-07739	NEW	87-10-008
296-23A-315	NEW-E	87-02-042	296-46-200	AMD-P	87-06-047	296-62-07741	NEW-P	87-05-055
296-23A-315	NEW	87-03-005	296-46-200	AMD	87-10-030	296-62-07741	NEW	87-10-008
296-23A-320	NEW-E	87-02-042	296-46-220	AMD-P	87-06-047	296-62-07743	NEW-P	87-05-055
296-23A-320	NEW	87-03-005	296-46-220	AMD	87-10-030	296-62-07743	NEW	87-10-008
296-23A-325	NEW-E	87-02-042	296-46-240	AMD-P	87-06-047	296-62-07745	NEW-P	87-05-055
296-23A-325	NEW	87-03-005	296-46-240	AMD	87-10-030	296-62-07745	NEW	87-10-008
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296-23A-325	AMD-E	87-12-044	296-46-316	NEW	87-10-030	296-62-07747	NEW	87-10-008
296-23A-330	NEW-E	87-02-042	296-46-350	AMD-P	87-06-047	296-62-07749	NEW-P	87-05-055
296-23A-330	NEW	87-03-005	296-46-350	AMD	87-10-030	296-62-07749	NEW	87-10-008
296-23A-335	NEW-E	87-02-042	296-46-370	AMD-P	87-06-047	296-65-005	AMD-P	87-05-055
296-23A-335	NEW	87-03-005	296-46-370	AMD	87-10-030	296-65-005	AMD	87-10-008
296-23A-335	AMD-P	87-11-050	296-46-420	AMD-P	87-06-047	296-65-015	AMD-P	87-05-055
296-23A-335	AMD-E	87-12-044	296-46-420	AMD	87-10-030	296-65-015	AMD	87-10-008
296-23A-340	NEW-E	87-02-042	296-46-422	NEW-P	87-06-047	296-65-020	AMD-P	87-05-055
296-23A-340	NEW	87-03-005	296-46-422	NEW	87-10-030	296-65-020	AMD	87-10-008
296-23A-340	AMD-P	87-11-050	296-46-495	AMD-P	87-06-047	296-65-030	AMD-P	87-05-055
296-23A-340	AMD-E	87-12-044	296-46-495	AMD	87-10-030	296-65-030	AMD	87-10-008
296-23A-345	NEW-E	87-02-042	296-46-514	NEW-P	87-06-047	296-65-040	AMD-P	87-05-055
296-23A-345	NEW	87-03-005	296-46-514	NEW	87-10-030	296-65-040	AMD	87-10-008
296-23A-345	AMD-P	87-11-050	296-46-680	AMD-P	87-06-047	296-104-701	NEW-P	87-07-023
296-23A-345	AMD-E	87-12-044	296-46-680	AMD	87-10-030	296-104-701	NEW-E	87-07-024

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296-116-080	AMD-P	87-02-053	296-155-430	REP-P	87-02-058	296-306-300	NEW-C	87-02-056
296-150B-320	NEW-E	87-11-060	296-155-430	REP-C	87-07-021	296-306-300	NEW-C	87-05-023
296-155-160	AMD-P	87-05-055	296-155-430	REP-W	87-13-008	296-306-300	NEW	87-09-079
296-155-160	AMD	87-10-008	296-155-432	NEW-P	87-02-058	296-306-310	NEW-C	87-02-056
296-155-175	NEW-P	87-05-055	296-155-432	NEW-C	87-07-021	296-306-310	NEW-C	87-05-023
296-155-175	NEW	87-10-008	296-155-432	NEW-W	87-13-008	296-306-310	NEW	87-09-079
296-155-17505	NEW-P	87-05-055	296-155-434	NEW-P	87-02-058	296-306-320	NEW-C	87-02-056
296-155-17505	NEW	87-10-008	296-155-434	NEW-C	87-07-021	296-306-320	NEW-C	87-05-023
296-155-17510	NEW-P	87-05-055	296-155-434	NEW-W	87-13-008	296-306-320	NEW	87-09-079
296-155-17510	NEW	87-10-008	296-155-435	REP-P	87-02-058	304-12-140	AMD-P	87-04-066
296-155-17515	NEW-P	87-05-055	296-155-435	REP-C	87-07-021	304-12-140	AMD	87-07-029
296-155-17515	NEW	87-10-008	296-155-435	REP-W	87-13-008	308-04-020	NEW-P	87-13-041
296-155-17520	NEW-P	87-05-055	296-155-437	NEW-P	87-02-058	308-11-030	AMD-P	87-07-046
296-155-17520	NEW	87-10-008	296-155-437	NEW-C	87-07-021	308-11-030	AMD	87-10-028
296-155-17525	NEW-P	87-05-055	296-155-437	NEW-W	87-13-008	308-12-312	AMD-E	87-04-049
296-155-17525	NEW	87-10-008	296-155-440	REP-P	87-02-058	308-12-312	REP-P	87-07-046
296-155-17530	NEW-P	87-05-055	296-155-440	REP-C	87-07-021	308-12-312	REP	87-10-028
296-155-17530	NEW	87-10-008	296-155-440	REP-W	87-13-008	308-12-326	NEW-P	87-07-046
296-155-17532	NEW-P	87-05-055	296-155-441	NEW-P	87-02-058	308-12-326	NEW	87-10-028
296-155-17532	NEW	87-10-008	296-155-441	NEW-C	87-07-021	308-13-150	AMD-E	87-03-031
296-155-17535	NEW-P	87-05-055	296-155-441	NEW-W	87-13-008	308-13-150	AMD-P	87-07-046
296-155-17535	NEW	87-10-008	296-155-444	NEW-P	87-02-058	308-13-150	AMD-P	87-10-024
296-155-17540	NEW-P	87-05-055	296-155-444	NEW-C	87-07-021	308-13-150	AMD-E	87-10-026
296-155-17540	NEW	87-10-008	296-155-444	NEW-W	87-13-008	308-13-160	NEW-P	87-10-025
296-155-17545	NEW-P	87-05-055	296-155-447	NEW-P	87-02-058	308-13-160	NEW-E	87-10-027
296-155-17545	NEW	87-10-008	296-155-447	NEW-C	87-07-021	308-20-200	REP-P	87-07-046
296-155-17550	NEW-P	87-05-055	296-155-447	NEW-W	87-13-008	308-20-200	REP	87-10-028
296-155-17550	NEW	87-10-008	296-155-449	NEW-P	87-02-058	308-20-210	NEW-P	87-07-046
296-155-17555	NEW-P	87-05-055	296-155-449	NEW-C	87-07-021	308-20-210	NEW	87-10-028
296-155-17555	NEW	87-10-008	296-155-449	NEW-W	87-13-008	308-25-065	AMD-P	87-07-046
296-155-17560	NEW-P	87-05-055	296-155-450	REP-P	87-02-058	308-25-065	AMD	87-10-028
296-155-17560	NEW	87-10-008	296-155-450	REP-C	87-07-021	308-26-025	NEW-P	87-13-042
296-155-17565	NEW-P	87-05-055	296-155-450	REP-W	87-13-008	308-26-040	REP-P	87-07-046
296-155-17565	NEW	87-10-008	296-155-452	NEW-P	87-02-058	308-26-040	REP	87-10-028
296-155-17570	NEW-P	87-05-055	296-155-452	NEW-C	87-07-021	308-26-045	NEW-P	87-07-046
296-155-17570	NEW	87-10-008	296-155-452	NEW-W	87-13-008	308-26-045	NEW	87-10-028
296-155-17575	NEW-P	87-05-055	296-155-455	REP-P	87-02-058	308-29-030	AMD-P	87-07-025
296-155-17575	NEW	87-10-008	296-155-455	REP-C	87-07-021	308-29-030	AMD	87-11-064
296-155-177	NEW-P	87-05-055	296-155-455	REP-W	87-13-008	308-29-045	AMD-P	87-07-046
296-155-177	NEW	87-10-008	296-155-456	NEW-P	87-02-058	308-29-045	AMD	87-10-028
296-155-179	NEW-P	87-05-055	296-155-456	NEW-C	87-07-021	308-29-060	AMD-P	87-07-025
296-155-179	NEW	87-10-008	296-155-456	NEW-W	87-13-008	308-29-060	AMD	87-11-064
296-155-181	NEW-P	87-05-055	296-155-459	NEW-P	87-02-058	308-29-070	AMD-P	87-07-025
296-155-181	NEW	87-10-008	296-155-459	NEW-C	87-07-021	308-29-070	AMD	87-11-064
296-155-183	NEW-P	87-05-055	296-155-459	NEW-W	87-13-008	308-29-080	AMD-P	87-07-025
296-155-183	NEW	87-10-008	296-155-462	NEW-P	87-02-058	308-29-080	AMD	87-11-064
296-155-185	NEW-P	87-05-055	296-155-462	NEW-C	87-07-021	308-31-015	AMD	87-04-050
296-155-185	NEW	87-10-008	296-155-462	NEW-W	87-13-008	308-31-025	NEW	87-04-050
296-155-187	NEW-P	87-05-055	296-155-745	AMD-P	87-02-058	308-31-025	AMD-P	87-04-054
296-155-187	NEW	87-10-008	296-155-745	AMD-C	87-07-021	308-31-025	AMD	87-09-045
296-155-189	NEW-P	87-05-055	296-155-745	AMD-W	87-13-008	308-31-055	AMD-P	87-07-046
296-155-189	NEW	87-10-008	296-155-775	AMD-P	87-05-055	308-31-055	AMD-P	87-13-057
296-155-191	NEW-P	87-05-055	296-155-775	AMD	87-10-008	308-31-100	AMD	87-04-050
296-155-191	NEW	87-10-008	296-200-340	AMD	87-07-003	308-31-120	AMD	87-04-050
296-155-193	NEW-P	87-05-055	296-200-350	AMD	87-07-003	308-31-500	AMD	87-04-050
296-155-193	NEW	87-10-008	296-200-370	AMD	87-07-003	308-31-500	AMD-P	87-04-054
296-155-265	AMD-P	87-02-058	296-306-003	NEW-C	87-02-056	308-31-500	AMD	87-09-045
296-155-265	AMD-C	87-07-021	296-306-003	NEW-C	87-05-023	308-32-090	REP-P	87-07-046
296-155-265	AMD-W	87-13-008	296-306-003	NEW	87-09-079	308-32-100	NEW-P	87-07-046
296-155-270	AMD-P	87-02-058	296-306-005	REP-C	87-02-056	308-33-011	AMD-P	87-11-061
296-155-270	AMD-C	87-07-021	296-306-005	REP-C	87-05-023	308-33-020	AMD-P	87-11-061
296-155-270	AMD-W	87-13-008	296-306-005	REP	87-09-079	308-33-030	AMD-P	87-11-061
296-155-405	AMD-P	87-02-058	296-306-006	NEW-C	87-02-056	308-33-040	REP-P	87-11-061
296-155-405	AMD-C	87-07-021	296-306-006	NEW-C	87-05-023	308-33-050	REP-P	87-11-061
296-155-405	AMD-W	87-13-008	296-306-006	NEW	87-09-079	308-33-060	AMD-P	87-11-061
296-155-425	REP-P	87-02-058	296-306-009	NEW-C	87-02-056	308-33-080	AMD-P	87-11-061
296-155-425	REP-C	87-07-021	296-306-009	NEW-C	87-05-023	308-33-095	AMD-P	87-11-061
296-155-425	REP-W	87-13-008	296-306-009	NEW	87-09-079	308-33-105	AMD-P	87-07-046
296-155-426	NEW-P	87-02-058	296-306-012	NEW-C	87-02-056	308-33-105	AMD	87-10-028
296-155-426	NEW-C	87-07-021	296-306-012	NEW-C	87-05-023	308-34-090	NEW-P	87-07-046
296-155-426	NEW-W	87-13-008	296-306-012	NEW	87-09-079	308-34-090	NEW-P	87-13-057
296-155-428	NEW-P	87-02-058	296-306-025	AMD-C	87-02-056	308-37-190	AMD-P	87-07-045
296-155-428	NEW-C	87-07-021	296-306-025	AMD-C	87-05-023	308-37-190	AMD-W	87-09-095
296-155-428	NEW-W	87-13-008	296-306-025	AMD	87-09-079	308-37-190	AMD-P	87-09-096
296-155-429	NEW-P	87-02-058	296-306-057	NEW-C	87-02-056	308-37-190	AMD-W	87-11-026
296-155-429	NEW-C	87-07-021	296-306-057	NEW-C	87-05-023	308-40-102	AMD-P	87-06-051

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308-40-105	AMD-P	87-06-051	308-94-191	NEW	87-03-041	308-138-330	AMD	87-11-062
308-40-105	AMD	87-09-097	308-94-200	AMD	87-03-041	308-138A-020	AMD-P	87-04-048
308-40-125	AMD-P	87-07-046	308-94-210	AMD	87-03-041	308-138A-020	AMD	87-13-004
308-40-125	AMD-P	87-13-057	308-94-220	AMD	87-03-041	308-152-015	REP-P	87-07-046
308-41-025	REP-P	87-07-046	308-94-230	REP	87-03-041	308-152-015	REP	87-10-028
308-42-040	AMD-P	87-05-061	308-94-240	AMD	87-03-041	308-152-030	NEW-P	87-07-046
308-42-040	AMD	87-08-065	308-94-250	AMD	87-03-041	308-152-030	NEW	87-10-028
308-42-075	AMD-P	87-07-046	308-94-260	REP	87-03-041	308-171-001	AMD-P	87-05-062
308-42-075	AMD	87-10-028	308-94-261	NEW	87-03-041	308-171-001	AMD	87-09-044
308-48-075	NEW-P	87-08-051	308-94-265	NEW	87-03-041	308-171-002	AMD-P	87-05-062
308-48-075	NEW	87-11-063	308-94-270	NEW	87-03-041	308-171-002	AMD	87-09-044
308-48-210	NEW-P	87-08-051	308-96A-005	AMD-P	87-04-067	308-171-003	NEW-P	87-05-062
308-48-210	NEW	87-11-063	308-96A-005	AMD	87-12-023	308-171-003	NEW	87-09-044
308-48-250	REP-P	87-07-046	308-96A-021	NEW-P	87-04-067	308-171-010	AMD-P	87-05-062
308-48-250	REP	87-10-028	308-96A-021	NEW	87-12-023	308-171-010	AMD	87-09-044
308-48-800	NEW-P	87-07-046	308-96A-065	AMD-P	87-04-067	308-171-020	AMD-P	87-05-062
308-48-800	NEW	87-10-028	308-96A-065	AMD	87-12-023	308-171-020	AMD	87-09-044
308-50-010	AMD-P	87-10-066	308-96A-100	AMD-P	87-04-067	308-171-030	AMD	87-04-015
308-50-020	AMD-P	87-10-066	308-96A-100	AMD	87-12-023	308-171-030	REP-P	87-07-046
308-50-035	NEW-P	87-10-066	308-96A-136	NEW-P	87-04-067	308-171-030	REP	87-10-028
308-50-375	REP-P	87-07-046	308-96A-136	NEW	87-12-023	308-171-040	AMD	87-04-015
308-50-375	REP-P	87-13-057	308-96A-205	AMD-P	87-04-067	308-171-310	NEW-P	87-07-046
308-50-440	NEW-P	87-07-046	308-96A-205	AMD	87-12-023	308-171-310	NEW	87-10-028
308-50-440	NEW-P	87-13-057	308-96A-220	AMD-P	87-04-067	308-180-100	AMD-E	87-03-013
308-51-200	REP-P	87-07-046	308-96A-220	AMD	87-12-023	308-180-100	AMD	87-06-050
308-51-200	REP-P	87-13-057	308-96A-300	AMD-P	87-04-067	308-180-100	REP-P	87-07-046
308-51-210	NEW-P	87-07-046	308-96A-300	AMD	87-12-023	308-180-100	REP-P	87-13-057
308-51-210	NEW-P	87-13-057	308-96A-306	NEW-P	87-04-067	308-180-130	NEW-E	87-03-013
308-52-139	AMD-P	87-13-054	308-96A-306	NEW	87-12-023	308-180-130	NEW	87-06-050
308-52-140	AMD-P	87-13-054	308-96A-310	AMD-P	87-04-067	308-180-140	NEW-E	87-03-013
308-52-141	AMD-P	87-13-054	308-96A-325	AMD-P	87-04-067	308-180-140	NEW	87-06-050
308-52-147	NEW-P	87-13-054	308-96A-325	AMD	87-12-023	308-180-150	NEW-E	87-03-013
308-52-148	NEW-P	87-13-054	308-96A-330	AMD-P	87-04-067	308-180-150	NEW	87-06-050
308-52-315	REP-P	87-07-046	308-96A-330	AMD	87-12-023	308-180-160	NEW-E	87-03-013
308-52-315	REP	87-10-028	308-96A-335	AMD-P	87-04-067	308-180-160	NEW	87-06-050
308-52-590	NEW-P	87-07-046	308-96A-335	AMD	87-12-023	308-180-170	NEW-E	87-03-013
308-52-590	NEW	87-10-028	308-96A-400	AMD-P	87-04-067	308-180-170	NEW	87-06-050
308-53-020	AMD-P	87-07-046	308-96A-400	AMD	87-12-023	308-180-190	NEW-E	87-03-013
308-53-020	AMD	87-10-028	308-96A-410	NEW-P	87-04-067	308-180-190	NEW	87-06-050
308-53-084	AMD-C	87-02-060	308-96A-410	NEW	87-12-023	308-180-200	NEW-E	87-03-013
308-53-084	AMD	87-09-046	308-96A-415	NEW-P	87-04-067	308-180-200	NEW	87-06-050
308-53-085	AMD-C	87-02-060	308-96A-415	NEW	87-12-023	308-180-210	NEW-E	87-03-013
308-53-085	AMD	87-09-046	308-96A-420	NEW-P	87-04-067	308-180-210	NEW	87-06-050
308-53-320	NEW-P	87-09-074	308-96A-420	NEW	87-12-023	308-180-220	NEW-E	87-03-013
308-53-330	NEW-P	87-09-075	308-100-010	AMD-E	87-12-024	308-180-220	NEW	87-06-050
308-54-315	AMD-P	87-07-046	308-115-405	AMD-P	87-07-046	308-180-230	NEW-E	87-03-013
308-54-315	AMD-P	87-13-057	308-115-405	AMD-P	87-13-057	308-180-230	NEW	87-06-050
308-55-025	AMD-P	87-07-046	308-116-325	REP-P	87-07-046	308-180-240	NEW-E	87-03-013
308-55-025	AMD-P	87-13-057	308-116-325	REP	87-10-028	308-180-240	NEW	87-06-050
308-56A-006	NEW-P	87-04-069	308-117-130	AMD-P	87-10-067	308-180-250	NEW-E	87-03-013
308-56A-115	AMD-P	87-04-069	308-117-200	AMD-P	87-10-067	308-180-250	NEW	87-06-050
308-56A-125	AMD-P	87-04-069	308-117-300	AMD-P	87-10-067	308-180-260	NEW-P	87-07-046
308-56A-155	NEW-P	87-04-069	308-117-500	NEW-P	87-07-046	308-180-260	NEW-P	87-13-057
308-56A-156	NEW-P	87-04-069	308-117-500	NEW	87-10-028	308-190-010	NEW-P	87-13-053
308-56A-160	NEW-P	87-04-069	308-120-275	AMD-P	87-07-046	308-400-095	NEW-P	87-13-055
308-56A-195	AMD-P	87-04-069	308-120-275	AMD	87-10-028	308-400-100	NEW-P	87-13-055
308-79-050	REP-P	87-13-083	308-122-275	AMD-P	87-07-046	308-400-110	NEW-P	87-13-055
308-93-010	AMD-P	87-04-068	308-122-275	AMD	87-10-028	314-12-025	NEW-P	87-13-060
308-93-010	AMD	87-09-073	308-124D-040	AMD	87-05-065	314-12-070	AMD-P	87-13-060
308-93-074	AMD-P	87-04-068	308-128B-080	NEW-P	87-13-056	314-12-140	AMD	87-04-018
308-93-074	AMD	87-09-073	308-138-080	AMD-P	87-07-046	314-12-145	NEW-E	87-11-043
308-94	AMD	87-03-041	308-138-080	AMD	87-10-028	314-12-145	NEW-P	87-11-044
308-94-010	AMD	87-03-041	308-138-321	NEW-P	87-04-048	314-12-150	AMD-P	87-11-019
308-94-020	REP	87-03-041	308-138-321	NEW	87-11-062	314-16-160	AMD-C	87-03-025
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308-94-040	AMD	87-03-041	308-138-322	NEW	87-11-062	314-16-205	AMD-P	87-13-012
308-94-050	AMD	87-03-041	308-138-323	NEW-P	87-04-048	314-16-240	NEW-P	87-12-027
308-94-060	REP	87-03-041	308-138-323	NEW	87-11-062	314-20-020	AMD-P	87-05-045
308-94-070	AMD	87-03-041	308-138-324	NEW-P	87-04-048	314-20-020	AMD	87-08-015
308-94-080	AMD	87-03-041	308-138-324	NEW	87-11-062	314-24-090	AMD-P	87-05-044
308-94-100	AMD	87-03-041	308-138-325	NEW-P	87-04-048	314-24-090	AMD	87-08-016
308-94-110	AMD	87-03-041	308-138-326	NEW-P	87-04-048	314-24-095	NEW-E	87-12-020
308-94-160	AMD	87-03-041	308-138-326	NEW	87-11-062	314-24-095	NEW-P	87-12-028
308-94-170	AMD	87-03-041	308-138-327	NEW-P	87-04-048	314-24-110	AMD-P	87-13-013
308-94-180	REP	87-03-041	308-138-327	NEW	87-11-062	314-24-190	AMD-P	87-13-013
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314-27-010	REVIEW	87-03-034	320-08-540	AMD-P	87-10-068	332-24-185001	REP	87-11-005
314-36-020	AMD-P	87-04-063	320-12-030	AMD-P	87-10-069	332-24-190	REP-P	87-06-055
314-36-020	AMD	87-07-008	320-12-050	AMD-P	87-10-069	332-24-190	REP	87-11-005
314-36-100	AMD-P	87-04-063	320-12-060	AMD-P	87-10-069	332-24-192	REP-P	87-06-055
314-36-100	AMD	87-07-008	320-12-070	AMD-P	87-10-069	332-24-192	REP	87-11-005
314-36-110	AMD-P	87-04-063	320-16-001	REP-P	87-10-069	332-24-194	REP-P	87-06-055
314-36-110	AMD	87-07-008	320-16-010	REP-P	87-10-069	332-24-194	REP	87-11-005
314-36-150	AMD-P	87-04-063	320-16-015	REP-P	87-10-069	332-24-196	REP-P	87-06-055
314-36-150	AMD	87-07-008	320-20-010	AMD-P	87-10-069	332-24-196	REP	87-11-005
314-52-114	AMD	87-04-026	320-20-020	AMD-P	87-10-069	332-24-197	REP-P	87-06-055
315-02-020	AMD	87-05-005	320-20-030	AMD-P	87-10-069	332-24-197	REP	87-11-005
315-04-070	AMD-P	87-07-051	320-20-060	REP-P	87-10-069	332-24-200	REP-P	87-06-055
315-04-070	AMD	87-10-043	322-12-010	AMD	87-04-035	332-24-200	REP	87-11-005
315-04-090	AMD-P	87-07-051	323-12-010	NEW	87-05-014	332-24-201	NEW-P	87-06-055
315-04-090	AMD	87-10-043	323-12-020	NEW	87-05-014	332-24-201	NEW	87-11-005
315-04-190	AMD	87-05-005	323-12-030	NEW	87-05-014	332-24-205	NEW-P	87-06-055
315-11-240	NEW	87-05-005	323-12-040	NEW	87-05-014	332-24-205	NEW	87-11-005
315-11-241	NEW	87-05-005	323-12-050	NEW	87-05-014	332-24-210	REP-P	87-06-055
315-11-242	NEW	87-05-005	323-12-060	NEW	87-05-014	332-24-210	REP	87-11-005
315-11-250	NEW-P	87-07-050	323-12-070	NEW	87-05-014	332-24-211	NEW-P	87-06-055
315-11-250	NEW-E	87-07-052	323-12-080	NEW	87-05-014	332-24-211	NEW	87-11-005
315-11-250	NEW	87-10-043	323-12-090	NEW	87-05-014	332-24-215	NEW-P	87-06-055
315-11-251	NEW-P	87-07-050	323-12-100	NEW	87-05-014	332-24-215	NEW	87-11-005
315-11-251	NEW-E	87-07-052	323-12-110	NEW	87-05-014	332-24-220	REP-P	87-06-055
315-11-251	NEW	87-10-043	323-12-120	NEW	87-05-014	332-24-220	NEW	87-11-005
315-11-251	AMD-E	87-12-007	326-30-039	NEW-E	87-13-037	332-24-221	NEW-P	87-06-055
315-11-252	NEW-P	87-07-050	332-24-001	REP-P	87-06-055	332-24-221	NEW	87-11-005
315-11-252	NEW-E	87-07-052	332-24-001	REP	87-11-005	332-24-225	NEW-P	87-06-055
315-11-252	NEW	87-10-043	332-24-005	NEW-P	87-06-055	332-24-225	NEW	87-11-005
315-11-260	NEW-P	87-07-050	332-24-005	NEW	87-11-005	332-24-230	REP-P	87-06-055
315-11-260	NEW	87-10-043	332-24-015	NEW-P	87-06-055	332-24-230	REP	87-11-005
315-11-261	NEW-P	87-07-050	332-24-015	NEW	87-11-005	332-24-231	NEW-P	87-06-055
315-11-261	NEW	87-10-043	332-24-020	REP-P	87-06-055	332-24-231	NEW	87-11-005
315-11-262	NEW-P	87-07-050	332-24-020	REP	87-11-005	332-24-232	NEW-P	87-06-055
315-11-262	NEW	87-10-043	332-24-025	REP-P	87-06-055	332-24-232	NEW	87-11-005
315-11-270	NEW-P	87-07-050	332-24-025	REP	87-11-005	332-24-234	NEW-P	87-06-055
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315-11-271	NEW-P	87-07-050	332-24-027	REP	87-11-005	332-24-236	NEW-P	87-06-055
315-11-271	NEW	87-10-043	332-24-055	REP-P	87-06-055	332-24-236	NEW	87-11-005
315-11-272	NEW-P	87-07-050	332-24-055	REP	87-11-005	332-24-238	NEW-P	87-06-055
315-11-272	NEW	87-10-043	332-24-056	REP-P	87-06-055	332-24-238	NEW	87-11-005
320-08-001	NEW-P	87-10-068	332-24-056	REP	87-11-005	332-24-240	NEW-P	87-06-055
320-08-010	AMD-P	87-10-068	332-24-057	REP-P	87-06-055	332-24-240	NEW	87-11-005
320-08-030	AMD-P	87-10-068	332-24-057	REP	87-11-005	332-24-242	NEW-P	87-06-055
320-08-040	AMD-P	87-10-068	332-24-058	REP-P	87-06-055	332-24-242	NEW	87-11-005
320-08-050	AMD-P	87-10-068	332-24-058	REP	87-11-005	332-24-244	NEW-P	87-06-055
320-08-055	NEW-P	87-10-068	332-24-059	REP-P	87-06-055	332-24-244	NEW	87-11-005
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320-08-080	AMD-P	87-10-068	332-24-060	REP-P	87-06-055	332-24-261	NEW	87-11-005
320-08-090	AMD-P	87-10-068	332-24-060	REP	87-11-005	332-24-301	NEW-P	87-06-055
320-08-100	AMD-P	87-10-068	332-24-063	REP-P	87-06-055	332-24-301	NEW	87-11-005
320-08-140	AMD-P	87-10-068	332-24-063	REP	87-11-005	332-24-310	REP-P	87-06-055
320-08-160	AMD-P	87-10-068	332-24-070	REP-P	87-06-055	332-24-310	REP	87-11-005
320-08-180	AMD-P	87-10-068	332-24-070	REP	87-11-005	332-24-320	REP-P	87-06-055
320-08-190	AMD-P	87-10-068	332-24-090	REP-P	87-06-055	332-24-320	REP	87-11-005
320-08-200	AMD-P	87-10-068	332-24-090	REP	87-11-005	332-24-330	REP-P	87-06-055
320-08-210	AMD-P	87-10-068	332-24-095	REP-P	87-06-055	332-24-330	REP	87-11-005
320-08-260	AMD-P	87-10-068	332-24-095	REP	87-11-005	332-24-340	REP-P	87-06-055
320-08-270	AMD-P	87-10-068	332-24-100	REP-P	87-06-055	332-24-340	REP	87-11-005
320-08-300	AMD-P	87-10-068	332-24-100	REP	87-11-005	332-24-350	REP-P	87-06-055
320-08-310	AMD-P	87-10-068	332-24-105	REP-P	87-06-055	332-24-350	REP	87-11-005
320-08-350	AMD-P	87-10-068	332-24-105	REP	87-11-005	332-24-360	REP-P	87-06-055
320-08-370	AMD-P	87-10-068	332-24-10501	REP-P	87-06-055	332-24-360	REP	87-11-005
320-08-380	AMD-P	87-10-068	332-24-10501	REP	87-11-005	332-24-370	REP-P	87-06-055
320-08-390	AMD-P	87-10-068	332-24-10502	REP-P	87-06-055	332-24-370	REP	87-11-005
320-08-400	AMD-P	87-10-068	332-24-10502	REP	87-11-005	332-24-380	REP-P	87-06-055
320-08-410	AMD-P	87-10-068	332-24-150	REP-P	87-06-055	332-24-380	REP	87-11-005
320-08-420	AMD-P	87-10-068	332-24-150	REP	87-11-005	332-24-385	REP-P	87-06-055
320-08-430	AMD-P	87-10-068	332-24-160	REP-P	87-06-055	332-24-385	REP	87-11-005
320-08-440	AMD-P	87-10-068	332-24-160	REP	87-11-005	332-24-387	REP-P	87-06-055
320-08-445	NEW-P	87-10-068	332-24-170	REP-P	87-06-055	332-24-387	REP	87-11-005
320-08-450	AMD-P	87-10-068	332-24-170	REP	87-11-005	332-24-390	REP-P	87-06-055
320-08-460	AMD-P	87-10-068	332-24-180	REP-P	87-06-055	332-24-390	REP	87-11-005
320-08-470	AMD-P	87-10-068	332-24-180	REP	87-11-005	332-24-395	REP-P	87-06-055
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332-24-405	NEW	87-11-005	352-42-050	REP-P	87-04-075	356-22-180	AMD	87-02-038
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332-24-410	REP	87-11-005	352-42-060	REP-P	87-04-075	356-26-010	AMD	87-02-038
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332-24-430	REP-P	87-06-055	352-44A-040	REP-P	87-04-075	356-30-050	AMD	87-02-038
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332-24-440	REP-P	87-06-055	352-44A-050	REP-P	87-04-075	356-30-065	AMD-C	87-06-022
332-24-440	REP	87-11-005	352-44A-050	REP	87-11-037	356-30-070	AMD-C	87-03-010
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332-24-658	NEW	87-11-005	356-05-480	AMD-C	87-03-009	356-30-230	AMD-P	87-12-015
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344-12-060	AMD-P	87-11-048	356-15-030	AMD-P	87-04-040	356-42-055	AMD-C	87-13-038
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360-16-235	NEW	87-08-031	388-40-050	NEW-P	87-13-080
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360-16-245	AMD-P	87-05-063	388-40-080	NEW-P	87-13-080
360-16-245	AMD	87-08-031	388-40-090	NEW-P	87-13-080
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365-100-020	AMD-E	87-03-035	388-53-030	REP-E	87-09-020
365-100-020	AMD-P	87-03-043	388-53-030	REP-P	87-09-021
365-100-020	AMD-E	87-10-019	388-53-030	REP	87-12-053
365-100-020	AMD	87-10-020	388-53-040	REP-E	87-09-020
365-100-030	AMD-E	87-03-035	388-53-040	REP-P	87-09-021
365-100-030	AMD-P	87-03-043	388-53-040	REP	87-12-053
365-100-030	AMD-E	87-10-019	388-53-050	AMD-E	87-09-020
365-100-030	AMD	87-10-020	388-53-050	AMD-P	87-09-021
365-100-040	AMD-E	87-03-035	388-53-050	AMD	87-12-053
365-100-040	AMD-P	87-03-043	388-53-060	REP-E	87-09-020
365-100-040	AMD-E	87-10-019	388-53-060	REP-P	87-09-021
365-100-040	AMD	87-10-020	388-53-060	REP	87-12-053
365-170-010	NEW	87-04-007	388-53-070	REP-E	87-09-020
365-170-020	NEW	87-04-007	388-53-070	REP-P	87-09-021
365-170-030	NEW	87-04-007	388-53-070	REP	87-12-053
365-170-040	NEW	87-04-007	388-53-080	REP-E	87-09-020
365-170-050	NEW	87-04-007	388-53-080	REP-P	87-09-021
365-170-060	NEW	87-04-007	388-53-080	REP	87-12-053
365-170-070	NEW	87-04-007	388-53-090	REP-E	87-09-020
365-170-080	NEW	87-04-007	388-53-090	REP-P	87-09-021
365-170-090	NEW	87-04-007	388-53-090	REP	87-12-053
365-170-100	NEW	87-04-007	388-53-100	REP-E	87-09-020
388-17-500	NEW	87-03-015	388-53-100	REP-P	87-09-021
388-17-510	NEW	87-03-015	388-53-100	REP	87-12-053
388-24-050	AMD-P	87-10-010	388-53-120	REP-E	87-09-020
388-24-107	AMD-P	87-09-086	388-53-120	REP-P	87-09-021
388-24-107	AMD	87-12-058	388-53-120	REP	87-12-053
388-24-250	AMD-P	87-10-064	388-54-601	AMD-P	87-08-045
388-24-250	AMD	87-13-077	388-54-601	AMD-E	87-08-046
388-24-253	AMD-P	87-10-064	388-54-630	AMD-P	87-06-033
388-24-253	AMD	87-13-077	388-54-630	AMD	87-09-028
388-24-254	AMD-P	87-10-064	388-54-635	AMD-P	87-12-017
388-24-254	AMD	87-13-077	388-54-635	AMD-E	87-12-048
388-24-255	AMD-P	87-10-064	388-54-645	AMD-P	87-09-008
388-24-255	AMD	87-13-077	388-54-645	AMD-E	87-09-009
388-24-260	AMD-P	87-10-064	388-54-645	RESCIND	87-09-029
388-24-260	AMD	87-13-077	388-54-645	AMD	87-12-052
388-24-265	AMD-P	87-10-064	388-54-645	AMD-E	87-12-055
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388-24-270	REP-P	87-10-064	388-54-660	AMD-E	87-12-048
388-24-270	REP	87-13-077	388-54-662	NEW	87-06-003
388-24-276	REP-P	87-10-064	388-54-665	AMD-P	87-12-017
388-24-276	REP	87-13-077	388-54-665	AMD-E	87-12-048
388-33-400	AMD-P	87-13-078	388-54-670	AMD	87-03-019
388-33-420	AMD-P	87-13-078	388-54-675	AMD-P	87-08-045
388-33-455	AMD-P	87-13-078	388-54-675	AMD-E	87-08-046
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388-37-020	AMD-P	87-13-079	388-54-677	AMD-E	87-08-046
388-37-021	NEW-P	87-13-079	388-54-730	AMD-P	87-11-058
388-37-030	AMD-P	87-13-079	388-54-735	AMD	87-03-019
388-37-032	AMD-P	87-13-079	388-54-735	AMD-E	87-03-021
388-37-035	AMD-P	87-13-079	388-54-740	AMD	87-03-054
388-54-740	AMD-P	87-09-090	388-54-740	AMD	87-12-051
388-54-740	AMD	87-12-051	388-54-745	AMD	87-03-054
388-54-765	AMD	87-06-003	388-54-765	AMD	87-06-003
388-54-775	AMD-P	87-09-088	388-54-775	AMD-E	87-10-065
388-54-775	AMD-E	87-10-065	388-54-775	AMD	87-12-057
388-54-805	AMD	87-06-003	388-54-805	AMD	87-06-003
388-54-850	AMD-P	87-04-010	388-54-850	AMD-P	87-04-010
388-54-850	AMD	87-07-032	388-54-850	AMD	87-07-032
388-70-056	REP-P	87-06-043	388-70-056	REP-P	87-06-043
388-70-056	REP	87-09-027	388-70-056	REP	87-09-027
388-83-015	AMD-P	87-02-063	388-83-015	AMD-P	87-02-063
388-83-015	AMD-E	87-03-002	388-83-015	AMD-E	87-03-002
388-83-015	AMD	87-06-005	388-83-015	AMD	87-06-005
388-86-005	AMD-P	87-09-089	388-86-005	AMD-P	87-09-089
388-86-005	AMD	87-12-050	388-86-005	AMD	87-12-050
388-86-009	AMD	87-06-001	388-86-009	AMD	87-06-001
388-86-00901	AMD-P	87-02-062	388-86-00901	AMD-P	87-02-062
388-86-00901	AMD-E	87-03-003	388-86-00901	AMD-E	87-03-003
388-86-00901	AMD	87-06-004	388-86-00901	AMD	87-06-004
388-86-071	AMD	87-06-002	388-86-071	AMD	87-06-002
388-87-005	AMD-P	87-09-057	388-87-005	AMD-P	87-09-057
388-87-005	AMD	87-12-056	388-87-005	AMD	87-12-056
388-87-105	AMD-P	87-09-057	388-87-105	AMD-P	87-09-057
388-87-105	AMD	87-12-056	388-87-105	AMD	87-12-056
388-87-115	NEW-P	87-09-089	388-87-115	NEW-P	87-09-089
388-87-115	NEW	87-12-050	388-87-115	NEW	87-12-050
388-92-041	NEW-P	87-07-012	388-92-041	NEW-P	87-07-012
388-92-041	NEW-E	87-10-021	388-92-041	NEW-E	87-10-021
388-92-041	NEW	87-10-022	388-92-041	NEW	87-10-022
388-96-217	NEW-P	87-05-018	388-96-217	NEW-P	87-05-018
388-96-217	NEW	87-09-058	388-96-217	NEW	87-09-058
388-96-366	AMD-P	87-05-018	388-96-366	AMD-P	87-05-018
388-96-366	AMD	87-09-058	388-96-366	AMD	87-09-058
388-96-565	AMD-P	87-05-018	388-96-565	AMD-P	87-05-018
388-96-565	AMD	87-09-058	388-96-565	AMD	87-09-058
388-96-585	AMD-P	87-05-018	388-96-585	AMD-P	87-05-018
388-96-585	AMD	87-09-058	388-96-585	AMD	87-09-058
388-96-710	AMD	87-09-058	388-96-710	AMD	87-09-058
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388-96-722	AMD	87-09-058	388-96-722	AMD	87-09-058
388-96-745	AMD-P	87-05-018	388-96-745	AMD-P	87-05-018
388-96-745	AMD	87-09-058	388-96-745	AMD	87-09-058
388-96-754	AMD-P	87-05-018	388-96-754	AMD-P	87-05-018
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388-96-774	AMD-P	87-05-018	388-96-774	AMD-P	87-05-018
388-96-774	AMD	87-09-058	388-96-774	AMD	87-09-058
388-99-020	AMD-P	87-02-064	388-99-020	AMD-P	87-02-064
388-99-020	AMD-E	87-03-001	388-99-020	AMD-E	87-03-001
388-99-020	AMD	87-06-006	388-99-020	AMD	87-06-006
388-100-005	REVIEW	87-04-062	388-100-005	REVIEW	87-04-062
388-100-005	AMD-P	87-09-087	388-100-005	AMD-P	87-09-087
388-100-005	AMD	87-12-054	388-100-005	AMD	87-12-054
390-20-0101	AMD	87-05-001	390-20-0101	AMD	87-05-001
390-20-014	NEW-P	87-05-041	390-20-014	NEW-P	87-05-041
390-20-014	NEW	87-08-025	390-20-014	NEW	87-08-025
390-20-110	AMD	87-05-001	390-20-110	AMD	87-05-001
392-100-050	NEW-P	87-07-027	392-100-050	NEW-P	87-07-027
392-100-050	NEW	87-10-012	392-100-050	NEW	87-10-012
392-100-060	NEW-P	87-07-027	392-100-060	NEW-P	87-07-027
392-100-060	NEW	87-10-012	392-100-060	NEW	87-10-012
392-101-010	NEW-P	87-07-026	392-101-010	NEW-P	87-07-026
392-101-010	NEW	87-10-013	392-101-010	NEW	87-10-013
392-122-605	AMD-P	87-04-046	392-122-605	AMD-P	87-04-046
392-122-605	AMD	87-09-018	392-122-605	AMD	87-09-018
392-123-054	AMD-P	87-12-087	392-123-054	AMD-P	87-12-087
392-123-078	AMD-P	87-12-087	392-123-078	AMD-P	87-12-087
392-123-145	AMD-P	87-05-039	392-123-145	AMD-P	87-05-039
392-123-145	AMD	87-09-019	392-123-145	AMD	87-09-019
392-137-060	AMD-P	87-07-028	392-137-060	AMD-P	87-07-028
392-137-060	AMD	87-10-014	392-137-060	AMD	87-10-014
392-140-058	AMD-P	87-04-047	392-140-058	AMD-P	87-04-047
392-140-058	AMD	87-09-017	392-140-058	AMD	87-09-017
392-185-060	AMD-P	87-13-065	392-185-060	AMD-P	87-13-065
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415-02-090	AMD	87-07-013	415-104-120	REP	87-07-016	415-105-150	NEW-P	87-03-048
415-100	AMD-P	87-03-046	415-104-125	NEW-P	87-03-047	415-105-150	NEW	87-07-015
415-100	AMD	87-07-014	415-104-125	NEW	87-07-016	415-105-160	NEW-P	87-03-048
415-100-005	NEW-P	87-03-046	415-104-135	NEW-P	87-03-047	415-105-160	NEW	87-07-015
415-100-005	NEW	87-07-014	415-104-135	NEW	87-07-016	415-105-170	NEW-P	87-03-048
415-100-010	REP-P	87-03-046	415-104-140	REP-P	87-03-047	415-105-170	NEW	87-07-015
415-100-010	REP	87-07-014	415-104-140	REP	87-07-016	415-105-180	NEW-P	87-03-048
415-100-015	NEW-P	87-03-046	415-104-145	NEW-P	87-03-047	415-105-180	NEW	87-07-015
415-100-015	NEW	87-07-014	415-104-145	NEW	87-07-016	434-09-010	NEW-E	87-02-067
415-100-020	REP-P	87-03-046	415-104-150	REP-P	87-03-047	434-09-010	NEW-P	87-02-068
415-100-020	REP	87-07-014	415-104-150	REP	87-07-016	434-09-010	NEW	87-06-009
415-100-025	NEW-P	87-03-046	415-104-155	NEW-P	87-03-047	434-09-020	NEW-E	87-02-067
415-100-025	NEW	87-07-014	415-104-155	NEW	87-07-016	434-09-020	NEW-P	87-02-068
415-100-035	NEW-P	87-03-046	415-104-160	REP-P	87-03-047	434-09-020	NEW	87-06-009
415-100-035	NEW	87-07-014	415-104-160	REP	87-07-016	434-09-030	NEW-E	87-02-067
415-100-040	REP-P	87-03-046	415-104-165	NEW-P	87-03-047	434-09-030	NEW-P	87-02-068
415-100-040	REP	87-07-014	415-104-165	NEW	87-07-016	434-09-030	NEW	87-06-009
415-100-050	REP-P	87-03-046	415-104-170	REP-P	87-03-047	434-09-040	NEW-E	87-02-067
415-100-050	REP	87-07-014	415-104-170	REP	87-07-016	434-09-040	NEW-P	87-02-068
415-100-060	REP-P	87-03-046	415-104-175	NEW-P	87-03-047	434-09-040	NEW	87-06-009
415-100-060	REP	87-07-014	415-104-175	NEW	87-07-016	434-09-050	NEW-E	87-02-067
415-100-100	REP-P	87-03-046	415-104-180	REP-P	87-03-047	434-09-050	NEW-P	87-02-068
415-100-100	REP	87-07-014	415-104-180	REP	87-07-016	434-09-050	NEW	87-06-009
415-100-110	REP-P	87-03-046	415-104-190	REP-P	87-03-047	434-09-060	NEW-E	87-02-067
415-100-110	REP	87-07-014	415-104-190	REP	87-07-016	434-09-060	NEW-P	87-02-068
415-100-120	REP-P	87-03-046	415-104-200	REP-P	87-03-047	434-09-060	NEW	87-06-009
415-100-120	REP	87-07-014	415-104-200	REP	87-07-016	434-09-070	NEW-E	87-02-067
415-100-130	REP-P	87-03-046	415-104-210	REP-P	87-03-047	434-09-070	NEW-P	87-02-068
415-100-130	REP	87-07-014	415-104-210	REP	87-07-016	434-09-070	NEW	87-06-009
415-100-140	REP-P	87-03-046	415-104-220	REP-P	87-03-047	434-09-080	NEW-E	87-02-067
415-100-140	REP	87-07-014	415-104-220	REP	87-07-016	434-09-080	NEW-P	87-02-068
415-100-150	REP-P	87-03-046	415-104-230	REP-P	87-03-047	434-09-080	NEW	87-06-009
415-100-150	REP	87-07-014	415-104-230	REP	87-07-016	434-09-090	NEW-E	87-02-067
415-100-160	REP-P	87-03-046	415-104-240	REP-P	87-03-047	434-09-090	NEW-P	87-02-068
415-100-160	REP	87-07-014	415-104-240	REP	87-07-016	434-09-090	NEW	87-06-009
415-100-170	REP-P	87-03-046	415-104-250	REP-P	87-03-047	440-44-030	AMD-P	87-09-007
415-100-170	REP	87-07-014	415-104-250	REP	87-07-016	440-44-030	AMD	87-12-049
415-100-180	REP-P	87-03-046	415-104-260	REP-P	87-03-047	440-44-030	AMD-P	87-13-081
415-100-180	REP	87-07-014	415-104-260	REP	87-07-016	440-44-040	AMD-P	87-10-015
415-104	AMD-P	87-03-047	415-104-270	REP-P	87-03-047	440-44-045	AMD-P	87-10-015
415-104	AMD	87-07-016	415-104-270	REP	87-07-016	440-44-048	AMD-P	87-10-015
415-104-005	NEW-P	87-03-047	415-104-300	REP-P	87-03-047	440-44-061	AMD	87-03-017
415-104-005	NEW	87-07-016	415-104-300	REP	87-07-016	440-44-070	AMD-P	87-10-015
415-104-010	REP-P	87-03-047	415-104-310	REP-P	87-03-047	440-44-075	AMD-P	87-10-015
415-104-010	REP	87-07-016	415-104-310	REP	87-07-016	440-44-076	AMD-P	87-10-015
415-104-015	NEW-P	87-03-047	415-104-320	REP-P	87-03-047	440-44-100	AMD-P	87-10-015
415-104-015	NEW	87-07-016	415-104-320	REP	87-07-016	440-44-100	AMD-C	87-13-082
415-104-020	REP-P	87-03-047	415-104-400	REP-P	87-03-047	446-55-005	NEW-C	87-04-024
415-104-020	REP	87-07-016	415-104-400	REP	87-07-016	446-55-005	NEW	87-05-012
415-104-025	NEW-P	87-03-047	415-104-410	REP-P	87-03-047	446-55-020	AMD-C	87-04-024
415-104-025	NEW	87-07-016	415-104-410	REP	87-07-016	446-55-020	AMD	87-05-012
415-104-030	REP-P	87-03-047	415-104-800	REP-P	87-03-047	446-55-030	AMD-C	87-04-024
415-104-030	REP	87-07-016	415-104-800	REP	87-07-016	446-55-030	AMD	87-05-012
415-104-035	NEW-P	87-03-047	415-104-810	REP-P	87-03-047	446-55-060	AMD-C	87-04-024
415-104-035	NEW	87-07-016	415-104-810	REP	87-07-016	446-55-060	AMD	87-05-012
415-104-045	NEW-P	87-03-047	415-104-820	REP-P	87-03-047	446-55-090	AMD-P	87-02-040
415-104-045	NEW	87-07-016	415-104-820	REP	87-07-016	446-55-090	AMD-E	87-02-041
415-104-050	NEW-P	87-03-047	415-104-830	REP-P	87-03-047	446-55-100	AMD-P	87-02-040
415-104-050	NEW	87-07-016	415-104-830	REP	87-07-016	446-55-100	AMD-E	87-02-041
415-104-060	NEW-P	87-03-047	415-105-050	AMD-P	87-03-048	446-55-170	AMD-C	87-04-024
415-104-060	NEW	87-07-016	415-105-050	AMD	87-07-015	446-55-170	AMD	87-05-012
415-104-070	NEW-P	87-03-047	415-105-060	AMD-P	87-03-048	446-55-180	AMD-C	87-04-024
415-104-070	NEW	87-07-016	415-105-060	AMD	87-07-015	446-55-180	AMD	87-05-012
415-104-080	NEW-P	87-03-047	415-105-070	AMD-P	87-03-048	446-55-200	REP-C	87-04-024
415-104-080	NEW	87-07-016	415-105-070	AMD	87-07-015	446-55-200	REP	87-05-012
415-104-090	NEW-P	87-03-047	415-105-090	AMD-P	87-03-048	446-55-210	REP-C	87-04-024
415-104-090	NEW	87-07-016	415-105-090	AMD	87-07-015	446-55-210	REP	87-05-012
415-104-100	AMD-P	87-03-047	415-105-100	NEW-P	87-03-048	446-55-220	AMD-C	87-04-024
415-104-100	REP-P	87-03-047	415-105-100	NEW	87-07-015	446-55-220	AMD	87-05-012
415-104-100	AMD	87-07-016	415-105-110	NEW-P	87-03-048	446-55-240	REP-C	87-04-024
415-104-105	REP-P	87-03-047	415-105-110	NEW	87-07-015	446-55-240	REP	87-05-012
415-104-105	REP	87-07-016	415-105-120	NEW-P	87-03-048	446-55-250	AMD-P	87-02-040
415-104-110	REP-P	87-03-047	415-105-120	NEW	87-07-015	446-55-250	AMD-E	87-02-041
415-104-110	REP	87-07-016	415-105-130	NEW-P	87-03-048	446-55-270	AMD-P	87-02-040
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446-60-015	NEW-C	87-04-024	460-70-005	NEW	87-02-044	480-90-051	AMD-E	87-03-060
446-60-015	NEW	87-05-012	460-70-010	NEW	87-02-044	480-90-071	AMD-W	87-03-057
446-60-020	AMD-C	87-04-024	460-70-015	NEW	87-02-044	480-90-071	AMD-P	87-03-058
446-60-020	AMD	87-05-012	460-70-020	NEW	87-02-044	480-90-071	RESCIND	87-03-059
446-60-080	AMD-C	87-04-024	460-70-025	NEW	87-02-044	480-90-071	AMD-E	87-03-060
446-60-080	AMD	87-05-012	460-70-030	NEW	87-02-044	480-90-072	AMD-W	87-03-057
446-70-010	NEW-P	87-06-007	460-70-035	NEW	87-02-044	480-90-072	AMD-P	87-03-058
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